



March 9, 2026

Chair Ernesto Gonzales  
Monterey County Planning Commission  
PO Box 1728  
Salinas, CA 93902

RE: Draft General Plan Environmental Justice Element

Dear Chair and Planning Commission Members:

LandWatch supports the County's efforts to promote environmental equity in its recently released draft Environmental Justice Element. As the drafting process continues, we encourage the County to prioritize public engagement, especially with typically underserved and underrepresented communities. The County must also ensure that policies are enforceable and capable of measurable compliance, and that they are written in a way that is clear and unambiguous.

In terms of specific focus areas, we commend the County's emphasis on water, climate change, and housing, among other issues. We request that the County prioritize policies, such as supporting infill housing in high resource areas, as a means of addressing existing inequities across the County. We also ask the County to weigh the disproportionate cost burdens of proposed water solutions, such as the Salinas Valley Basin Groundwater Sustainability Agency (GSA) proposed projects, and to protect against unduly burdening lower income households when considering water supply sources.

For background, LandWatch has a long history of supporting equitable land use, water, and housing policies. Since 1997, we have advocated environmental justice issues around water, housing, infrastructure, and land use. While much of the emphasis in environmental justice discussion concerns keeping unfavorable conditions out of disadvantaged communities, we also strongly promote housing affordability in high resource areas, so that historically disadvantaged community members can access the benefits and privileges that may not otherwise be available to them. We encourage the County, in drafting its EJ Element, to view the issue from both sides: that is, to facilitate access to the benefits of high resource areas while also mitigating burdens that occur most frequently in lower resource areas.

Below is a more detailed discussion of our suggestions for the draft EJ Element.

**I. The County should continue and expand public outreach efforts, especially with historically underrepresented communities.**

We commend the County's efforts to reach communities that are most vulnerable to environmental injustices, and those that have typically borne a disproportionate share of environmental burdens. As the County continues to improve the EJ Element draft, we encourage increased outreach and engagement with these communities.

Specifically, we ask that the County prioritize engagement and increase outreach efforts with residents of the environmental justice communities that the Element is designed to benefit. This could include mailing surveys, ensuring that online information is available across languages, and holding multiple workshops. While input from across the County is key to strengthening the current draft, it is especially important to reach populations that are often shut out of the discussion while being most affected by the outcome.

**II. The County must include language that makes the policies in the Element enforceable and capable of being followed and monitored.**

The difference between an EJ Element that accomplishes objectives and one that merely describes them comes down to word choice. The County must be intentional in choosing language that will result in unambiguous and enforceable policies. Instead of using precatory language, such as 'should,' the County must use language that creates an enforceable commitment, such as "shall." Where programs are aspirational only, the likelihood of realizing them drops substantially.

Where the County neither promises nor commits, it should add language that will ensure accountability. For example, each policy needs to start with the words "the County shall." As currently written, they do not include a commitment or a subject (i.e. the person or entity tasked with performing an act). For example, EJ-6.2 states, "Reduce housing overcrowding in disadvantaged communities and reduce the percentage of cost-burdened households in Monterey County by planning for adequate housing growth with a variety of housing sizes and types and by promoting the development of accessory dwelling units." (pg. 31) Instead, it should say "The County shall reduce housing overcrowding..."

To be effective, the EJ Element policies must be enforceable and trackable, and must produce real reductions in environmental burdens. To accomplish this, the County must include binding language and trackable objectives, i.e., quantitative measurements of progress toward the stated

goals. However, none of the proposed policies contain quantified objectives or time commitments. Objectives and timetables should be provided for the policies that the County actually intends to pursue.

Typically a general plan policy is implemented through one or more adopted programs. The EJ Element lacks any implementing programs and the vaguely written policies are not self-executing. Nor does the EJ Element cross-reference implementing programs from other General Plan elements that might help implement EJ policies. The County must describe in clear language the implementation actions that it will take to reduce the environmental burdens in environmental justice communities. Clear, enforceable language will make EJ policies actionable and impactful, which is the reason for having an EJ Element.

### **III. The EJ Element must prioritize policies and programs, specifically infill, that will alleviate housing and climate inequities.**

The draft Element correctly identifies that the burdens of a lack of affordable housing supply and climate change fall disproportionately on EJ communities. LandWatch supports adding policies that not only reduce burdens in existing disadvantaged communities, but that also allow members of those same communities to access affordable housing in higher resource areas where such burdens are removed or greatly reduced.

