

# Farmland Working Group

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

## Finite Resources Water and Productive Farmland

### Saving the Best

In the next few weeks the Modesto City Council is to consider a new planning tool called a Residential Urban Limit (RUL). Like the Stamp Out Sprawl Initiative Measure E, that was supported by a super-majority of Stanislaus County voters, the RUL does not impact industrial or commercial development zoning. The RUL takes advantage of Modesto's place-on-the-map, literally. Modesto has prime farmlands west and north, Ceres to the south, and poorer soils east. Modesto's most significant water recharge area is also north.

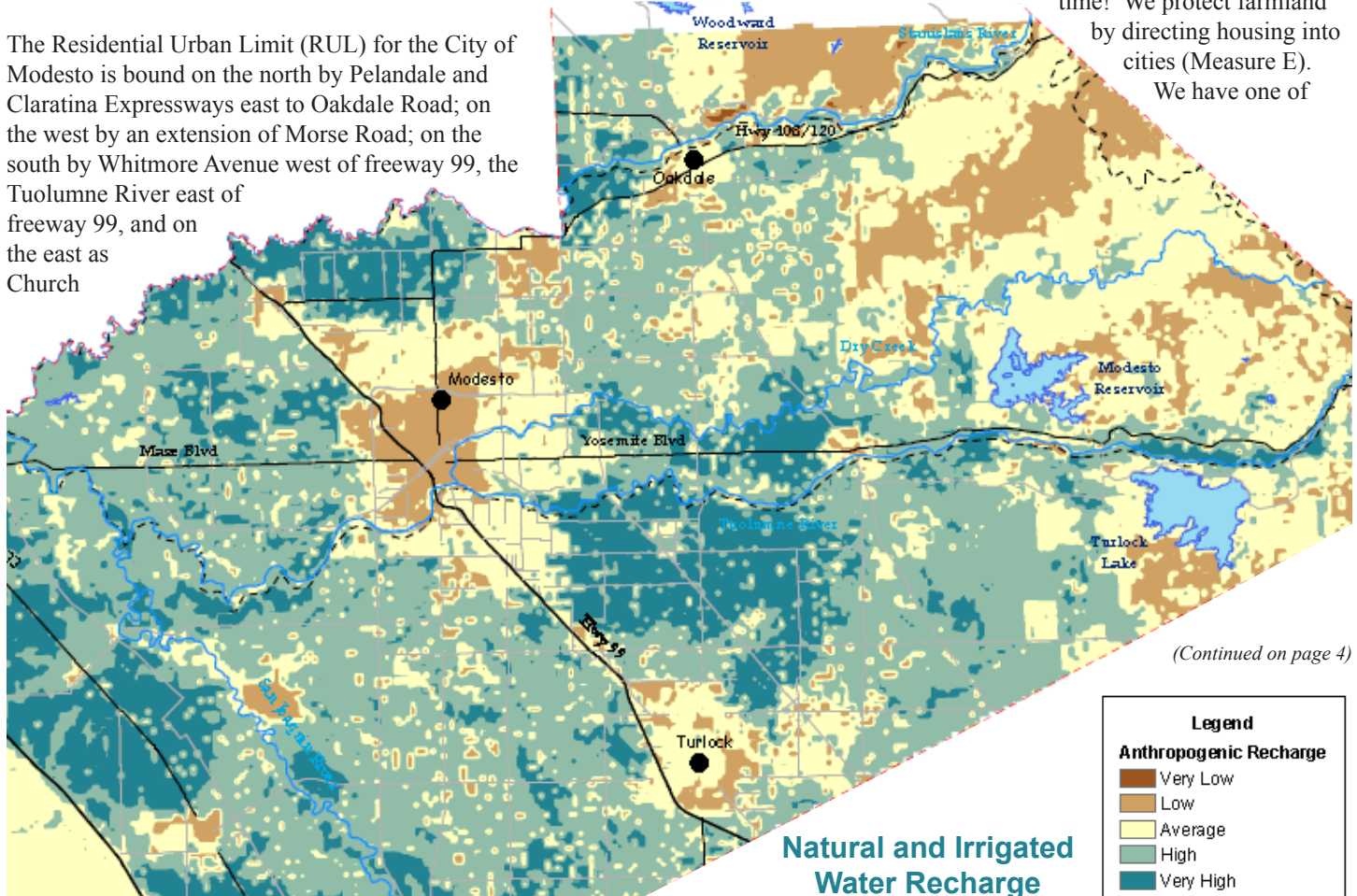
The RUL I submitted recommends these boundaries beyond which no residential development under 10 dwelling units per acre could occur without a majority public vote:

The Residential Urban Limit (RUL) for the City of Modesto is bound on the north by Pelandale and Claratina Expressways east to Oakdale Road; on the west by an extension of Morse Road; on the south by Whitmore Avenue west of freeway 99, the Tuolumne River east of freeway 99, and on the east as Church

Street ending at Dry Creek. This policy does not apply east of Oakdale Road north of Dry Creek.

