

Calaveras Local Agency Formation Commission
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July 18, 2018

Calaveras County Department of Planning and Building
Peter Maurer, Director of Planning and Building
891 Mountain Ranch Road
San Andreas, CA 95249

Attn: Peter Maurer, Planning Director

**SUBJECT: Response for the County of Calaveras General Plan Draft
Environmental Impact Report (DEIR)**

Dear Mr. Maurer,

Thank you for informing LAFCo about the DEIR for the County's General Plan. It is the policy of Calaveras LAFCo to actively participate in the development of Environmental Documents where LAFCo is or may be a Responsible Agency as required in Section 15096 of the CEQA guidelines or in this case, when the County is preparing a General Plan. LAFCo is concerned with the orderly provision of urban services throughout the County and that the services required for any subsequent development be provided by an established service provider to the extent feasible and that the service provider has and maintains adequate funding for the services provided.

As you are aware, LAFCo continues its effort to prepare Municipal Service Reviews and Spheres of Influence throughout the County as required by state law. If feasible, LAFCo intends to use the County's General Plan EIR as its environmental document for upcoming Sphere of Influence updates rather than preparing a new environmental document each time LAFCo adopts an updated Sphere of Influence. Please provide language in the "Purposes and of the EIR" section of the DEIR that LAFCO will be using the final EIR for upcoming Sphere of Influence updates. Likewise, other agencies such as the local Air Pollution Control Agency and the Transportation Commission may use the EIR in their role as a responsible agency. Note that there should be a discussion of LAFCo under the regulatory context section (4.9.3) on page 4.9-2 of the DEIR.

Depending upon the ability of a service district to provide services (as well as other factors) a Sphere of Influence update to include the territory in the General Plan map attached in the DEIR may not be feasible in the near term. The environmental documentation needs to also disclose any potential environmental impacts associated with a larger or updated Sphere of Influence. Of particular importance to LAFCO is a service district's ability to provide water and wastewater services. These areas should be thoroughly discussed to the extent feasible in the EIR. Since this is a programmatic EIR, LAFCO may wish to prepare a supplemental document should additional

environmental documentation be required at the time LAFCO updates various Spheres of Influence.

LAFCo has comments regarding the following.

Resource Production:

Impact 4.2.1 Impacts related to conversion of Prime Farmland and no mitigation measures are found feasible. The county may wish to establish a mitigation measure whereby 1 for 2-acre (or adopt another formula) for land conservation easements as a mitigation measure.

LAFCo prepared numerous comments regarding the Resource Conservation Element (RCE) in a memo dated March 2, 2016. These comments were not included in the final draft RCE. Please consider the following as mitigation in the EIR:

- a. *Require a 300 to 500 foot buffer (on lands within the development project) from the boundary of an adjacent agricultural use. When the buffer is not feasible, require an easement as suggested in (c) below.*
- b. *Require a combination of a lesser buffer, tall masonry fencing and tree planting along the boundary to mitigate impacts of noise, dust, trespass, and pesticide/herbicide overspray. Such a proposal must be supported by the Farm Bureau, County Agricultural Commissioner or other recognized authority as adequate to mitigate impacts.*
- c. *Require agricultural land mitigation agreements through the purchase of agricultural easements with a 1 to 2-acre conversion ratio on lands having equal agricultural value and risk of conversion as the lands proposed to be converted from agricultural to urban uses.*
- d. *Alternatively, the County could consider a trigger mechanism or threshold to know when an agricultural conversion mitigation program is needed. e.g. the following: "If agricultural land conversion rates increase significantly, the Board of Supervisors shall consider the adoption of a farmland conversion mitigation program".*

Land Use:

While the County amended its former policy as follows:

"LU 5.3 Provide comprehensive, coordinated planning with the City of Angels Camp and within the City of Angels Camp Sphere of Influence to ensure that land use and development proposals considered by the City do not conflict with long-term plans of the County and vice versa"

TO:

“LU 6.3 Provide coordinated planning with the City of Angels Camp and within the City of Angels Camp Sphere of Influence to coordinate the effective provision of infrastructure and services”.

Neither policy is sufficient to prohibit inefficient and unordered growth and development and suggests the policy expressed by LAFCo in its March 2, 2016 letter, as follows

“Within the Sphere of Influence (as defined in Gov. Code, Section 56076) of the City of Angels Camp, any development proposals and entitlements shall first be referred to the City for possible annexation and development within the City.

Adoption of this policy or a mitigation measure would go far to ensure efficient and orderly development within the City’s Sphere of Influence by perhaps requiring development to be permitted by the City rather than the County in its sphere area.

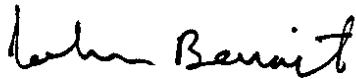
Public Services:

Page 4.12.27 The Utica Power Authority (UPA) has a new name: the Utica Water and Power Agency (UWPA).

General Comment: LAFCo has been in the process of updating Spheres of Influence for Water and Wastewater Agencies continuously since the adoption of the Municipal Service Review (MSR) in 2012, the latest being the Calaveras County Water District Sphere which was updated in July 2017. LAFCo is also currently in the process of updating information from the 2012 Water and Wastewater MSR. LAFCo has also been continuously updating MSR information for County Service Areas, Community Services Districts and the Mark Twain Healthcare District

Thank you for the opportunity to comment. Please forward a copy of the final GPEIR to LAFCO.

Sincerely,



John Benoit
Executive Officer, Local Agency Formation Commission