

July 7, 2010

Cindy A. Norris
Principal Planner
City of Woodland
Community Development Department
520 Court Street
Woodland, CA 95695

Subject: Comments on the Proposed Woodland Gateway Phase II Project Environmental Impact Report

Dear Ms. Norris:

We appreciate the opportunity to provide comments on the draft environmental impact report (EIR) for the proposed Woodland Gateway Phase II project. As we previously informed you, the three primary concerns the Yolo LAFCO reviews are project impacts on agricultural land, urban sprawl and efficient provision of urban services. We have reviewed the EIR and have outlined our remarks in this letter regarding these areas of responsibility.

Protection of Agricultural Lands

The described project consists of 154 acres of land of which 54.5% is prime agricultural land and subject to agricultural mitigation. The EIR outlines the need for mitigation and requires the acquisition of comparable agricultural land at a 1:1 ratio. The mitigation requires purchase of mitigation land prior to the issuance of grading permits for each phase of the project. Although, in the past, a mitigation measure was approved for a City of Woodland project that delayed purchase of conservation easements for mitigation of a project the requirement was for the entire acreage, not piecemeal acquisitions. If the City approves the delay of the purchase of conservation easements to the first grading permit issuance, it should be for the entire 84 acres, to insure the complete mitigation. It is also unclear what entity would be the holder of the conservation easements, the holder should be stipulated. The Yolo LAFCO agricultural policy identifies methods by which a holder can be selected.

COMMISSIONERS

★ *Public Member* Olin Woods, Chair ★
★ *County Member* Matt Rexroad, Vice Chair ★
★ *City Members* Skip Davies, Stephen Souza ★ *County Member* Helen M. Thomson ★

ALTERNATE COMMISSIONERS

★ *Public Member* Robert Ramming ★ *City Member* Bill Kristoff ★ *County Member* Jim Provenza ★

STAFF

★ *Executive Officer* Elizabeth Castro Kemper ★ *Assistant Executive Officer* Elisa Carvalho ★
★ *Commission Clerk* Terri Tuck ★ *Commission Counsel* Robyn Truitt Drivon ★

In more recent situations, conservation easements were bought before the completion of the annexation into a city. In this way, if LAFCO approved the annexation it can also insure the mitigation is imposed. In this case, the applicant would have up to a year from the date the Commission approves the annexation. The year deadline can be extended by LAFCO if requested and deemed appropriate. A Certificate of Completion will not be issued by LAFCO until all conditions of annexation are met.

Another aspect of the protection of agricultural land is the impact on adjacent properties by the proposed development. In the Gateway II situation the only agricultural land is located south of the project. In the discussion of this proximity (page 4.1-38) the EIR language is inconsistent. The EIR states: "Although the proposed project does not include any residential development, the project would still result in ongoing human activity occurring adjacent to agricultural operations. The Agricultural Commissioner identified that regulations do not exist for commercial uses, but residential standards may be applied. Therefore, the standards that apply to residential areas could also be applicable to commercial areas where human activity is found to be consistent." However, the EIR then proceeds to apply the 50 foot buffer for ground chemical application, rather than the 300 foot buffer required for aerial spraying. This could result in agricultural limitations to the land south of Gateway II that will limit its' use for farming. Discussions with the Agricultural Commissioner and the owners of the property to the south should be instituted to insure the least amount of impact on the adjacent southern property farming capabilities. Measures were implemented in both the Woodland area Clark-Pacific projects to address this type of concern and would be appropriate in this case. Clarification of the buffer issue is necessary. In addition, a mitigation implementing a "Right to Farm" ordinance would help the property to the south.

Prevention of Urban Sprawl

The Gateway II property is surrounded on three sides by urban development or municipal uses, so it is an infill annexation. However, the question remains on the timing of the inclusion into the city limits. There is significant vacant commercial land within the current city limits for development and redevelopment, as outlined in the Urban Decay section of the EIR. If there are significant reasons why the Gateway II project should take precedence over existing commercial facilities, the explanation should be clearly highlighted and explained. The relatively vague and undefined uses described for the Gateway II site also leaves much room for speculation if this property will be duplicative of already existing commercial development within the city and will be developed to the detriment of those areas. This issue raises the question of premature annexation.

In addition, the use of urban reserve as a zoning category also raises a serious question concerning the eventual specific uses and need for services to an area proposed for annexation. This classification would not provide sufficient information to the LAFCO Commission for an annexation proposal. We would encourage the city to avoid the use of urban reserve as a zoning classification for any land proposed for annexation. City approved pre-zoning remains in effect for two years after any annexation. For LAFCO, the use of the "general commercial" zoning, although general in nature, should be sufficient for service capacity and financial analysis. Urban Reserve zoning is not.