The draft Element notes, “a history of inequitable investments and discriminatory practices, compounded with the rising cost of living in Monterey County, disproportionately threatens the ability of low-income and otherwise disadvantaged communities to afford to stay in their communities.” (pg. 29) This is true. It’s also true that these same factors make it nearly impossible for members of these communities to access housing in higher resource areas, where their children could attend better schools, where families have access to parks and natural spaces, or where jobs are located near homes. LandWatch has long advocated infill housing as a means of facilitating access to these benefits among community members that have been shut out.

We encourage the County to add language to the Draft that not only addresses better housing in low resource areas, but also addresses the flipside of this issue: affordable housing in high resource areas. For example, proposed policy “EJ-6.3 Advance a range of housing types for all income groups” could be expanded to say: “Advance a range of housing types for all income groups, *with a specific focus on adding more affordable housing in high resource areas of the County.*” By focusing on both approaches, the County will confer a wider benefit while also alleviating a disproportionate burden.

**IV. Water is a basic human right, and EJ communities should not be burdened with high water bills when less expensive supplies are available.**

LandWatch has advocated water related environmental justice issues in the past, specifically as they relate to [apportionment of costs](#) around expensive supply methods, and those costs falling disproportionately onto disadvantaged communities. The draft EJ Element Existing Conditions Assessment explains that “another important aspect of environmental justice is ensuring residents (customers) can afford to pay for water to meet their household needs, taking into consideration other household living expenses, as well as the direct and indirect costs associated with obtaining access to the water” (Pg. 91) Furthermore, affordable water is also a key part of enabling affordable housing supply.

To that end, we encourage the County to include language that will ensure an affordable water supply for disadvantaged communities that might otherwise bear an unfair share of costly water supply projects. For example, Goal EJ-4 should be expanded to provide for access not only to affordable food supply but also to affordable water. And the County should adopt policies and implementing programs that will commit it to equitable apportionment of the costs for the projects and management actions needed to address seawater intrusion and ensure sustainable water supplies.

These projects and management actions are under consideration by the Salinas Valley Basin GSA and by the Monterey County Water Resources Agency (MCWRA). To complement the GSA's authority under SGMA, the County must accept and exercise its own independent authority to regulate sustainable groundwater, which includes authority over groundwater pumping and well permitting and control of MCWRA, the agency that manages the existing water supply infrastructure and that will be responsible actually to implement most if not all of the projects and management actions needed for sustainability.

The EJ Element should provide policies and a program that expressly provide that the costs of surface water and groundwater infrastructure managed by the County will be apportioned to minimize the costs to disadvantaged communities and to existing lower income water users by recognizing any and all water right priorities and statutory preferences available to these users, e.g., the priority of any prescriptive rights under common law and the priority rights under Water Code Section 106. To the extent that there are any priorities for existing urban uses, the costs of the extraordinarily expensive proposed infrastructure projects should not be imposed on these uses. And new urban uses should not pay more for water than agricultural users are required to pay.

**V. The EJ Element must address water quality problems in lower income communities.**

Policy EJ-2.4 proposes to “Support and expand efforts to prevent pollution of the County’s surface and groundwater resources, and minimize potential impacts of water pollution by addressing factors and conditions that lead to increased individual and community vulnerability and exposure to polluted water.” This policy is vague and unenforceable and lacks an implementing program. It is entirely unclear how the County proposes to “support” or “expand” pollution control “efforts,” or which efforts it will target.

While the State Water Resource Control Board (SWRCB) has authority over agricultural run-off through the Porter-Cologne Act, it appears that the SWRCB has not taken effective action. The EJ Element should recognize that the County has independent authority that it could use to regulate land use practices that contaminate groundwater and surface water supplies. For example, the County could use its independent legislative authority to require riparian buffers in order to reduce polluted discharges. Again, the EJ Element should provide an implementing program that clarifies what the County actually intends to do about water quality.

Thank you for your consideration of our comments and for your work on the draft Element. We look forward to continuing the dialogue. Please do not hesitate to reach out if you have any questions or if we can serve as a resource during the drafting process.

Regards,

A handwritten signature in black ink, appearing to read "Michael DeLapa". The signature is stylized and cursive.

Michael DeLapa  
Executive Director