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May 5, 2005

Butch Lindley, Chair  
Monterey County Board of Supervisors  
240 Church Street  
Salinas, CA 93901

RE: Proposed Weakening of General Plan Update Policies Relating To Infrastructure

Dear Chairperson Lindley and Members of the Board:

Today, the Board of Supervisors is holding a General Plan Update (GPU) workshop to focus on "infrastructure" and related issues. The staff has presented a (revised) memorandum dated May 5, 2005 that makes a series of recommendations. LandWatch urges the Board to reject those staff recommendations that would weaken infrastructure policies proposed in the so-called "GPU 3" document, and that are fundamentally inconsistent with the Twelve Guiding Objectives adopted by the Board at the start of your General Plan Update efforts.

LandWatch continues to recommend that the Board adopt the kind of policies contained in the "Community General Plan," which in fact were designed to achieve the Twelve Guiding Objectives, and to insure that the future growth and development of the County ends up as a "positive benefit" to the residents of the County, instead of resulting in more sprawling and costly rural development, underserved by necessary infrastructure. That kind of development, typical of the last twenty years of development decisions in Monterey County (decisions which continue today) has undermined the local economy, degraded the natural environment, and shortchanges social and economic equity goals that ought to be at the top of the list of County priorities.

Unfortunately, what the staff is proposing to you would perpetuate the flawed and discredited approach to development that has turned Highway 68, Highway One, Highway 101, and other roadways into an increasingly gridlocked, traffic nightmare. Again, LandWatch urges the Board to reject a "business as usual" approach to infrastructure requirements, which is what the staff is recommending.

One of the "critical assumptions" outlined by staff on Page One of the May 5<sup>th</sup> memorandum is at the root of the recommendations that should be rejected.

Assumption #3 says that "concurrency implies that all project on-site infrastructure must be completed upfront; fair share fees for regional, sub-regional and local improvements must be included in a capital improvement program." This "assumption" is a barefaced "redefinition" of what "concurrency" actually means. In other words, what the staff says is "concurrency" isn't concurrency at all. It's just the opposite.

Please think about what that so-called “assumption” says. It says that new developments (like Rancho San Juan, to take a pertinent example) can satisfy a “concurrency” requirement by making sure that traffic problems “on-site” are dealt with, but that the Board can approve the development even though once the cars from the development drive off the site they help ensure ever greater gridlock on the roads that our residents are using!

Paying a fee for some hypothetical future improvement to deal with current impacts, caused by the project approved, is not concurrency. Again, it’s just the opposite. It’s the “current system,” if you can call it a system, and it’s exactly the kind of approach to development that this Board should reject, and that the public is expecting you to reject. This Board should learn from the mistakes of the past. The traffic generated by Las Palmas, Pasadera, and other large rural subdivisions, not to mention the host of smaller projects that the Board has approved, and continues to approve, has cumulatively led to traffic and infrastructure overload. The policies recommended to you by staff will perpetuate, not change, this dysfunctional approach.

Here is what the Twelve Guiding Objectives say about infrastructure:

Guiding Objective #8

Provide adequate infrastructure and public services for existing residents and businesses. Ensure that infrastructure and public services are available, fully funded, and constructed concurrently with new development. Ensure that new development neither increases the infrastructure and public service cost for existing residents and businesses nor reduces their quality of service by any significant amount (emphasis added).

The staff’s “assumption” and its recommendations on infrastructure are totally inconsistent with this key objective.

Here’s what the “Community General Plan” says about infrastructure:

“Community General Plan” – Infrastructure Policy #17

New Development Mitigation – New development projects shall mitigate any transportation impacts caused by the project. If a proposed development would cause any road segment or intersection identified in the Infrastructure Element of the General Plan to experience an unacceptable level of service, or if the development would cause additional traffic or safety impacts on any such road segment or intersection already experiencing an unacceptable level of service, the project shall not be approved. The project may be approved, despite the above, if all of the following are true:

- A transportation or traffic mitigation measure is identified that will eliminate the unacceptable level of service on all affected road segments and intersections;
- The installation or construction, of the transportation or traffic mitigation measure is made a condition of project approval; and
- The identified transportation or mitigation measure is actually constructed prior to or concurrently with the construction of the project.

In addition, new development projects shall pay into any applicable regional or local road impact fee program (emphasis added).

The Twelve Guiding Objectives require a genuine “concurrency” requirement. So does the “Community General Plan.” What the staff is recommending is a totally bogus “concurrency” requirement, because it allows development to proceed to add more traffic to already congested roads, simply on the developer’s payment of a “fee” that may, sometime in the future, deal with the problem. In the meantime (and decades can pass before actual solutions are achieved) local residents and businesses bear the burden.

In addition to this massive flaw in what the staff is recommending, the staff recommendations also propose a reduction in the “level of service” standards for local residents. If this recommendation is adopted, then local residents will experience more traffic problems, and the developers will get to build their developments, and take their profits.

Who are the staff and the Board working for? If you’re working for the people of Monterey County, then you should make *their problems* a priority. The recommendations before you today make the ability of the developers to continue to develop a priority.

What the staff recommends for traffic, they also recommend for water. Please note the following staff recommendation:

### C. LAND USE PERMITTING

7. The county shall continue to require that new development have a long term sustainable water supply. This shall not be a factor in determining a project complete, but will be a critical factor in determining whether a project may be approved (emphasis added).

This recommendation weakens provisions in the current, 1982 General Plan. What this says, in plain terms, is that developments can continue to be processed in areas of massive, acknowledged groundwater overdraft (like North County), and can be approved even though the water supply will come from an overdrafted aquifer. In other words, the priority is to allow new development, and to benefit the developers, while existing residents whose wells are at risk will continue to experience ever worsening problems.

The “Community General Plan” takes the opposite approach. Here’s what it says:

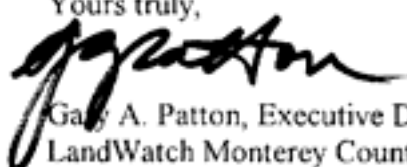
#### “Community General Plan” – Infrastructure Policy #55

Sustainable Water Supply Required – No residential subdivision or any agricultural, industrial, or commercial development project shall be approved without a specific finding, supported by facts in the administrative record, that an adequate, long-term, and sustainable water supply is available to serve the project. A water supply shall not be considered an “adequate, long-term and sustainable water supply” if the water proposed to be supplied comes from a groundwater aquifer in which groundwater overdraft conditions exist.

Traffic and Water issues are critically important for the residents of Monterey County, and the current patterns of development are making them worse. Your Board should adopt a new General Plan that makes things better, not makes them worse. What the staff recommends will make things worse.

In conclusion, LandWatch urges your Board to reject the staff recommendations before you today. Those recommendations are inconsistent with the Twelve Guiding Objectives that your Board adopted, after a huge public outreach process. The Twelve Guiding Objectives, in fact, encompass what the people of Monterey County (properly) expect.

Please don't disappoint them by deciding that you care more about developers than your own constituents.

Yours truly,  
  
Gary A. Patton, Executive Director  
LandWatch Monterey County

cc: Planning Director  
County Counsel  
County Administrative Officer  
Planning Commission  
Interested Persons