

Dec. 4, 2009

Humboldt County Planning Department
Community Development Services
Attn: Martha Spencer
3015 H Street
Eureka, CA 95501

Re: Comments on Agricultural Resources, Section 4.5 of the Land Use Element for the Dec. 10 Planning Commission hearing

Dear Planning Commissioners,

Thank you for the opportunity to comment on Section 4.5, Agricultural Resources, in the Land Use Element of the Humboldt County General Plan Update. Healthy Humboldt is a coalition of public interest organizations working for a County General Plan that provides healthy transportation and housing choices while protecting resource lands and watersheds by focusing future growth in existing communities.

First, Healthy Humboldt concurs with the June 5, 2009 comments by the Humboldt County Farm Bureau and Humboldt Del Norte Cattlemen's Association, which include the following:

- **Support for policies that seek to focus most growth within existing serviced areas.** Policies should limit the need for new residential uses in agricultural areas by accommodating most future development within and adjacent to existing communities. Allowing agricultural lands to be used for residences raises the price of land, making purchase for farming unrealistic, discourages new agricultural investment and uses, and increases the likelihood of purchase for nonagricultural use.
- **Support for policies that keep Agriculture zoned and planned land in largest existing parcel sizes** that are practical and useful for the full range of agricultural products raised in Humboldt County. Specifically, we support the Farm Bureau/ Cattlemen's Association recommendation of 60-acre minimums on Ag-Exclusive (AE) and 160-acre minimums on Ag-Grazing (AG).
- **Adoption of a No Net Loss Policy for Agricultural lands:** Where conversion of farmlands cannot be avoided, the County should require long-term preservation of other agricultural lands with the caveat that the farmland to be preserved be in Humboldt County and must be preserved prior to the proposed conversion. We support the Alternative A/B version of **AG-P6**, with the caveat that the definition of the terms "*permanent conversion*" and "*prime agricultural lands*" must be carefully considered. We support the North Coast Growers Association/Fortuna Farmer's Market/Southern Humboldt Farmer's Market recommendation that the Williamson Act definition of "prime agricultural land" as set out in Cal. Govt. Code § 51201 (c) (1-5) should be used in the General Plan and all County policies and regulations (see NCGA et al. letter dated Sept. 17, 2009). We suggest the following language:

A -P6. No Net Loss of Prime Agricultural Lands. The ~~permanent~~ conversion of prime agricultural lands [as defined in Cal. Govt. Code § 51201 (c) (1-5)] to non-agricultural uses through a change in zoning or General Plan designation shall be accompanied by offsetting permanent protections of prime agricultural lands so there is no net loss of prime agricultural land.

We also recommend removal of the reference to *Friends of the Kangaroo Rat v. Calif. Dept. of Corrections* in the Alternatives Voting Chart, since that case has been depublished.

- **AG-S4, Planned Rural Development Program Clustering Incentive Option:** We support the voluntary clustering as described in Alternatives A and B, **without the density bonuses** on lands zoned AG. Density bonuses are not appropriate for agricultural lands because we should not look to agricultural lands for residential use. This portion should include language that recognizes agriculture as the priority land use in designated agricultural lands, with direction to resolve policy conflicts in favor of preserving and promoting agriculture on such lands.

Healthy Humboldt offers the following additional recommendations for protecting Humboldt County's Agricultural Resources are as follows:

1. **Minimize subdivision and conversion of agricultural lands** through strong land use and zoning ordinances. Minimum agricultural parcel sizes should be adopted that will ensure that agricultural areas can be maintained as economic units. Policies should be adopted that prohibit new non-agricultural use or development of a parcel located in an agricultural area unless it is needed for the agricultural use of the parcel.
 - **AG-P5, Conservation of Agricultural Lands:** We support the Alternative A version, particularly section D, which would not allow the conversion of agricultural resource production lands (AE, AG, AGR) outside of Urban Expansion Areas.
 - **AG-S3, Subdivision of Planned Agricultural Grazing Lands:** In general, we support the requirement of specific findings that give clarity and certainty to the planning process. In AG-S3, we recommend the addition of findings in Section D. that adequate water supply can be demonstrated to have no negative impacts on the existing agricultural/residential water use, nor to the environment. This is particularly important in watersheds where instream flows and temperature-impairment are causing negative impacts to salmonids and other aquatic species.
 - **AG-IM6:** We support the adoption of the Alternative A version of **AG-IM6** and **AG-IMx**. The County has a long history of inadequate monitoring and enforcement that has led to lack of compliance with state law, poorly-planned conversion of resource lands, uncertainty for landowners, and costly legal battles. All of this could be improved through clarification of planning policies as is recommended through the General Plan Update, but such problems will not be addressed by adopting good policies without implementation of monitoring and enforcement programs.
2. **Establish urban growth boundaries and buffer areas.**

