

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
MINUTES OF MEETING

July 8, 2015

Department of Conservation & Development Hearing Room  
30 Muir Road, Martinez, CA

1. Chair Rob Schroder called the meeting to order at 12:00 noon.
2. The Pledge of Allegiance was recited.
3. Roll was called. A quorum was present of the following Commissioners:

City Members Rob Schroder and Don Tatzin.

County Members Mary Piepho and Alternate Candace Andersen.

Special District Members Mike McGill and Alternate Igor Skaredoff (arrived for 1:00 workshop).

Public Members Don Blubaugh and Alternate Sharon Burke.

Present were Executive Officer Lou Ann Texeira, Legal Counsel Sharon Anderson, and Clerk Kate Sibley.

4. Approval of the Agenda

Upon motion of Blubaugh, second by Piepho, Commissioners, by a vote of 6-0, adopted the agenda.

AYES: Andersen (A), Blubaugh, McGill, Piepho, Schroder, Tatzin

NOES: none

ABSENT: Glover (M), Skaredoff (M)

ABSTAIN: none

5. Public Comments

Chris Lauritzen, representing Ironhorse Sanitary District, spoke on water reuse and the programs ISD has instituted, particularly for farmers in their district.

Vince Wells, Local 1230 President, provided an update of the situation with East Contra Costa FPD and statistics on services available during the month of June.

6. Approval of June 10, 2015 Meeting Minutes

Upon motion of Piepho, second by Tatzin, the minutes were approved by a vote of 6-0.

AYES: Andersen (A), Blubaugh, McGill, Piepho, Schroder, Tatzin

NOES: none

ABSENT: Glover (M), Skaredoff (M)

ABSTAIN: none

7. 2nd Round EMS/Fire Municipal Service Review (MSR)/Sphere of Influence (SOI) Updates

The Executive Officer provided brief background on the Commissioners' decision to move forward as soon as possible with the EMS/Fire MSR. As directed, staff has developed an RFP and Scope of Work that focuses on three issues: 1) an update of the data presented in the 2009 MSR, 2) a review of auto and mutual aid agreements, and 3) a focus on East Contra Costa FPD and Rodeo Hercules FD and their interface with Contra Costa County FPD.

Following release of the LAFCO agenda packet, a letter was received from the Contra Costa County Executive Fire Chiefs expressing their concern about Commissioners' intent to review auto and mutual aid agreements, pointing out that LAFCO has no regulatory oversight for these agreements.

**DRAFT**

Commissioner McGill questioned why the CCC Executive Fire Chiefs are concerned about the review of these agreements.

Paige Meyer, San Ramon Valley FPD Chief and representing the CCC Executive Fire Chiefs, in return asked why LAFCO was focusing on these agreements when it has no regulatory oversight.

Commissioners acknowledged LAFCO's role regarding these agreements, and noted the importance of having a comprehensive understanding of the public services being provided.

Commissioners suggested that the consultant screening committee include a fire professional, a representative from labor, and a public manager.

Upon motion of Blubaugh, second by Piepho, Commissioners, by a vote of 6-0, to authorize the circulation of the RFP for the 2<sup>nd</sup> round EMS/Fire MSR and SOI updates; directed staff to include on the selection committee a) a fire professional, b) a representative of labor, and c) a management professional; and directed staff to return to the Commission with a recommended contract award in accordance with the proposed timeline.

AYES: Andersen (A), Blubaugh, McGill, Piepho, Schroder, Tatzin  
NOES: none  
ABSENT: Glover (M), Skaredoff (M)  
ABSTAIN: none

At 12:20 p.m. the Chair recessed proceedings until the 1:00 p.m. Agriculture and Open Space Preservation Workshop.

8. Agriculture and Open Space Preservation Workshop

LAFCO Chair Schroder opened the workshop at 1:00 p.m. He welcomed those in attendance, explained the agenda for the afternoon, and announced the dates when the videotaped workshop would be broadcast over CCTV. It will also be available online at : [http://contra-costa.granicus.com/MediaPlayer.php?publish\\_id=520b3718-2cb6-11e5-ab53-00219ba2f017](http://contra-costa.granicus.com/MediaPlayer.php?publish_id=520b3718-2cb6-11e5-ab53-00219ba2f017).

Executive Officer Lou Ann Texeira asked those commissioners present to introduce themselves.

*Session - What is LAFCO?*

Commissioners Tatzin and Burke introduced the workshop with an overview of what LAFCO can and cannot do within the State law that defines and guides its work. One of LAFCO's primary purposes is to balance competing interests of development with preserving open space and prime agricultural lands. LAFCO law provides a number of tools for this, but it also encourages LAFCOs to develop their own policies that will reflect their particular counties.

