

**FINAL  
ENVIRONMENTAL IMPACT REPORT**

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**“SOUTH END” SPHERE OF INFLUENCE  
AMENDMENT PROJECT**

**GREENFIELD, CA**

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**SCH# 2005121035**



**JUNE 2006**

# FINAL ENVIRONMENTAL IMPACT REPORT

FOR THE

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“SOUTH END” SPHERE OF INFLUENCE AMENDMENT PROJECT

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SCH# 2005121035

*Prepared for:*

CITY OF GREENFIELD  
Planning & Building Inspection Department  
45 El Camino Real  
Greenfield, CA 93927  
Contact: Mark McClain (831) 674-5591

*Prepared by:*

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JUNE 2006

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# 1.0 INTRODUCTION

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### **PURPOSE OF THE EIR PROCESS**

This Environmental Impact Report (EIR) is an informational document prepared by the City of Greenfield to evaluate the environmental impacts of the South End Sphere of Influence Amendment Project. The primary objectives of the EIR process under the California Environmental Quality Act (CEQA) are to inform decision makers and the public about a project's potential significant environmental effects, identify possible ways to minimize significant effects and consider reasonable alternatives to the project. This EIR has been prepared with assistance from the City's consultant, Pacific Municipal Consultants, and reviewed by City staff for completeness and adequacy in accordance with Public Resources Code (PRC) Sections 21000-21177 and the State CEQA Guidelines.

The purpose of an EIR is to identify a project's significant effects on the environment, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided (PRC sec. 21002.1[a]). Comments from the public and public agencies on the environmental effects of a project must be made to lead agencies as soon as possible in the review of environmental documents, including, but not limited to, draft EIRs and negative declarations in order to allow the lead agency to identify, at the earliest possible time in the environmental review process, potential significant effects of a project, alternatives, and mitigation measures which would substantially reduce the effects. (PRC sec. 21003.1[a]).

As prescribed by the State CEQA Guidelines Sections 15088 and 15132, the Lead Agency, the City of Greenfield, is required to evaluate comments on environmental issues received from persons who have reviewed the Draft EIR (DEIR) and prepare written responses to these comments. This document, together with the DEIR (incorporated by reference in accordance with State CEQA Guidelines Section 15150) will comprise the Final Environmental Impact Report (FEIR) for this project. Pursuant to the requirements of the CEQA, the City of Greenfield must certify the FEIR as complete and adequate prior to approval of the project.

This FEIR contains individual responses to each written and verbal comment received during the public review period for the DEIR. In accordance with State CEQA Guidelines Section 15088(b), the written responses describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). The City of Greenfield and its consultants have provided a good faith effort to respond in detail to all significant environmental issues raised by the comments.

## **1.0 INTRODUCTION**

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### **EIR CERTIFICATION PROCESS AND PROJECT APPROVAL**

In accordance with the requirements of CEQA and the procedures of the City of Greenfield, the City Council must certify the FEIR as complete and adequate prior to taking action on the proposed project. Once the EIR is certified and all information considered, using its independent judgment, the City can take action to go forward with the proposed project, make changes, or select an alternative to the proposed project. While the information in the EIR does not control the City's ultimate decision, the agency must respond to each significant effect and mitigation measure identified in the EIR by making findings supporting its decision.

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## 2.0 RESPONSE TO COMMENTS

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Letter 1



Regional Transportation Planning Agency • Congestion Management Planning  
Local Transportation Commission • Monterey County Service Authority for Freeways & Expressways

June 1, 2006

RECEIVED  
JUN 5 2006  
CITY OF GREENFIELD

Mark McClain  
Building Official/Planning Manager  
City of Greenfield  
45 El Camino Real  
Greenfield, CA 93927

**SUBJECT: Comments on the Draft Environmental Impact Report for the Greenfield South End Sphere of Influence and General Plan Amendment Project**

Dear Mr. McClain:

Transportation Agency for Monterey County (TAMC) staff has reviewed the Draft Environmental Impact Report (DEIR) for the proposed Greenfield South End Sphere of Influence and General Plan Amendment. TAMC is the Regional Transportation Planning Agency and Congestion Management Agency for Monterey County.

The project will accommodate development of 293 new low-density residential units and approximately 217,800 square feet of commercial space on 214 acres, generating approximately 15,606 daily trips.

TAMC staff offers the following comments for your consideration:

**Regional Road and Highway Impacts**

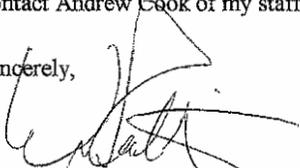
1. The document acknowledges that 40% of project trips will travel northbound on US 101 and identifies a significant and unavoidable cumulative impact to US 101 mainline performance north of Greenfield, which would be mitigated by widening the roadway to accommodate the cumulative traffic volumes. TAMC is requesting that new projects pay proposed TAMC regional impact fees on an ad hoc basis to mitigate cumulative impacts to state highways, prior to TAMC asking each city to take official action adopting the fee program over the next two months. The fee program must be updated regularly to reflect changes in land use plans and transportation project development, and which will also have to take into account the need to widen US 101 through South Monterey County.

1-1

## 2.0 RESPONSE TO COMMENTS

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### Letter 1 Continued

- TAMC urges the City to adopt the proposed regional fee program and collect regional fees from projects currently being reviewed by the City to establish a mechanism for mitigating cumulative capacity impacts on the county's road and highway system. | 1-1 cont.
2. The project will generate both project-specific and cumulative impacts to US 101 interchanges in the City of Greenfield, which will be mitigated through the city's traffic impact fee program, and through a direct financial contribution toward the cost of a new US 101 interchange at Espinosa Road to replace the existing access ramps. These improvements must be implemented in coordination with Caltrans District 5 to meet Caltrans requirements and to obtain necessary approvals. A Project Study Report (PSR) will most likely need to be completed for some or all of the proposed interchange improvements. | 1-2
- Bicycle and Pedestrian Facilities**
3. TAMC supports **Mitigation Measures 3.11-9a and 3.119b** in the document, which will provide for bicycle and pedestrian facilities serving development proposed for the area to be added into the city's sphere of influence. Our agency particularly supports the emphasis on pedestrian connectivity noted in these measures, and would like to express its appreciation for the consideration given to these modes of transportation. | 1-3
- TAMC specifically recommends, however, that bicycle travel be accommodated via Class II bicycle lanes according to specifications in Chapter 1000 of the Caltrans Highway Design Manual, as opposed to separated Class I bicycle paths.
- Transit System**
4. **Impact 3.11-10** listed in the document notes that some increase in demand for transit will result in a less than significant impact to local and regional transit systems serving the City of Greenfield. TAMC would like to note that 2% of proposed regional fee program revenue will be allocated to Monterey-Salinas Transit (MST) for expansion of countywide transit services, which include the MST Route 23 and 53 services identified in the document that connect Greenfield with destinations in Salinas and the Monterey Peninsula. | 1-4
- Thank you for the opportunity to review this document. If you have any questions, please contact Andrew Cook of my staff at (831) 775-0903.
- Sincerely,  
  
Wm. Reichmuth, P.E., Executive Director
- CC: Dave Murray, California Department of Transportation (Caltrans) District 5  
Carl Sedoryk, Monterey-Salinas Transit  
Nicholas Papadakis, AMBAG  
Douglas Quetin, Monterey Bay Unified Air Pollution Control District

### Response to Letter 1 – Transportation Agency of Monterey County (TAMC)

#### Response to Comment 1-1

Regional Road and Highway Impacts. The comment recommends that new projects in Greenfield and elsewhere pay TAMC's proposed regional impact fees to address cumulative impacts on Highway 101.

Cumulative highway impacts are addressed on pages 3.11-37 through 3.11-39 of the DEIR. The comment is correct that the project and cumulative urban development in the South Salinas Valley is predicted to constrain the mainline freeway facility in the future. Significant and unavoidable level of service impacts could occur on segments of Highway 101 unless widening to six lanes occurs in the future.