The RUL is not a cure-all for the protection of our best soils. However, it allows our city representatives to direct housing development, a major sprawl component, away from our best farmland, and prevent housing from taking away the best areas for job generators that may come from industrial or commercial development. This is particularly important along the Freeway 99 and Kiernan Road corridors.

OK. Then what? When will we ever recognize agriculture as our top industry in our planning process? When will we "Plan for Ag?" The same way you eat an elephant... One bite at a time! We protect farmland by directing housing into cities (Measure E). We have one of



(Continued on page 4)

# County Fails to Update Ag Policies

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A sixteen-month effort to update the Agricultural Element of General Plan was put on hold by the county's leaders at the Board of Supervisor's April 30, 2013 meeting. The agency's lawyer found a conflict of interest with those board members who have farmland in the county. Supervisor Dick Monteith, the only one of the five supervisors who doesn't own farmland, was the only member who could vote. Using a last-resort exception ruling, the four non-voting members drew straws. The two members who drew the long straws became two of the three voting members, Monteith being the third.

Board Chairman Vito Chiesa and Supervisor Bill O'Brien (voting members) could not convince Monteith to vote on the newly proposed issues separately. Monteith would not budge and in-

sisted that all parts of the ag element proposal be voted on as a whole, preferring not to pick it apart. The ruling required that there be a unanimous vote of three. The proposed update will be sent back to the Agricultural Advisory Board to be reviewed and rewritten. The county's General Plan is required to be updated every five years. The Ag Element is a part of the General Plan and, therefore, must be reviewed and updated. The GP was last updated on 2007.

Below is an article written by Supervisor Jim DeMartini, District 5. The board consists of eleven voting members appointed by the Board of Supervisors. DeMartini is a non-voting member representing the Board of Supervisors. The article was submitted prior to the BOS meeting on April 30, 2013.

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## A letter from Supervisor Jim DeMartini, District 5

Agriculture is Stanislaus County's Economic engine and our most important industry. The value of agricultural commodities produced in Stanislaus County is in excess of \$3,000,000,000. Factoring in agriculture's economic multiplier, which is in excess of 3.5 times the farm gate value, the total economic impact of agriculture in Stanislaus County is about 9 billion dollars, in fact agriculturally related businesses account for one out of every three jobs in the County.

Recognizing the importance of our agriculture, Stanislaus County passed an Agricultural Element to the General Plan in 2007. The Purpose of the agricultural element is to promote and protect local agriculture through the adoption of policies designed to achieve three main goals:

1. Strengthen the agricultural sector of our economy.
2. Conserve our agricultural lands for agricultural uses.
3. Protect the natural resources that sustain agricultural in Stanislaus County

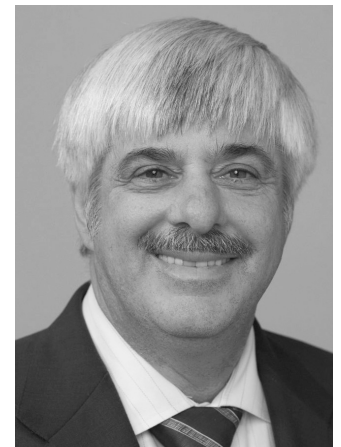
The policies are intended to provide clear guidelines for decision making. The Board of Supervisors is required to update the Agricultural Element every five years. That will happen Tuesday, April 30th.

Though the majority of the Agricultural Element is unchanged, the Board will consider some important revisions. The Food Safety Objective in goal one has been rewritten to reflect the Food Safety Modernization Act which authorizes the U.S. Department of Agriculture to develop guidelines designed to quickly address food borne pathogen outbreaks. In addition, the County, through Ag Commissioner, shall support the rights of farmers to utilize the newest available technologies.

In other changes, goal two includes the County's support of alternative energy sources (windmills and solar collectors). However, locations within the County's most productive Agricultural areas will no longer be allowed. Mitigation to conversion of agricultural land to residential housing, already a requirement, will be changed from a fixed 1:1 ratio, to a minimum of a 1:1 ratio. This will allow the Board flexibility to preserve our best agricultural land at a higher ratio.