Contra Costa LAFCO has researched LAFCO agricultural preservation policies, as well as open space policies, around the State. Commissioner Tatzin summarized a representative range, from simply restating the law to enhancing the annexation process, or adopting mitigation measures that directly protect agricultural and open space lands.

*Session - Why should we care about ag and open space land?*

Commissioner Blubaugh introduced Serena Unger, American Farmland Trust (AFT); John Kopchik, Director, Contra Costa County Department of Conservation and Development (DCD); Robert Doyle, East Bay Regional Park District (EBRPD); and Kathryn Lyddan, Brentwood Agricultural Land Trust (BALT).

Serena Unger provided statistics on California farmland lost in the past 30 years: with 1.4 million acres removed from farming in that time, 79% of conversions was to urban use, and 47% was from prime farmland. In Contra Costa County, from 1990 to 2008, 19% of all cropland acreage was lost, and 37% of prime farmland was converted to urban use. Ms. Unger urged LAFCO to follow the recommendation of the Commission on Local Governance for the 21<sup>st</sup> Century, which states that

“LAFCO must consider urban limit lines, densities, in-fill opportunities, and regional growth goals and policies, and create a strong policy to protect agricultural lands, with the use of mitigation measures, creation of buffer areas, and reduction of city SOIs.” Further, she laid out the consequences of a weak policy: land speculation, reduced food production, decreased ecosystem protection and resiliency to climate change, and missed opportunities to invest in our great urban areas.

John Kopchik explained the State biennial map of important farmland (projected), modified with the County’s Urban Limit Line (ULL), which is one of the County’s main tools for protecting agricultural and open space lands. The various greens designate the kinds of farmlands (prime farmland, farmland of statewide importance, unique farmland, farmland of local importance, grazing lands, etc.), and the State definitions do not match LAFCO definitions. For instance, “prime” farmland, per the State, has much to do with the quality of the soil. The lightest shade of green shows grazing lands, encompassing a variety of areas including open space and parkland. In addition to the ULL, the County has also added the urban growth boundaries of three cities that have chosen to adopt their own, and the East Contra Costa County Habitat Conservation Plan (ECCCHCP) boundary. A primary role for the DCD is to keep an eye on the ULL; the department staff can’t approve changes of use from agriculture to urban without approval from voters (for anything over 30 acres) or from the Board of Supervisors (under 30 acres). The DCD also has General Plan designations, zoning, etc., to preserve land. To change use, one would have to change all three designations: zoning, General Plan, and ULL.

Mr. Kopchik stated that open space designations for land use are rarely used. The County works collaboratively on watershed areas with other agencies and the community to protect lands on a primarily voluntary coordinated resource management basis. The County also implements the Williamson Act tax incentive program, which provides tax breaks to landowners who agree to not develop their agricultural land for a period of 10 years. The State used to reimburse counties for the lost tax revenues; this is no longer the case. Acquisition of land and easements, paid for with local tax measures, state grants, bonds, etc., is also generated by mitigation measures. Many agencies on a state or federal level require the setting aside of lands for agricultural or open space preservation at various rates, either on-site or off-site; State Fish & Wildlife, for instance, starts at a rate of 3:1. This can be contentious, as these requirements are often imposed after local approval has been granted. The County, Clayton, Brentwood, Pittsburg, and Oakley have joined together to establish the ECCCHCP, which provides a “one-stop” process for mitigating land use. Developers can either provide land at the approved ratio or an in-lieu fee, which can then be pooled with other funds to purchase lands to protect wildlife corridors. Since the plan was approved in 2007, it has resulted in the preservation of about 12,000 acres of land and streamlined processing of about 60 projects, including transportation and other important projects. The primary purpose is to protect habitat land, which in most cases is agricultural land also. The City of Brentwood also has an agricultural impact program, which requires developers to pay a fee to mitigate the development of cultivated agricultural land. At this point the County does not have a program for mitigating protection of agricultural land in the same way that it does for habitat land.

Robert Doyle, EBRPD General Manager, provided some background on the district, which was formed in 1934; Contra Costa County became a part of the district in 1964. Today the district has about 120,000 acres, with about 50,000 in this county—almost all of this district’s land was purchased. Without any land use or zoning authority, EBRPD is the largest regional park district in the United States, and one of the largest permanently protected open space recreation areas in the U.S. The district is one of the largest grazing areas in the East Bay, and it spends millions of dollars on fencing and infrastructure meant to keep people and cattle separate and safe. A primary reason for grazing on park lands is fire prevention, which incidentally can also be vital to endangered species management. EBRPD is a critical part of ecosystem services and the protection of watersheds. Twenty years of studies in the district parklands have shown that grazing can be important to the preservation of endangered species, with good management of amount, type, and timing of grazing (adaptive

management). Cattle grazing has preserved some of the most scenic land in the East Bay. The value of open space is measurable in many ways, including economically, historically, agriculturally, and culturally.