As discussed on page 3.11-38, there is currently no fee collection mechanism in place by the City, TAMC or Caltrans for funding Highway 101 widening within or outside the City of Greenfield, and no cost estimates have been developed by TAMC for such a project in order to assess a meaningful fee. TAMC's package of regional improvements, as explained to the public and public agencies as the basis of the proposed TAMC fee program, has not to this point included costs for the widening of Highway 101. As freeway segment level of service is the primary cumulative impact forecasted by the City of Greenfield and other South County cities, any logical fee program for the City would be expected to include mainline improvements such as additional freeway lanes and financial assistance with interchange improvements. At this time, such improvements or direct assistance are not included in the program.

If mainline widening improvements were to be added to the proposed fee program through "adjustments" to the TAMC fee, as indicated in the comment letter, it is unclear what the total assessment would be. Without mainline improvements as an itemized component, the proposed TAMC fee is already over \$8,000 per new dwelling unit. In addition, the City of Greenfield's Traffic Fee Impact (TIF) program has identified \$90 million of new local improvements, including major interchanges and freeway ramp improvements. The City's new TIF is approximately \$9,000 per dwelling unit to provide this comprehensive menu of improvements, many of which qualify as "regional" improvements because they improve access and operations along Highway 101 within the City. TAMC's only planned improvement in Greenfield was ramp and signal work at Thorne Road. The City's plans are much more comprehensive.

The City of Greenfield supports the concept of shared responsibility for regional and cumulative impacts, as evidenced by the adopted General Plan policies that support such an approach. However, TAMC's 14-year plan is not on solid footing at the present time, as three of the four "legs" of the program – developer impact fees, half-cent sales tax and

## **2.0 RESPONSE TO COMMENTS**

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contributions from the agriculture industry – are unreliable. Should the City collect fees from developers on an ad hoc basis at this time, there is little assurance that the fees collected would be used toward real improvements, or that any fee would have a measurable nexus toward mitigating the project’s regional impacts within a reasonable geographic boundary.

The City of Greenfield looks forward to working with TAMC toward regional solutions, toward maximizing the funding available, and to meet goals that would make more State and federal money available to Monterey County as a whole. However, it may be worthwhile to explore a “subregional” approach to mitigating regional problems – such as using a higher ratio of South County fees on South County projects – to provide more equity within the program.

### **Response to Comment 1-2**

Caltrans Coordination on Interchanges. The comment is correct that new interchanges and bridges in the City of Greenfield located along the Highway 101 corridor must be coordinated with Caltrans District 5 to meet Caltrans requirements and necessary approvals. A current example is Walnut Avenue, where the City has initiated a Project Study Report (PSR) to develop alternatives for the bridge.

### **Response to Comment 1-3**

Bicycle Lanes. Comment in support of proposed mitigation measures is noted. The class of bicycle facility on any particular street shall be consistent with the City’s circulation element.

### **Response to Comment 1-4**

Transit System. The comment notes that the proposed TAMC fee program would allocate 2% of the revenue to MST for expansion of county-wide services. As discussed in Response to Comment 1-1, the City supports interagency coordination and would support expansion of the public transit system to better serve the City and the South County. The City agrees that improved public transit opportunities should be central to any feasible regional or subregional transportation plan.

Letter 2



**MONTEREY BAY**  
 Unified Air Pollution Control District  
 serving Monterey, San Benito, and Santa Cruz counties

AIR POLLUTION CONTROL OFFICER  
 Douglas Quetin

24580 Silver Cloud Court • Monterey, California 93940 • 831/647-9411 • FAX 831/647-8501

DISTRICT BOARD MEMBERS

CHAIR:  
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Ila Mettiae-  
 McCutcheon  
 Marina

John Myers  
 King City

Dennis Norton  
 Capitola

Ellen Pirie  
 Santa Cruz County

Jerry Smith  
 Monterey County

June 2, 2006

Mr. Mark McClain, Planning Manager/Building Official  
 City of Greenfield  
 45 El Camino Real  
 Greenfield, CA 93927

Sent by Facsimile to:  
 (831) 674-3149

SUBJECT: DEIR FOR SOUTH END GPA / SOI AMENDMENT

Dear Mr. McClain:

Staff has reviewed the Draft EIR and submits the following comments for your consideration:

- NCCAB Attainment Status Designations. Page 3.3-8.  
 The federal one-hour ozone standard was revoked on June 15, 2005; there is no attainment designation for this revoked standard.
- Mitigation Measure MM 3.3-1. Page 3.3-11-13.  
 The District welcomes the opportunity to review the construction emissions reduction plan (CERP) that would include best-available control measures for site preparation and construction activities. However, without implementation and enforcement of measures to reduce impacts within District thresholds of significance, MM 3.3-1 may not reduce impacts to a less than significant level.
- Sub-Measures “n”, “o”, “p” and “q”. Page 3.3-13.  
 “To the extent feasible”; and “minimize the use”, “limit the pieces” and limit hours”” (without specified detail) are not enforceable mitigation measures.
- Stationary Construction Equipment. Page 3.3-13.  
 Sub-measure “s”, stationary equipment, may include portable equipment that is registered by the State under the Air Resources Board’s Portable Equipment Registration Program. Please contact Lance Ericksen, Manager of the District’s Engineering Division, for details of this program, as well as stationary sources subject to District permit.
- Operational Emissions at Buildout without Mitigation. Page 3.3-15.  
 The document specifies that the modeling conducted did not take into account onsite mobile emissions associated with distribution facilities, packaging facilities and truck stops. Inasmuch as the Land Use Summary in Table 2-2 on page 2-17 includes 61 acres of highway commercial, 25 acres for a truck stop, and 83 acres of heavy industrial; the District suggests that the modeling be redone to reflect what is outlined in the Project Description.

## 2.0 RESPONSE TO COMMENTS

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### Letter 2 Continued

MM 3.3-3. Page 3.3-16.

As stated under MM 3.1, above, the District welcomes the opportunity to recommend mitigation measures and suggests the following:

Highway Commercial and Industrial Uses

For the truck stop that is proposed on the Francioni parcel, the District suggests that truck stop electrification be considered. Electrification would not only reduce fuel consumption and costs for the trucker, but would also significantly decrease emissions of diesel particulate matter and toxic air contaminants. This measure should significantly decrease PM<sub>10</sub>, NO<sub>x</sub> and ROG emissions. The District suggests that the benefits of such a measure be quantified. Information from the U. S. Department of Energy is attached for your reference, which includes locations of similar projects in California.

2-6

Health Risk Assessment

The District suggests that a Health Risk Assessment be considered for development within 500 feet of Highway 101, especially the proposed residential development.

2-7

Thank you for the opportunity to review and comment on this project.

Sincerely,

Jean Getchell  
Supervising Planner  
Planning and Air Monitoring Division

Attachment

cc: Lance Ericksen, Engineering Division

## 2.0 RESPONSE TO COMMENTS

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### Response to Letter 2 – Monterey Bay Unified Air Pollution Control District

#### RESPONSE TO COMMENT 2-1

NCCAB Attainment Status. Comment regarding federal one-hour ozone standard is correct. Any future tables using this information will be updated.

#### RESPONSE TO COMMENT 2-2

Implementation of MM 3.3-1. The primary factor affecting construction impacts is the amount of ground disturbance on a given day. MM 3.3-1(l) recommends limiting ground disturbance to the quantities specified by the MBUAPCD. The City understands and has disclosed the potential for significant temporary impacts. However, by reinforcing the measures recommended by the District, it is the City's finding that all reasonable construction measures have been taken to mitigate such impacts. The measures are included in the EIR because they have been found, in practice, to be effective. Enforcement is ultimately the responsibility of the City, to ensure that contractors are in compliance with their permit conditions that include these practices.