In goal three, the protection of natural resources, a new section has been added in which the County will encourage the development and use of tertiary water for both agricultural and urban irrigation. Water has become a valuable commodity in the Valley and reuse of treated waste water for irrigation makes the best use of this natural resource. Monterey County has already adopted a tertiary water use policy. Also new to the Ag Element is an ordinance protecting local groundwater and prohibit the sale of groundwater out of the County. The Groundwater Ordinance has not been finalized and voted on yet but the County is encouraging the concept of adopting such a policy in the near future.

A public hearing before the Board of Supervisors to consider these proposed changes and readopt the Agricultural Element is set for April 30, 2013 at 9:10 a.m.





## WE ARE WATCHING...

### Stanislaus County

#### City of Modesto

[www.modestogov.com](http://www.modestogov.com)

The Council is considering an additional planning tool that is designed to direct housing development to protect farmland and give more certainty to long-term planning. Residential Urban Limits (RUL's) are boundaries chosen by the Council and submitted for a public vote. Because Modesto has prime farmland on three sides and lesser soils to its east, a RUL would allow for housing development to be directed east without additional restriction. Unlike urban growth boundaries, RUL's do not restrict commercial or industrial development, and may tend to be more politically and economically acceptable.

Modesto and Salida representatives are in receipt of a February 6, 2013 document entitled SALIDA AREA / STANISLAUS COUNTY, FISCAL IMPACT ANALYSIS ASSUMING ANNEXATION TO MODESTO. Long before the report was presented, a number of Salida residents objected to the notion of becoming part of Modesto. Emotions ran high for some and caused Supervisor Withrow to announce his opposition to Modesto annexation of Salida.

If Salida were to remain an unincorporated area it is subject to the restrictions for development as outlined in the Salida Now Initiative, that was adopted as an ordinance by the Stanislaus County Board of Supervisors in 2007. If Salida were to incorporate, the new city could adopt its own development policies yet be required to fulfill any terms under several area planned development agreements with many area property owners.

Recently, Modesto Mayor Marsh suggested that however the area develops, if it is under Stanislaus County jurisdiction, property taxes generated by the developed areas would be retained at an 11% rate, whereas, if an incorporated Salida or Modesto jurisdiction developed the area, 18% of the property tax rate would be retained locally, 11% for the County and 7% for the City. Marsh suggests that incorporation be made prior to any further development in the Salida area.

Is it possible that two governments could/would work together to find a solution in order to retain more property taxes locally? FWG notes that all the area involved is prime farmland and needs to be considered for protection policies. The Salida Plan within the County requires 1:1 mitigation for conversion to residential development. Modesto recently adopted no mitigation plan and notifies developers of LAFCO requirements.

### City of Turlock

[www.ci.turlock.ca.us](http://www.ci.turlock.ca.us)

In our last FWG newsletter we praised the adoption of Turlock General Plan for its more compact approach to long-term planning. FWG was not aware that another group had filed suit against the City for "insufficient" farmland protection measures. In early April, it was reported in The Modesto Bee that the suit had been settled. We stand by our support of the adopted GP.

### City of Hughson

[www.hughson.org](http://www.hughson.org)

Kudo's to the City for adopting a 2 to 1 acre mitigation requirement upon development for conversion of farmland surrounding their city. This requirement is the most significant disincentive for conversion of farmland in Stanislaus County.

### Stanislaus County

[www.co.stanislaus.ca.us](http://www.co.stanislaus.ca.us)

The Planning Directors in Stanislaus County held a January 2013 mini-conference on Ag Preservation that was well-attended and included speakers from Ventura County and Marin County, which have successful farmland preservation policies.

A donation has been made  
*In Memory of*

**Justin Ferrari**

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*by*  
*Max and Audie Dahlgren*

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*Max and Audie Dahlgren*



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# Worth Repeating...



Henry Ford once said, "Coming together is a beginning, staying together is progress, and working together is success." By Ford's standard, the current Hughson City Council has been very successful over the last two years. City Council meetings have been respectful and productive, allowing the council to focus on fiscal matters, land use and infrastructure.

Since the 2010 recall election, balanced budgets, continued home construction and proactive, detailed land use planning have become the expectation in Hughson.

Also encouraging is the increased level of cooperation between the Hughson Unified School District and City Council, as well as the re-emergence of the Hughson Chamber of Commerce. Community stakeholders from a wide variety of backgrounds are thinking comprehensively and long-term about what is in the best interests for the entire community of Hughson.

In 2013, the threats and opportunities facing Hughson will be significant. For Hughson, the most impactful threats are external. The blatant disregard for cities and the reckless fiscal planning that has become the norm in Sacramento are a great concern.

Whether it is eliminating redevelopment agencies or "borrowing" money from cities to be paid back at a later date, our state government has no compunction to attempt to balance their own budget on the backs of local governments. Unfortunately, I have little faith that this will change and it continues to loom large on the minds of all electeds at the local level.