Provision of efficient services

The EIR covers the municipal services that will be required by the development by the city. The need for a new water well to insure water pressure for the area is clear as is the need to address the storm drainage system. The wastewater connection to the Kentucky Trunk Sewer main is identified as having sufficient capacity for the new Gateway II project. However, it is not clear how the addition of this area affects the capacity of the trunk line to serve the Kentucky/Beamer area when that area develops. It is important to know the impact new development will have on existing services and capacities. The other identified services are having additional capacity or personnel added through assessments and fees or physical improvements and additions. The wastewater service seems to be just a hookup to the existing line and that must not be detrimental to the existing community in the long term. This effect should be clarified and addressed to insure there is not a detrimental effect on the area this trunk line was originally designed to serve.

In the area of flooding and storm drainage the mitigation measures should also address the adjacent properties, facilities and development. It is insufficient that the measures only address impacts on “downstream” facilities and locations. Downstream is too vague and could be interpreted as not including the properties east, north and south of the project site. If not properly addressed the adjacent properties could be adversely impacted by flood and storm waters as a result of the new development and, especially, the elevated ground elevations on the Gateway II site.

The EIR addresses impacts to the city municipal services but does not identify the impacts to other governmental agencies, primarily the County of Yolo. Possible areas of impact, in particular public safety and health, should be addressed. If there are no findings of significant impact that should be explained. Additionally, this area is within the boundaries of the Springlake Fire Protection District. Any annexation of this project site will require the detachment of this property from that fire district. The District currently provides fire protection services to this area through a contract with the City of Woodland.

Editing Suggestions

There are a few editing suggestions we would like to provide:

1. (page 4.1-35) Policy 1.1.1 The proposed project is surrounded on three sides by urban development and would ***not*** constitute leapfrog development.
2. (page 4.1-37) Mitigation measure 4.1-3. (fifth line) “...The project site instead of ***at each*** phase...” (Note that this is only an editing comment, content comments are related in the Protection of Agricultural Lands section of this letter.)
3. (page 4.10-1) Fire Protection. ***The project site is within the Springlake Fire Protection District boundaries. This fire district contracts with the City of Woodland to provide fire services in the unincorporated area surrounding the City. If annexation occurs, this site will be detached from the district.***
4. (page 4.10-11) Policy F.1. “Any proposal ~~to~~ shall be accompanied by a service plan and extension of services and completion of any related development project.”

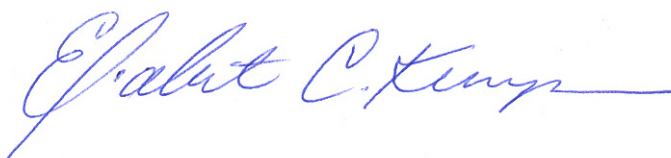
5. (page 4.10-20) 4.10-1 Adequate ratio of fire department personnel to residents. "The project site is currently located **within the boundaries of the Springlake Fire Protection District, which contracts with the City of Woodland for fire services. The** Woodland Fire Department (WFD) ~~, which~~ provides fire protection services and emergency medical services within the City and within the unincorporated boundaries of the Springlake Fire District.
6. (page 4.11-35) Conclusion. (final sentence) County Center Fair Mall
7. (page 5-2) final paragraph. This language is unclear if the new road referenced on urban reserve property is actually expanding the existing wastewater plant access road along the southern boundary of the project site, or another road? We have not been able to positively identify the road mentioned. This might indicate a growth inducing impact not otherwise identified in the EIR and so needs further explanation.

Conclusion

As noted in the EIR, this property is within the Urban Limit Line and General Plan area of the City as well as the Sphere of Influence of LAFCO. However, some issues still remain concerning the protection of agricultural land, prevention of urban sprawl and provision of urban services as related to this project. We hope to continue to work with the City to better address the issues identified in this letter.

The Yolo Local Agency Formation Commission staff appreciates the opportunity to reply to the draft EIR for the Gateway II project. The Commission will review the reorganization application when the environmental document, pre-zoning and municipal service plan, property tax agreement and other appropriate research documents are complete. The Yolo LAFCO Commission makes the final decision on the approval or denial of the annexation.

Sincerely,



Elizabeth Castro Kemper
Executive Officer