#### RESPONSE TO COMMENT 2-3

Sub-Measures n, o, p and q. These measures for mobile/stationary sources reflect the realities of the construction process and the availability of certain types of equipment to the contractor at any given time. Certain conditions in the field may require idling, extensive heavy-duty equipment use or use of diesel equipment for specific tasks, even though such practices should be minimized. These measures are intended to assist with the reduction of mobile source emissions during the construction process. Fugitive dust is the primary construction-related problem. However, the City understands that any reduction in mobile source emissions will improve overall air quality during the time that construction is underway.

#### RESPONSE TO COMMENT 2-4

Stationary Construction Equipment. Comments regarding the ARB's Portable Equipment Registration Program are appreciated and noted for the record.

#### RESPONSE TO COMMENT 2-5

Operational Emissions at Buildout without Mitigation. The modeling was performed within the accuracy allowable by the URBEMIS2002 model. The URBEMIS model does not provide a detailed break-down of possible industrial and commercial land uses that could potentially be developed, nor did the traffic analysis prepared for this project provide a

## 2.0 RESPONSE TO COMMENTS

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break-down of trip-generation rates associated with possible land uses. Although the ultimate mix of land uses and actual mobile source conditions will vary from the modeled estimate one way or the other, the EIR takes a conservative approach to the model input. As a result, the EIR concludes and properly discloses that operational emissions will be a significant and unavoidable consequence of the proposal.

### RESPONSE TO COMMENT 2-6

MM 3.3-3, Highway Commercial and Industrial Uses. Comments recommending truck stop electrification are noted. The City has amended MM 3.3-3 to include this recommendation. The following text will be added:

#### **Truck Stop-Specific**

**s. Utilize truck stop electrification to decrease emissions of diesel particulates from idling trucks.**

### RESPONSE TO COMMENT 2-7

Health Risk Assessment. As identified on page 3.3-21, only a small portion of the residential area within the plan is located within the 500-foot “setback” area recommended by the District. The City has recognized the relationship between the freeway and new sensitive uses. The City looks forward to the review of detailed site planning that would further separate these uses. For example, drainage basins, roads or easements may increase that distance. For this reason, a health risk assessment was not deemed necessary for this project.

It is important to note that District staff was consulted during the preparation of this EIR. In accordance with District staff recommendations, the analysis presented in the EIR recognized potential health risks to occupants of proposed land uses, as well as the setback distance identified by the California Air Resources Board (ARB) for the siting of sensitive land uses near major roadways. The ARB has recommended that new sensitive receptors not be located within 500 feet of major roadways. The 500-foot “setback” distance recommended by the ARB is based on the distance within which health risks would be greatest. However, this setback distance is not intended to represent a distance or threshold beyond which a less-than-significant impact would occur. Because predicted health risks are dependent on site-specific conditions, health risk assessments can be conducted to better estimate predicted health risks along major roadways and possibly refute anticipated risks. However, given the proposed project’s proximity to SR 101, preparation of a health risk assessment would not be anticipated to result in findings that would refute anticipated health risks, such that predicted risks to occupants of proposed residential land uses would be considered less than significant. As a result, District staff

## **2.0 RESPONSE TO COMMENTS**

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agreed that a qualitative assessment of health risks would be acceptable and that preparation of a health risk assessment would not be required for this project.

## 2.0 RESPONSE TO COMMENTS

### Letter 3

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June 2, 2006

File No. 02035:000

Mark McClain  
Building Official and Planning Manager  
City of Greenfield  
45 El Camino Real  
Greenfield, CA 93927

**RE: Comments to "South End" Sphere of Influence Amendment Project**

Dear Mr. McClain:

Thank you for the work you, Greenfield's city staff and Pacific Municipal Consultants ("PMC") have put into the "South End" annexation project.

This is to provide you with my comments on the Draft Environmental Impact Report on the "South End" Sphere of Influence Amendment Project, dated April 2006 ("DEIR"). I would like to compliment you and PMC on understanding and expressing the benefits and objectives of this project. The project will establish long term job-generating land uses, promote a better jobs/housing balance within Greenfield and enhance the southern gateway entrance to the City.

The following represents our comments to the DEIR:

1. P.2-17; Table 2-2. The truck stop, hotel/motel and storage facilities have been proposed by Gary Coates as ideas that may work on the east side of Highway 101. The uses were contemplated and intended to apply to either the Scheid East or Francioni properties. The DEIR correctly addresses the preliminary nature of this concept.
2. P.3.2-12; Williamson Act Exchange Program. In an effort to assist the City in its analysis of compliance with the Williamson Act Exchange Program ("WAEP"), attached you will find our analysis of the requirements and application of the WAEP to our project. Exhibit "A" analyzes the eligibility, selection and value

3-1

3-2

Letter 3 Continued

Mr. Mark McClain  
 June 2, 2006  
 Page 2 of 3



- |     |  |              |
|-----|--|--------------|
| 3.  | issues surrounding the property. Exhibit "B" analyzes the necessary findings as required by the WAEP.  | 3-2<br>cont. |
| 4.  | <u>P.3.2-21</u> . A portion of the property consists of the Elder Gravelly Loam, while a majority of the subject property consists of Arroyo Seco Gravelly Sandy Loam. It is important to emphasize that the City is contemplating moving the Sphere of Influence lines from an area northeast of the subject property that consists almost entirely of the revered Cropley Silt Clay, to an area less desirable in terms of soil quality.   | 3-3          |
| 5.  | <u>P.3.2-26; MM.3.2-4</u> . An agricultural impact fee does not currently exist. It is clear that the amount of land that the Francioni family is dedicating to permanent agricultural easements far exceed the requirements established in state law and should be considered mitigation for purposes of this measure, regardless of whether an impact program is created or not.   | 3-4          |
| 6.  | <u>P.3.3-7; Table 3.3-2</u> . I believe the number of days the state standard for PM <sub>10</sub> was exceeded was 4 and the federal standard should read zero.   | 3-5          |
| 7.  | <u>P.3.8-10; MM.3.8-1B</u> . It is my understanding that City of Greenfield policies on required park space do not address commercial or industrial property. We do anticipate providing retention areas on the property and we intend to work with the Scheid property owners in terms of overall site planning, which would include park space. In the event that we provide a retention basin large enough to accommodate recreational uses, we assume that by working collaboratively with the Scheid properties, that such a use would also qualify for any park space required throughout the project. | 3-6          |
| 8.  | <u>P.3.11-17; Analysis Scenarios</u> . The DEIR analyzes background conditions represented by projects that are approved but not constructed and where there is an assumption of full build-out of the general plan. Does this analysis incorporate the currently approved general plan, which includes the industrial designation of the Thorpe property located northeast of the project site.   | 3-7          |
| 9.  | <u>P.3.11-25</u> . The last sentence of the first paragraph of this page starts with "Background Plus Interim" with nothing further.   | 3-8          |
| 10. | <u>P.3.11-4</u> . The traffic study indicated that a new freeway interchange would be needed at Highway 101 and Espinosa Road. It is important note that from a project level, this analysis is important and valid. However, we believe that with further engineering, review and technical analysis, we may find that upgrading  | 3-9<br>↓     |

## 2.0 RESPONSE TO COMMENTS

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### Letter 3 Continued



Mr. Mark McClain  
June 2, 2006  
Page 2 of 3

the existing overpass at Patricia Lane may provide a more feasible and preferable alternative. It is our intent to find the most fair, economical and feasible resolution to the southern overpass, which will ultimately benefit the residents of Greenfield traveling to the highway commercial destinations and those traveling from their homes to school and work. In other words, this overpass will benefit the entire city.

3-9  
cont.

Again, thank you for your time and effort in preparing this EIR.

If you have any questions, please do not hesitate to contact me:

Very truly yours,

A handwritten signature in black ink, appearing to read 'APJ/inca'.