Adopting stable zoning boundaries prevents the loss of productive farmlands. Buffer areas that separate urban and rural areas minimize land use conflicts on the agricultural-residential boundary. Policies should be adopted that minimize conflict by focusing future development in existing communities.

- **AG-P5, Conservation of Agricultural Lands:** We support the Alternative A version, particularly section B, which would establish Urban Development, Urban Expansion, and Community Planning Areas while promoting residential in-filling of Urban Development Areas.

3. Encourage and provide for small-scale agriculture and community gardens.

Small-scale agriculture on suitable agricultural land within existing communities and Community Planning Areas, in order to maintain a diversity of farm operations, local food security, and to maintain productive open space and rural character.

4. AG-IM2: Seek funding and provide staff to create tax policies, potential funding sources, and other incentives for the conservation of agricultural lands.

We support the Alternative A version of IM2, and would like to see the County explore creation of an open space district, recreational and conservation easement program, voluntary transfer of development rights program to protect open space in the form of ranchlands, many of which contain oak woodlands and riparian areas that provide valuable wildlife habitat. Language on a Carbon Sequestration Program should be kept fairly broad at this time, since such programs are currently the subject of much debate; though such a program could be advantageous, adopting a policy that does not limit such a program would be most appropriate at this time.

5. Support for the following draft language as written in the Chapter 4.5 Key Issues and Comparison Chart:

AG-Pxxx, Substandard Legal Parcels: Parcels not originally created for residential purposes will not be recognized for residential development on lands planned for agriculture. Residential use of substandard legal parcels has led to unplanned conversion of agricultural land to non-agricultural uses, and should not continue as under current policy.

AG-Pxx. Protect Productive Agricultural Soils. Development on lands planned for agriculture (AE, AG, AGR) shall avoid the placement of buildings, impermeable surfaces or non-agricultural uses on soils classified by the NRCS as Prime Farmland soils or Farmland soils of Statewide Importance to the maximum extent feasible.

AG-P11. Support Vegetative Management Programs. Support vegetation management programs (controlled burning, etc.) when it is found that they improve the availability and quality of rangeland for livestock and wildlife, reduce the hazard of disastrous wildfires, and increase water quality and quantity.

6. Water Supply and Environmental Impacts: We recommend additional policy language to address impacts to the environment specific to Agricultural Lands, particularly water quality and supply.

The following language has been adapted from Santa Cruz County's General Plan - Conservation and Open Space Element:

- **Ensure a continued sustainable supply of water** for agricultural use through conservation, protection of surface and groundwater, utilization of excess domestic water through encouraging greywater systems, and utilization of reclaimed wastewater.
- **Establish a program to manage irrigation runoff** so that fertilizers and pesticides do not infiltrate watersheds, streams and groundwater basins, and to encourage the recycling of irrigation water for irrigation purposes.
- **Limit impervious surfaces** such as commercial greenhouses, and pavement which impair long-term soil capabilities, to the minimum area needed for necessary agricultural related buildings.
- **Stormwater Runoff:** Require retention of stormwater runoff from impervious surfaces for all new development through on-site percolation methods where feasible, so that runoff will not exceed predevelopment runoff levels. Such a requirement will protect water quality and prevent erosion from high peak flows while recharging groundwater.
- **Developing Groundwater Resources:** Allow development of groundwater resources when consistent with sustainable yield, protection of streamflows, and maintenance of groundwater quality. Require water systems serving new development to meet applicable standards for yield to ensure a reliable water supply is provided to its users.
- **Water Conservation:** Require irrigation systems to be water conserving.
- **Agriculture Inside Structures:** Recognize that certain forms of agriculture requiring production of crops, livestock or related products inside structures (e.g. greenhouses, insectories, aquaculture) may be a necessary part of an agricultural operation. Require any such uses to mitigate any impacts created by such facilities to minimize land use conflicts and/or environmental problems.
- **Runoff Retention:** In primary recharge areas, require stormwater runoff to be retained on site for percolation; in other areas require detention.