Agriculture in our region continues to be our strength, and for Hughson it is our fiscal lifeblood. Much of our commercial, industrial and retail activity is ag-related. Even though agribusiness is pervasive in Hughson, I am convinced that it is also a significant source of new economic opportunities and innovative ideas.

Expanding agribusiness and growing our retail sector were the focus of our economic development strategy for 2012 and will continue in 2013. We have also taken steps to establish a small business incubator to facilitate startup businesses.

To sum up our policy priorities in one sentence: We want to make Hughson a great place to start and raise a family and to start and grow a business.

Land-use planning has emerged to be one of Hughson's strengths. Hughson is the first city in Stanislaus County to adopt an Urban Growth Boundary. Our UGB details how and where we will grow until 2050. Hughson's UGB is consistent with our General Plan and financial capabilities. In 2013, Hughson will have another opportunity to provide leadership for the rest of the county in land use planning by adopting an agricultural preservation policy.

Adopting an agricultural preservation policy for Hughson is an important opportunity and will do more than just maintain our rural aesthetic. It can demonstrably enhance our business climate while bolstering residential land and home values. Besides the tax benefits and injection of capital for landowners who choose to place their land in an agricultural conservation easement, Hughson can over time facilitate the formation of a buffer between Hughson, Ceres and Modesto that will be viable for farming long-term.

Currently, it is this county buffer that separates the lowest crime rate city in the county, Hughson, from some of the highest crime rate areas.

It is an honor to serve the community of Hughson and I am grateful for the opportunity to represent residents as mayor. Working with our current council continues to be a real pleasure and very constructive. With the consensus of the council and the continued support of the community, there is much we can achieve in Hughson.

by Matt Beekman  
The Modesto Bee - Dec. 31, 2012  
Editor's note: We invited the  
mayors of Stanislaus County's smaller cities  
to share their thoughts on what 2013  
will bring for their communities.

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the strongest Ag Elements in our Stanislaus County General Plan. Our Stanislaus LAFCO has adopted stringent requirements for cities to meet before they can expand their urban footprint. And, Modesto citizens have been paying attention and advisory voting using Measures A (1979) & M (1997) to direct development.

We have been an ag/urban community for many years. We are evolving and working toward resolution of human interest. From the day we are born we all have exactly the same, top three requirements in order. We must have clean air, quality water, and healthy food. We live in a place that historically knows a little bit about the latter.

It is up to us to design our future. Yet, we must all follow certain rules...

Denny Jackman  
Reprint from The Modesto Bee - April 8, 2013

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## *Message from the Chair* **Fusing Corporate-Customer Investments to Change Our World**

Electricity is an essential resource expanding our lives. Electricity powers our computers, cools our work places, energizes our internet devices and increasingly moves our vehicles, small and large. Electricity, like food, is now required for our comfort, our health, our growth and our future. And the methods employed to supply electricity can change our world because older electricity production methods based on fossil fuels pollute our environment and thereby accelerate climate change.

The importance of solar electricity production grabbed my attention while waiting in the entrance lobby at Carl Zeiss in Dublin, California recently. This German founded, multi-national company produces precision surgical microscopes, ophthalmological diagnostic equipment and now electricity. Zeiss has installed solar panels on the roof of their 200,000 plus square foot American Headquarters building in Dublin. A large flat panel screen in their lobby displays both the current electrical output of these solar panels and the interesting associated side benefits for our planet. Around

noon, the solar panels generate almost enough electricity to power all operations in the Zeiss building. Live metrics spot light side benefits of the solar harvest including saving 8,000 trees and eliminating the release of more than 700,000 pounds of carbon dioxide pollution into the atmosphere which would result from older electricity production methods. Ausgezeichnet (outstanding) Zeiss.

If the benefits realized by capturing energy from the sun are many, why hasn't every large business installed solar panels? Customers can stimulate solar energy adoption by adding solar to their shopper's check list when selecting vendors; and then purchasing products from these green companies. Customers who patronize green companies are investing in their environment to change the world. Investing in solar can slow climate change worldwide by decreasing air pollution. And as every farmer knows, a stable climate fosters healthy agriculture. So what is your solar plan? Consider promoting solar energy generation by targeting your purchases. Choose companies and products that are green. World citizens who direct dollars into companies using clean energy benefit all including farmland.

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16 John Herlihy	Ag Financing Institution	6/30/2015





# Farmland Working Group

P. O. Box 948 Turlock, CA 95381 (209) 343-4174

 [www.farmlandworkinggroup.org](http://www.farmlandworkinggroup.org)



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**The policies are intended to provide clear guidelines  
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