Aaron P. Johnson

APJ/inca

Enclosure

### Letter 3 Continued

#### EXHIBIT "A"

##### WILLIAMSON ACT EXCHANGE PROGRAM ANALYSIS (Eligibility, Selection and Value of Property)

The Government Code provides the initial guidance on the criteria for satisfying a Williamson Act Exchange Program transaction. The laws guiding us our complicated and make reference to one another. Essentially, we are reviewing Government Code § 51256 which requires

- (a) The proposed agricultural easement is consistent with the criteria in Public Resources Code § 10251 (See section A, below);
- (b) The proposed agricultural easement is evaluated pursuant to selection criteria in Public Resources Code § 10252, making a beneficial contribution to the conservation agricultural land in its area (See Section B, below);
- (c) The proposed land to be placed into agricultural conservation easement is of equal size or larger than the land subject to the contract to be rescinded, and is equally or more suitable for agricultural use that the land subject to the contract to be rescinded. In determining the suitability of the land for agricultural use, the city or county shall consider the soil quality and water availability of the land, adjacent land uses and any agricultural support infrastructure. (See Section C, below); and,
- (d) The value of the proposed agricultural conservation easement, is equal to or greater than 12.5 percent of the cancellation valuation of the land subject to the contract to be rescinded, pursuant to subdivision (a) of § 51283. The easement value and the cancellation valuation shall be determined within 30 days before the approval of the city or county of an agreement pursuant to this section. (See Section D, below).

##### A. Public Resources Code § 10251. Eligibility Criteria.

Pursuant to Public Resources Code § 10251, the proposed agricultural easements identified as the Somavia Ranch (APN#137-041-034-000), Redding Ranch (APN# 221-011-040-000) and the remaining 50-Acre Vanoli Ranch (APN#221-011-017-090) (collectively, the "Easements"), must be consistent with the following criteria:

- (1) The parcel proposed for conservation is expected to continue to be used for, and is large enough to sustain, commercial agricultural production. The land is also in an area that possesses the necessary market, infrastructure, and agricultural support services, and the surrounding parcel sizes and land uses will support long-term commercial agricultural production.

## 2.0 RESPONSE TO COMMENTS

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### Letter 3 Continued

Somavia Ranch: The ranch consists of 66.09 acres of productive, irrigated row crops located west of Highway 101 at Somavia Road, between Salinas and Chuálar. For the past several decades, the ranch has been used for the production of vegetable crops. The agricultural use is a viable use and a consistent use with the surrounding properties.

Redding Ranch: The ranch consists of 317.09 acres of productive, irrigated row crops located east of and adjacent to Highway 101 just south of Greenfield. For the past several decades, the Ranch has been used for the production of vegetable crops. The agricultural use is a viable use and a consistent use with the surrounding properties.

50 Acre Vanoli Ranch: The 50 Acre Ranch consists of 50.00 acres of productive, irrigated row crops located east of Highway 101 and is east of and adjacent to the 120-acre Francioni project site. This 50-acre portion of the ranch consists mainly of the preferred Cropley Silty Clay soil. The subject ranch is irrigated row crop ranch which for the past several decades has been used for the production of vegetable crops. The agricultural use is a viable use and a consistent use with the surrounding properties.

**(2) The applicable city or county has a general plan that demonstrates a long-term commitment to agricultural land conservation. This commitment shall be reflected in the goals, objectives, policies, and implementation measures of the plan, as they relate to the area of the county or city where the easement acquisition is proposed.**

See DEIR page 3.2-18&19.

**(3) Without conservation, the land proposed for protection is likely to be converted to nonagricultural use in the foreseeable future.**

Somavia Ranch: The current zoning and Monterey County General Plan designation for this property make it possible to be converted to other uses in the near future. The property is currently zoned "Heavy Industrial" and is located off of Somavia road, which has access to/from Highway 101. Although it would be difficult to convert to another use because of traffic constraints, a low-intensity, storage facility would be a type of conversion that could be consistent with the zoning/general plan designation with very little traffic impact.

Redding Ranch: Given its proximity and access to a major thoroughfare like Highway 101, it is possible to seek a general plan amendment from Monterey County to develop the property as a "Community Area", similar to that of Pajaro or Boronda. While the 2005-2025 City of Greenfield General Plan planning boundaries do not include the Redding Ranch for future city growth, the property is located close enough to Greenfield to warrant concern about developing in that area.

50 Acre Vanoli Ranch: The 50 Acre Ranch will be directly adjacent to the City's sphere of influence and ultimately developed land.

### Letter 3 Continued

#### **B. Public Resources Code § 10252. Selection Criteria.**

Pursuant to Public Resources Code § 10252 the proposed Easements shall make a beneficial contribution to the conservation of agricultural land in its area. The director shall evaluate a proposal for a fee title or agricultural conservation easement acquisition grant based upon the overall value of the project, taking into consideration the goals and objectives for this program, and the extent to which the proposed project satisfies the following selection criteria:

**(1) The quality of the agricultural land, based on land capability, farmland mapping and monitoring program definitions, productivity indices, and other soil, climate, and vegetative factors.**

Somavia Ranch: This ranch consists of a mix of Copley Silty Clay and Antioch Very Fine Sandy Loam. The factors discussed in Section 3.2 of the DEIR, except for soil type, apply to the condition and climate of this ranch in terms of productive farming.

Redding Ranch: This ranch consists of a mix of Rincon Clay Loam. The factors discussed in Section 3.2 of the DEIR, except for soil type, apply to the condition and climate of this ranch in terms of productive farming.

50 Acre Vanoli Ranch: Please see DEIR "south End" Sphere of Influence Amendment Project, 3.2 Agricultural Resources, Pg. 3.2-1.

**(2) The proposal meets multiple natural resource conservation objectives, including, but not limited to, wetland protection, wildlife habitat conservation, and scenic open-space preservation.**

All three sites are located off of Highway 101 and are highly visible to the traveling public. The Somavia Ranch is zoned Heavy Industrial. The proposed Easement would protect the farmland from future development by permanently placing over 350 acres of highly visible farmland into an agricultural easement maintaining its current use as row crop and preserving the open-space, scenic quality of the property.

For additional discussion on the proposal's dedication to natural resource conservation, please see DEIR Section 3.1 (Aesthetic & Visual Resources), Section 3.2 (Agricultural Resources) and Section 3.4 (Biological Resources).

**(3) The city demonstrates a long-term commitment to agricultural land conservation as demonstrated by the general plan and related land use policies of the city, policies of the local agency formation commission, California Environmental Quality Act policies and procedures, the existence of active local agricultural land conservancies or trusts, the use of an effective right-to-farm ordinance, and applied strategies for the economic support and enhancement of**

## 2.0 RESPONSE TO COMMENTS

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### Letter 3 Continued

agricultural enterprise, including water policies, public education, marketing support, and consumer and recreational incentives.

The Monterey County General Plan demonstrates a long-term commitment to agricultural land conservation evidenced by the following Land Use Policies:

#### County of Monterey General Plan Land Use Policies

Land Use Policy 26.1.12i: In order to preserve its open space and rural character, the County shall encourage the voluntary restriction of development through dedication of scenic or conservation easements, transfer of development rights and other appropriate techniques.

Land Use Policy 27.3.2: The County shall encourage open space be provided within and on the fringes of residential areas.

Land Use Policy 30.0.1: The County shall prevent non-agricultural uses which could interfere with the potential of normal agricultural operations on viable farmlands designated as prime, of statewide importance, unique or of local importance.

Land Use Policy 30.0.4: The County shall make every effort to preserve, enhance, and expand viable agricultural land uses on farmland designated as prime, of statewide importance, unique, or of local importance through application of "agricultural" land use designations and encouragement of large lot agricultural zoning.