Summary of Need for New Agricultural Land Use Policies

As agricultural lands are subdivided, land costs increase, making less land available to buy or lease for farming. The long-term result is that fewer young farmers will be able to enter the agricultural industry, diminishing our agricultural economy and a way of life that is quickly disappearing throughout the U.S. As the cost of fuel rises, the cost of importing food also rises, leaving us vulnerable to price fluctuations. Local food production increases public health as well as economic resilience, so long as locally produced fruits, vegetables, meat and dairy are within the price range of average residents. Preserving agricultural use as the highest and best use of suitable agricultural lands will contribute to the quality of life through healthier food, a stronger local economy, and preservation of open space.

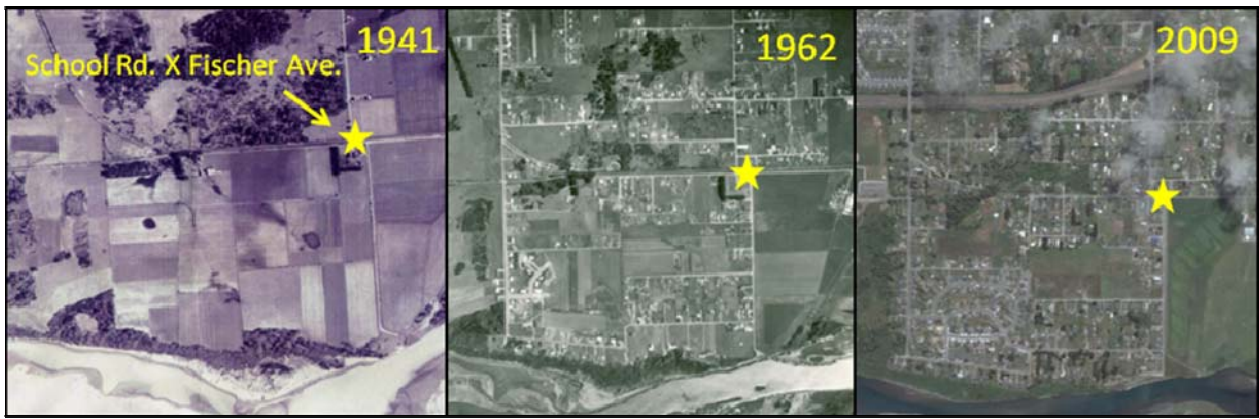
According to the Humboldt County Department of Community Development Services June 2005 report, "Resource Land Conversion in Humboldt County 1985-2005,"

- 60,000 acres of Humboldt County agricultural lands were converted to non-agricultural uses from 1985 to 2001;

- 53,000 acres were converted from 2001 to June 2005.
- From 1985-2000, the County approved 531 subdivisions, creating a total of 2,945 residential lots, 29% of which were within an Agricultural Resource Zone.
- 17% of houses built in the past 5 years were built on lands zoned for Agriculture.

Nearly all of the large lot subdivisions have been on agricultural and timber lands, primarily through the breakup of old family ranches. As the following maps of McKinleyville's conversion of agricultural lands to residential uses illustrate, the County has lost a large amount of its agricultural capabilities due to the lack of policies to prevent such conversion. If we are to preserve of the County's rural character and ability to support farming and ranching, the County must adopt and implement clear policies to minimize such conversion to non-agricultural uses.

Conversion of Prime Agricultural Lands to Residential Uses, 1941-2009, McKinleyville.



Limiting the conversion of agricultural production lands to other land use designations will ensure long-term viability of agricultural lands throughout the county. Preserving productive agricultural lands that are well above sea level is especially important, since much of the County's low-lying agricultural lands such as in the Arcata Bottoms and Eel River valley will be at risk of increased flooding as climate changes and sea level rises.

Thank you for your work and for your careful consideration of these important policies.

Sincerely,

Jennifer Kalt, Policy Analyst
for the Healthy Humboldt Coalition

Cc: Humboldt County Board of Supervisors
Humboldt County Planning Staff