Land Use Policy 30.0.05: The County shall support other policies that provide tax and economic incentives which will enhance competitive capabilities of farms and ranches, thereby insuring long-term preservation, enhancement, and expansion of viable agricultural lands. Examples of these policies and programs may include the following:

- Establishment of a program to purchase and lease back agricultural lands near urban or developing areas for continued agricultural use.
- Use of voluntary restriction to agricultural uses through contributions of conservation easements or other appropriate techniques.
- use of Williamson Act Contracts

Land Use Policy 34.1.7: The County shall support the creation of private nonprofit land trusts and conservation organizations to receive by voluntary donation or purchase, development rights on any lands to be preserved as open space.

#### Monterey County General Plan Land Use Policies -South County Area Plan

Land Use Policy 26.1.11.1(SC): In order to make the most efficient use of land and to preserve agricultural land and open space, clustered development shall be encouraged in all areas where development is permitted.

### Letter 3 Continued

Land Use Policy 27.1.3.1(SC): Existing communities shall be the nucleus for residential expansion and premature, scattered development shall be discouraged.

Land Use Policy 27.1.3.1(SC): The County shall support policies and programs such as large lot zoning and agricultural land trusts which will enhance the competitive capabilities of farms and ranches.

Greenfield's Policies: For a discussion of the City of Greenfield's policies on protecting agriculture, please see P.3.2-18 through 20.

LAFCO Policies: For a discussion of the LAFCO Policy analysis, please see Table 3.2-6 on P.3.2-17 of the DEIR.

CEOA Compliance: In accord with the California Environmental Quality Act requirements, Monterey County has adopted by ordinance the criteria and procedures for the evaluation of projects and the preparation of environmental reports and negative declarations as set forth in the California Public Resources Code sections 21000 et seq. See Monterey County Code § 16.70.030.

Land Trusts: The applicant has been working cooperatively with the Monterey County Agricultural and Historical Land Conservancy, Inc., a California non-profit corporation ("Conservancy"), who will accept the grant of the Easement. The Conservancy was founded on August 1, 1984 and was created by the residents of Monterey County to serve the residents of Monterey County. Incorporated in 1985, the Conservancy is a private, non-profit organization dedicated to the preservation of the agricultural and historical resources of Monterey County.

Right to Farm Notice: Monterey County has adopted Monterey County Code § 16.40, an ordinance protecting agricultural activities near residential and commercial activities otherwise known as a right-to-farm ordinance.

Applied Strategies: Please see the 1988 Monterey County General Plan, South County Area Plan.

(4) If the land is in a county that participates in the Williamson Act (Chapter 7 (commencing with Section 51200) of Part 1 of Division 1 of Title 5 of the Government Code), the land proposed for protection is within a county or city designated agricultural preserve.

A portion of the proposed Easement is within a county designated agricultural preserve.

(5) The land proposed for conservation is within two miles outside of the exterior boundary of the sphere of influence of a city as established by the local agency formation commission.

## 2.0 RESPONSE TO COMMENTS

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### Letter 3 Continued

Somavia Ranch: Is within two miles of the unincorporated town of Chualar, a community approximately 10 miles South of the Salinas city limits. Chualar has a population of 1,135 people, has its own elementary school, post office, and several convenience stores. Under the Monterey County General Plan Update, Chualar will be considered a "community area" and as such identified for future growth.

Redding Ranch: Is within two miles of the City of Greenfield.

Vanoli Ranch: The 50 Acre Vanoli Ranch easement is within two miles of Greenfield.

**(6) The applicant demonstrates fiscal and technical capability to effectively carry out the proposal. Technical capability may be demonstrated by agricultural land conservation expertise on the governing board or staff of the applicant, or through partnership with an organization that has that expertise.**

The applicant is represented by legal counsel knowledgeable on the Williamson Act and agricultural easement restrictions. In addition, the Monterey County Agricultural and Historical Land Conservancy, Inc., the California non-profit corporation who is accepting the proposed Easement for conservation, is knowledgeable and dedicated to the preservation of agricultural and historical resources of Monterey County and familiar with the state agricultural preservation policies and statutes. Furthermore, the applicant is in the business of farming and will likely continue to farm the Easement properties.

**(7) The proposal demonstrates a coordinated approach among affected landowners, local governments, and nonprofit organizations. If other entities are affected, there is written support from those entities for the proposal and a willingness to cooperate. The support of neighboring landowners who are not involved in the proposal shall be considered.**

The Monterey County Agricultural and Historical Land Conservancy, Inc., a California non-profit corporation accepting the grant of the Easement ("Conservancy") and the City of Greenfield have expressed their support of the project. This proposal has been discussed at public meetings in the City of Greenfield, with neighbors and adjacent developers. The proposal has not met resistance to date.

**(8) The conservation of the land supports long-term private stewardship and continued agricultural production in the region.**

According to the agreement, the Easement will be restricted under an agricultural easement with the Conservancy in perpetuity. The proposed Easement is expected to be used for, and large enough to sustain, commercial agricultural production, and is surrounded by agricultural supporting services that support long-term commercial agricultural production.

**(9) The proposal demonstrates an innovative approach to agricultural land conservation with a potential for wide application in the state.**

### Letter 3 Continued

The instant proposal demonstrates that Williamson Act Exchange Program is a process where a landowner and the state can benefit from cancellation of the Williamson Act contract. The landowner is able to cancel the contract on the restricted property and the state gains additional and better or equal value of agricultural land for agricultural preservation. In this regard, the Francioni proposal to exchange the westernmost 121.06 Acre Vanoli Ranch for the proposed Easement places a greater amount of acreage of better and equivalent soil quality under agricultural preservation.

**(10) The amount of matching funds and in-kind services contributed by local governments and other sources toward the acquisition of the fee title or agricultural conservation easement, or both.**

The local government is not contributing to the acquisition of the agricultural easement.

**(11) The price of the proposed acquisition is cost-effective in comparison to the fair market value.**

An appraisal, to be provided in this process, will show that the Easement is being donated to the Conservancy, as such it is cost-effective in comparison to the fair market value of the proposed Easement and the cost of obtaining such an easement by the Conservancy.

**(12) Other relevant considerations established by the director.**

To be determined by the director of the Department of Conservation.

**C. The proposed land to be placed into agricultural conservation easement is of equal size or larger than the land subject to the contract to be rescinded, and is equally or more suitable for agricultural use than the land subject to the contract to be rescinded. In determining the suitability of the land for agricultural use, the city or county shall consider the soil quality and water availability of the land, adjacent land uses and any agricultural support infrastructure.**

**Equal or Larger Easement:** The proposed land to be placed in agricultural preservation, the Somavia Ranch (+/- 66.09 acres), the Redding Ranch (+/- 317.09 acres), and the easternmost 50 Acre Vanoli Ranch in exchange for the cancellation of the westernmost 121.06 Vanoli Ranch agricultural easement is greater by replacing 433.18 acres into agricultural preservation in exchange for the cancelled westernmost Vanoli Ranch of 121.06 acres.

**Equally or More Suitable for Ag Use:** The Somavia, Redding and the easternmost 50 Acre Vanoli Ranch easement are superior to the agricultural quality of the soil on the westernmost 121.06 acres of the Vanoli Ranch, which consists of primarily the Arroyo Seco Gravely Loam. For a discussion of soil types on the Vanoli ranch, please see P. 3.2-7 through 11.

## 2.0 RESPONSE TO COMMENTS

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### Letter 3 Continued

#### Somavia Ranch Suitability:

Soil quality and water availability: The Somavia Ranch has one well. The well is adequate for farming this ranch. Soils on the ranch include the Cropley Silty Clay, class II soil.

Adjacent Uses: The Somavia Ranch fronts on Somavia Road with the Salinas River to the west. Highway 101 is located to the east and row crop are found to the north and south of the ranch. The City of Chular is located southeast of the ranch. Agricultural Support

Infrastructure: The ranch has water and is close to transportation routes.

#### Redding Ranch Suitability:

Soil quality and water availability: The Redding Ranch has two wells on the subject property and has permanent sprinkler irrigation. The soil rating is Class II for all usable acres. Adjacent Uses: The Redding Ranch fronts on the 101 Highway to the west and the Salinas River on the east. There are row crops on the north and south of the property.

Agricultural Infrastructure: The Redding Ranch has two wells on the subject property and has permanent sprinkler irrigation. There are no building improvements on the ranch excepting metal equipment shed.

#### 50 Acre Vanoli Ranch:

##### Soil quality and water availability:

Water on the 50 Acre Vanoli Ranch is provided by a well on the larger portion of this parcel. The soil rating is Class II for 20 usable acres and Class III for the remaining 30 acres. The Storie Index is 90 for 10 acres, 51 for 10 acres and 63 for the remaining 30 acres.

Adjacent Uses: The subject ranch is located approximately ¼ mile south of the City of Greenfield limits. The 50 acre Vanoli Ranch fronts on the larger portion of the Vanoli Ranch with the Salinas River to the east, Highway 101 to the west, row crop farming to the north, south and west (for now) and the City of Greenfield to the north. Agricultural Infrastructure: Water is currently served by a well on the property (the applicant will agree to continue to provide water to that parcel).

**D. The value of the proposed agricultural conservation easement, is equal to or greater than 12.5 percent of the cancellation valuation of the land subject to the contract to be rescinded, pursuant to subdivision (a) of § 51283. The easement value and the cancellation valuation shall be determined within 30 days before the approval of the city or county of an agreement pursuant to this section.**

The landowner has an October 12, 2005, draft Certified Real Estate Appraisal on the Somavia Ranch, the Redding Ranch and the easternmost 50 Acre Vanoli Ranch appraising the values of the easement individually as follows: 1) Somavia Ranch, \$600,000.00; 2) Redding Ranch, 1,113,000.00; 3) easternmost 50 Acre Vanoli Ranch, \$375,000.00. The Monterey County Assessor must make an appraisal 30 days before approval of the city or county rescission agreement to determine the cancellation valuation of the 121.06 Acre

**Letter 3 Continued**

Vanoli Ranch, the land subject to contract and to be rescinded and thereafter to be exchanged for the proposed easement.

## 2.0 RESPONSE TO COMMENTS

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### Letter 3 Continued

#### EXHIBIT "B"

#### WILLIAMSON ACT EXCHANGE PROGRAM ANALYSIS (Necessary Findings)

##### I.

Under the Williamson Act the Board or Council may grant tentative approval for cancellation of a contract only if it makes one of the following findings (Government Code § 51282):

**(1) That the cancellation is consistent with the purposes of this chapter; or**

Cancellation is consistent with the purposes of the chapter because the proposed exchange can meet the Williamson Act easement exchange criteria under Government Code section 51256, Public Resources Code § 10251 and § 10252.

**(2) That the cancellation is in the public interest.** (Cancellation of a contract shall be in the public interest if the council or board makes the following findings: (1) that other public concerns substantially outweigh the objectives of this chapter; and (2) that there is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land.)

The proposed project benefits the City of Greenfield by providing economic development of the adjacent land that can provide jobs for the community. There is no practical alternative noncontracted property that is suitable for the proposed use (See (b)(5) below). Development of the contracted land will provide a contiguous pattern of urban development (See (b)(4)). Please see DEIR Section 4.2 for more information supporting the benefit of this project to the public interest.

##### II.

Cancellation of a contract shall be consistent with the purposes of this chapter only if the board or council makes all the following findings:

**(1) That cancellation is for land on which notice of nonrenewal has been served pursuant to § 51245.** A nonrenewal notice has been filed with Monterey County.

**(2) That cancellation is not likely to result in the removal of adjacent lands from agricultural uses.**

The cancellation involves land that is presently being proposed in the City of Greenfield amended sphere of influence. Any adjacent property not within the proposed adjusted

### Letter 3 Continued

sphere of influence is unlikely to be developed in the near future. Adjacent property is going into permanent agricultural easement.

**(3) That cancellation is for an alternative use which is consistent with the applicable provisions of the city or county general plan.**

See DEIR section 4.2 for benefits of the project, including planning for future growth consistent with the existing plan and zoning, and compatibility with surrounding land uses.

**(4) That cancellation will not result in discontinuous patterns of urban development.**

The cancellation will limit development to property that is adjacent to the city limits and therefore does not result in discontinuous patterns of urban development.

**(5) That there is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or, that development of proximate noncontracted land (practical alternative for the use of the proposed land).**

The City of Greenfield future growth is moving south and west of the city. The proposed use of the contracted land, because of its location, the gateway of the city, will provide Heavy Industrial and Commercial development beneficial for the distribution and transportation industry traveling on Highway 101. There is no noncontracted land that is proximate to the City of Greenfield on the southern end of the city that can practically provide the same use of the proposed contracted land without leapfrogging.

**(e) Noneconomic character of an existing agricultural use shall not be itself be sufficient reason for cancellation. It can be considered only if there is not other reasonable or comparable agricultural use to which the land may be put.**

The property is currently productive.

**(e) The landowner's petition shall be accompanied by a proposal for a specified alternative use of the land. The proposal for the alternative use shall list those governmental agencies known by the landowner to have permit authority related to the proposed alternative use, and the provisions and requirements of 51283.4 shall be fully applicable thereto (filing tentative cancellation upon conditions met with county).**

See *City of Greenfield DEIR, South End Sphere of Influence Amendment Project, 2.0 Project Description*, Pg. 2-18.

**(f) If EIR identifies significant effects on the environment must make findings found in PRC 21081.**

See *City of Greenfield DEIR, South End Sphere of Influence Amendment Project, 3.0 Environmental Setting, Impacts and Mitigation Measures*, Pg. 3.1.

## **2.0 RESPONSE TO COMMENTS**

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### **Response to Letter 3 – Johnson & Moncrief**

#### **RESPONSE TO COMMENT 3-1**

Page 2-17, Table 2-2. Comment noted. Footnote 2 clarifies that locations and uses are conceptual.

#### **RESPONSE TO COMMENT 3-2**

Williamson Act Exchange Program. The City appreciates the applicant's effort to expand upon the required analysis and findings needed for a successful program. Please see also the comment letter from the Department of Conservation, Letter 5.

#### **RESPONSE TO COMMENT 3-3**

SOI Boundary Location. The comment is correct that the City is concurrently processing a GPA that will remove planned development out of an area of exceptional soil.

#### **RESPONSE TO COMMENT 3-4**

MM 3.2-4, Agriculture Impact Fee. The comment is correct that an agriculture impact fee does not exist at this time. The measure is a policy-level mitigation. The DEIR concludes that, although the South End SOI project includes a Williamson Act Exchange Program, the physical conversion of agricultural land will still occur despite these mitigating circumstances (page 3.2-22).

#### **RESPONSE TO COMMENT 3-5**

Table 3.3-2. Comment noted and correction made.

#### **RESPONSE TO COMMENT 3-6**

MM 3.8-1b. Any joint use of basin area for recreational purposes will only be considered if required by code or if such a facility would further the City's planning goals. Such a facility in a heavy industrial or highway commercial area may not be desirable. All proposed residential areas will be required to meet park requirements.

#### **RESPONSE TO COMMENT 3-7**

Analysis Scenarios. The traffic analysis for the South End SOI DEIR assumed a land use adjustment for the city-sponsored GPA that removed 172 acres of heavy industrial use (see Figure 3.11-2).

#### **Response to Comment 3-8**

Editorial, page 3.11-25. Wording and misplaced heading will be removed.

### Response to Comment 3-9

Espinosa Road/Highway 101 Interchange, page 3.11-4. Comments regarding the overpass are noted. The measure is structured to require the improvement when and if it is warranted. Because the improvement is not required without this particular project, it is critical that the project's responsibility be assigned. As the improvement is identified within the City's updated TIF, it is anticipated that partial funding will have been collected by the time such a major improvement is triggered.

## 2.0 RESPONSE TO COMMENTS

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### Letter 4



Arnold Schwarzenegger  
Governor

STATE OF CALIFORNIA

Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Sean Walsh  
Director

June 1, 2006

Mark McClain  
City of Greenfield  
45 El Camino Real  
Greenfield, CA 95927

Subject: South End GPA / SOI Amendment  
SC##: 2005121035

Dear Mark McClain:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on May 31, 2006, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts  
Director, State Clearinghouse

RECEIVED  
JUN 5 2006  
CITY OF GREENFIELD

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-8044  
TEL (916) 445-0615 FAX (916) 923-8018 www.opr.ca.gov

## 2.0 RESPONSE TO COMMENTS

### Letter 4 Continued

#### Document Details Report State Clearinghouse Data Base

<b>SCH#</b>	2005121035		
<b>Project Title</b>	South End GPA / SOI Amendment		
<b>Lead Agency</b>	Greenfield, City of		
<hr/>			
<b>Type</b>	EIR Draft EIR		
<b>Description</b>	The South End SOI project involves a series of complex land use actions and boundary changes that ultimately relate to the City of Greenfield's General Plan and proposed SOI boundaries. The project is described within this EIR represents the "whole of the action," made up of several components.		
<hr/>			
<b>Lead Agency Contact:</b>			
<b>Name</b>	Mark McClain		
<b>Agency</b>	City of Greenfield		
<b>Phone</b>	(831) 674-8591	<b>Fax</b>	
<b>email</b>			
<b>Address</b>	45 El Camino Real		
<b>City</b>	Greenfield	<b>State</b>	CA <b>Zip</b> 93927
<hr/>			
<b>Project Location</b>			
<b>County</b>	Monterey		
<b>City</b>	Greenfield		
<b>Region</b>			
<b>Cross Streets</b>	Espinoza Road / El Camino Real / Patricia Lane		
<b>Parcel No.</b>	221-011-068, 071, 017, 018		
<b>Township</b>	<b>Range</b>	<b>Section</b>	<b>Base</b>
<hr/>			
<b>Proximity to:</b>			
<b>Highways</b>	Highway 101		
<b>Airports</b>			
<b>Railways</b>	SPRR		
<b>Waterways</b>	Arroyo Seco and Salinas River		
<b>Schools</b>	Greenfield ESD, King City JUHSD		
<b>Land Use</b>	Agriculture GP: Partially Heavy Industrial / Partially not included in current GP area		
<hr/>			
<b>Project Issues</b>	Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Cumulative Effects; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Growth Inducing; Landuse; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wildlife		
<hr/>			
<b>Reviewing Agencies</b>	Resources Agency; Regional Water Quality Control Board, Region 3; Department of Parks and Recreation; Native American Heritage Commission; Public Utilities Commission; Department of Housing and Community Development; Department of Health Services; Office of Emergency Services; Office of Historic Preservation; Department of Fish and Game, Region 3; Department of Water Resources; Department of Conservation; California Highway Patrol; Caltrans, District 5		
<hr/>			
<b>Date Received</b>	04/17/2006	<b>Start of Review</b>	04/17/2006 <b>End of Review</b> 05/31/2006

Note: Blanks in data fields result from insufficient information provided by lead agency.

## **2.0 RESPONSE TO COMMENTS**

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### **Response to Letter 4 – Governor’s Office of Planning and Research**

This letter simply acknowledges that the City has complied with State Clearinghouse review requirements.

## 2.0 RESPONSE TO COMMENTS

### Letter 5

STATE OF CALIFORNIA, RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, GOVERNOR



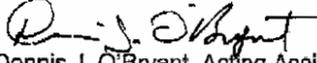
## DEPARTMENT OF CONSERVATION

### DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEBSITE: conservation.ca.gov

TO: Mr. Mark McClain  
Building Official/Planning Manager  
City of Greenfield  
45 El Camino Real  
P.O. Box 127  
Greenfield, CA 93927

FROM:   
Dennis J. O'Bryant, Acting Assistant Director  
Department of Conservation, Division of Land Resource Protection

DATE: June 5, 2006

SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) SOUTH END  
GPA/SOI AMENDMENT PROJECT SCH#2005121035

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CITY OF GREENFIELD

The Department of Conservation's Division of Land Resource Protection has reviewed the proposed DEIR for the referenced project. The Department of Conservation (Department) is responsible for monitoring farmland conversion on a statewide basis and administering the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations on the Draft Environmental Impact Report.

#### Project Description

The project involves four parcels consisting of a total of 267 prime agricultural acres located south of the City of Greenfield (City).

- Parcel 1 (APN 221-001-068) an L-shaped parcel of forty-seven acres, is located west of Highway 101 within the City's current Sphere of Influence. The DEIR proposes a General Plan amendment to change Parcel 1 from Agricultural to Low-density residential.
- Parcel 2 (APN 221-011-017), is a 171-acre parcel east and adjacent to Highway 101 and currently subject to a Williamson Act Contract. The DEIR proposes inclusion of this parcel in the City's SOI and a GP amendment changing the land

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*The Department of Conservation's mission is to protect Californians and their environment by:  
Protecting lives and property from earthquakes and landslides; Ensuring safe mining and oil and gas drilling;  
Conserving California's farmland; and Saving energy and resources through recycling.*

## 2.0 RESPONSE TO COMMENTS

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### Letter 5 Continued

Mr. Mark McClain  
June 5, 2006  
Page 2 of 4

use on 121-acres from agriculture to Highway Commercial and Heavy Industrial. The easterly 50-acres of the parcel are proposed to remain in agricultural as part of the Department's Easement Exchange Program.

- Parcel 3 (APN 221-001-071), is 46-acres north of Parcel 2 and east and adjacent to Highway 101. The DEIR proposes inclusion of Parcel 2 within its SOI and a General Plan amendment to change the parcel's designation from Heavy Industrial to Highway Commercial.
- Parcel 4 (APN 221-0010-018), located south and adjacent to Parcel 2, is a three-acre parcel proposed for inclusion within the City SOI and a GP amendment from Agriculture to Highway Commercial.

The 267 acres are currently in agricultural production, primarily producing row crops. The DEIR indicates the project applicants have requested annexation of the four parcels into the City of Greenfield. The annexation may be part of an application to LAFCO apart from and subsequent to the application to amend the SOI.

5-1

#### Williamson Act Contract Cancellation

The Department recommends that the following information be included in the EIR regarding Williamson Act land impacted by the project.

- A proposal for cancellation of a Williamson Act contract requires notification to the Department when the County or City accepts the petition application as complete (Government Code §51284.1). The board or council must consider the Department's comments **prior to approving** a tentative cancellation. Required findings must be made by the board or council in order to approve tentative cancellation. We recommend that the environmental document include discussion of how the cancellation involved in this project would meet required findings. However, notification must be submitted separately from the CEQA process and CEQA documentation. (The notice should be mailed to Bridget Luther, Director, Department of Conservation, c/o Division of Land Resource Protection, 801 K Street MS 18-01, Sacramento, CA 95814-3528.)

5-2

It should be clarified that until the annexation process is complete, the City of Greenfield is not a party to the contract and has no legal authority under the Williamson Act to hear or act on the termination of a Williamson Act contract.

#### Williamson Act Easement Exchange Program

The Williamson Act provides a voluntary contract rescission process for local entities and landowners to cancel a Williamson Act contract and to simultaneously dedicate a permanent agricultural conservation easement on other qualifying land.

5-3

Letter 5 Continued

Mr. Mark McClain  
June 5, 2006  
Page 3 of 4

The Williamson Act easement exchange process has specific qualifying requirements both for the contracted land and for the potential easement land and is discretionary process subject to final approval by the Department. The Department of Conservation is a responsible agency under CEQA for exchange program projects.

The decisions made by the Department in the process include a determination of whether the contract cancellation findings are supported by substantial evidence; whether the proposed easement meets eligibility and evaluation criteria; whether the proposal will be a beneficial contribution to agricultural land conservation; and the appropriateness of the easement valuation.

The Department typically advises that involved parties consult the Department several months prior to the easement exchange application process to ensure that the proposal can meet statutory requirements. The DEIR indicates that a proposal is in-progress. As the Department has not received correspondence on the proposal, the involved parties should contact the Division's Williamson Act Program for assistance. The contact person for the Williamson Act Easement Exchange Program is Adele Lagomarsino, Program Analyst, (916) 445-9411.

5-3  
cont.

Mitigation Measures

The DEIR proposes to utilize the Williamson Act Easement Exchange Program in exchange for terminating the Williamson Act contract on 121-acres. Under the Easement Exchange Program agricultural conservation easements are used in lieu of paying the contract cancellation fee penalty to the State General Fund and do not qualify as a mitigation measure for the conversion of agricultural land to urban use.

Agricultural conservation easements may also be utilized on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. While agricultural conservation easements can be purchased outright, an alternative approach involves the donation of mitigation fees to a local, regional or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional significance, and the search for replacement lands conducted regionally or statewide, and not limited strictly to lands within the project's surrounding area.

5-4

Other forms of mitigation may be appropriate, including the following:

- Protecting farmland in the project area or elsewhere in the County through the use of less than permanent long-term restrictions on use such as 20-year Farmland Security Zone contracts (Government Code §51296 et seq.) or 10-year Williamson Act contracts (Government Code §51200 et seq.).

## 2.0 RESPONSE TO COMMENTS

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### Letter 5 Continued

Mr. Mark McClain  
June 5, 2006  
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- Directing a mitigation fee to invest in supporting the commercial viability of the remaining agricultural land in the project area, County or region through a mitigation bank that invests in agricultural infrastructure, water supplies, marketing, etc.

Thank you for the opportunity to comment on the DEIR. If you have any questions on our comments, please contact our office at (916) 324-0850.

5-4  
cont.

### **Response to Letter 5 – California Department of Conservation**

#### **Response to Comment 5-1**

Project Description. The Department has accurately summarized the proposal. The annexation of real property as part of a separate LAFCO application is an important part of the description. The separate application will allow additional time for the applicants and City to complete all Williamson Act cancellation and exchange processes as required by the Department of Conservation.

#### **Response to Comment 5-2**

Williamson Act Cancellation Process. Exhibits A and B, attached to Letter 3 from Johnson & Montcrif, provide additional detail for the record regarding the cancellation and exchange process. The City is independently reviewing this information and will provide an objective analysis in order to make the necessary findings. The City understands that the City's determinations regarding cancellation are preliminary and must consider the Department's comments prior to approving a tentative cancellation. Until the annexation of the property is complete the City cannot act independently on this matter. Letter 3 and its exhibits are considered part of this Final EIR and incorporated into the record.

#### **Response to Comment 5-3**

Williamson Act Exchange Program. Please see the above response and Exhibits of Letter 3.

#### **Response to Comment 5-4**

Mitigation Measures. The DEIR does not propose the exchange program as mitigation for conversion of agricultural land. The mitigation only addresses the impact of the Williamson Act contract cancellation. Impacts specific to the conversion of prime farmland are disclosed and analyzed on pages 3.2-21 and 3.2-22 of the DEIR. This analysis summarizes the City's planned approach to growth and cites the fact that the City has voluntarily removed an additional 172 acres outside the project from planned urban development. Despite these mitigating circumstances, the DEIR concludes that conversion of farmland is a significant and unavoidable effect of the proposal. Although a mitigation fee has not been formed in the County or the City, MM 3.2-4 acknowledges that such a fee may be a mitigation option if one is established in the near future.

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## 3.0 DRAFT EIR ERRATA

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### 3.0 DRAFT EIR ERRATA

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Minor typographical errors and corrections to the DEIR text are presented below. Additions are shown as bold italics and deletions are shown as strikethrough.

#### ERRATA TO THE AIR QUALITY SECTION

Page 3.3-8, Table 3.3-3, has been amended as follows:

**TABLE 3.3-3  
NCCAB Attainment Status Designations**

POLLUTANT	NATIONAL DESIGNATION	STATE DESIGNATION
Ozone, 1 hour	<b><i>Not Applicable</i></b> <del>Attainment/Maintenance</del>	Nonattainment/Transitional
Ozone, 8 hour	Unclassified/Attainment	Not Applicable
PM <sub>10</sub>	Unclassified	Nonattainment
PM <sub>2.5</sub>	Unclassified	Attainment
Carbon Monoxide	Unclassified/Attainment	Unclassified/Attainment
Nitrogen Dioxide	Unclassified/Attainment	Attainment
Sulfur Dioxide	Unclassified	Attainment
Sulfates	Not Applicable	Attainment
Lead	Not Applicable	Attainment
Hydrogen Sulfide	Not Applicable	Unclassified
Visibility Reducing Particles	Not Applicable	Unclassified

Page 3.3-17, MM 3.3-3, has been amended as follows:

***s. Utilize truck stop electrification to decrease emissions of diesel particulates from idling trucks.***

### 3.0 DRAFT EIR ERRATA

Page 3.3-7, Table 3.3-2, has been amended as follows:

**TABLE 3.3-2  
SUMMARY OF AMBIENT AIR QUALITY DATA**

POLLUTANT STANDARDS	2002	2003	2004
<b>King City-750 Metz Road Air Monitoring Station</b>			
<b>Ozone (O<sub>3</sub>)</b>			
Maximum concentration, 1-hr/8-hr period (ppm)	0.079/0.066	0.085/0.074	0.078/0.070
Number of days state standard exceeded	0	0	0
Number of days federal standard (1-hr/8-hr) exceeded	0/0	0/0	0/0
<b>Suspended Particulates (PM<sub>10</sub>)</b>			
Maximum 24-hour concentration (µg/m <sup>3</sup> )	62.4	38.0	46.1
Number of days state standard exceeded	--	--	--
Number of days federal standard exceeded	0	0	0
<b>Salinas #3 Air Monitoring Station</b>			
<b>Ozone (O<sub>3</sub>)</b>			
Maximum concentration, 1-hr/8-hr period (ppm)	0.075/0.062	0.073/0.063	0.077/0.070
Number of days state standard exceeded	0	0	0
Number of days federal standard (1-hr/8-hr) exceeded	0/0	0/0	0/0
<b>Carbon Monoxide (CO)</b>			
Maximum concentration, 1-hr/8-hr period (ppm)	2.3/1.38	2.8/1.09	1.9/1.21
Number of days state (1-hr/8-hr) standard exceeded	0/0	0/0	0/0
Number of days federal (1-hr/8-hr) standard exceeded	0/0	0/0	0/0
<b>Nitrogen Dioxide (NO<sub>2</sub>)</b>			
Maximum 1-hour concentration (ppm)	0.049	0.053	0.1394
Number of days state standard exceeded	0	0	0
Annual arithmetic mean (AAM)	0.007	0.006	0.007
AAM exceed federal standard?	0	0	0
<b>Respirable Particulate Matter (PM<sub>10</sub>)</b>			
Maximum 24-hour concentration (µg/m <sup>3</sup> )	44.0	66.0	44.0
Number of days state standard exceeded	0	<del>0</del> <b>4.0</b>	0
Number of days federal standard exceeded	0	<del>4.0</del> <b>0</b>	0
<b>Fine Particulate Matter (PM<sub>2.5</sub>)</b>			
Maximum 24-hour concentration (µg/m <sup>3</sup> )	23.5	15.9	22.3
Number of days federal standard exceeded *	0	0	0

AM Annual Arithmetic Mean  
 (µg/m<sup>3</sup>) Micrograms per Cubic Meter  
 ppm Parts per Million  
 -- Not Calculated or Insufficient Data Available  
 Source: ARB 2005

### **3.0 DRAFT EIR ERRATA**

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#### ERRATA TO THE TRAFFIC AND CIRCULATION SECTION

Page 3.11, last sentence of first paragraph, has been amended as follows:

~~Background Plus Interim~~