Kathryn Lyddan, BALT Executive Director, noted that there are 12,000 acres of contiguous, prime, irrigated farmland in East Contra Costa County that produce tremendous diversity and volume of fruits and vegetables that feed the Bay Area and far beyond. In addition to prime soil, the area has a Mediterranean climate and year-round growing season, along with very senior water rights (although the ongoing drought is affecting these advantages). Contra Costa County agriculture is not small; it's a robust industry that contributes significantly to our economy. For instance, about 3500 acres of sweet corn are grown in the Brentwood area; between Memorial Day and Labor Day about 1.5 million boxes of sweet corn are produced (a \$14 million crop, a conservative estimate). We are still learning about the benefits that "urban edge" farming provides: urban development generates about 70 times more greenhouse emissions than irrigated agriculture. The State of California is now using cap and trade funds to fund farmland preservation.

Ms. Lyddan stated that two things to protect agricultural resources include: 1) strong legislation and land use policy; and 2) strategic farmland conservation. There are some good local land use policies in place, but we must do more, and there are things LAFCO can do. BALT enters into voluntary agreements called conservation easements, where farmers are paid to relinquish their development rights in perpetuity. In addition to the preservation of farmland, there are other benefits: the conservation easements bring the value of adjacent land back down to farmland value (rather than speculative development value) and enables the farmer to purchase it for further farming. Because they're paid for their conservation easements, farmers also have funds to purchase more land, buy out family members who are not interested in farming, etc. Unfortunately, BALT has a list of farmers willing to enter into conservation easements, but it does not have the funds to do this. There are some state and federal funds, but they all require at least a 50% local match, which BALT at this time does not have. There is currently no requirement to protect this land (except in Brentwood), and no requirement for mitigating the loss of agricultural land.

Ms. Lyddan's suggestions for LAFCO would be to consider adopting a countywide mitigation program that would fund the permanent protection of farmland, and mitigate for the cumulative impacts that urban encroachment have on the agricultural industry, and work with the County, the City of Brentwood, and the agricultural community to come up with a comprehensive strategic plan for how to protect the agricultural economy.

#### *Session - Agriculture in Contra Costa County*

Commissioner Piepho introduced Chad Godoy, Contra Costa County Agriculture Commissioner; Nancy Schaefer, California Rangeland Trust (CRT); and Barbara Cecchini, Contra Costa County Farm Bureau (CCCFB).

Chad Godoy spoke about the strong agricultural community in the County; these are not large conglomerates, but rather they are your neighbors. In this county you can know your farmer. Agriculture is at the brink in this county; if it gets much smaller it could be in trouble. The gross value of the agricultural industry in this county is around \$120 million, with only 30,000 acres of prime farmland in the eastern part of the County. History has shown that once agriculture is gone it won't come back. There is a need for a strong mitigation policy through LAFCO and partnerships with different land trust agencies in the County.

Commissioner Piepho congratulated the City of Brentwood for its strong mitigation policy.

Nancy Schaefer provided brief background on the CRT, a statewide land trust formed in 1998 by ranchers, part of California Cattlemen's Association, as an opportunity to help ranchers who wanted to stay on their land by selling or donating conservation easements. The CRT recently completed a rangeland mapping project for the Bay Area (10 counties including Santa Cruz), and found that there

are 1.9 million acres of rangeland, and 1.2 million are in private hands. There are numerous ecosystem benefits from ranching, including local food production, crop pollination, and carbon sequestration. Challenges faced by ranchers are uncertainty with the Williamson Act and loss of grazing land to urban development as well as through sales to public lands (EBRPD is great, but the State parks system and other agencies are not as helpful). Seventy-five percent of ranchers have one or more leases on public lands—although short-term leases can be problematic in preventing long-term planning for the future. The lack of funding for easements is a problem. Succession planning can be difficult without these easements. Ms. Schaefer urged the use of conservation easement purchases as opposed to fee purchases.

Ms. Schaefer encouraged LAFCO to use the Conservation Lands Network Explorer at [bayarealands.org](http://bayarealands.org), which provides an online mapping tool that shows a host of ecosystem information about parcels being proposed for annexation. The California Rangeland Conservation Coalition did a priority conservation plan for rangelands that includes the County.

Commissioner Piepho referred to comments provided by Jeff Wiedemann, a rancher in the County, who stated that LAFCO can acknowledge the importance of privately owned, privately managed, economically sustainable units of ag farmland; look at zoning laws to ensure protection of economy not just the land itself; help dispel the myths about agriculture. Most of the world's land is not arable, but it is grazable.

Barbara Cecchini, CCCFB, spoke about the farming history of her husband's family farm (1,155 acres next to Discovery Bay) and the changes the family business has gone through since the early 1930s. A number of local farmers' children are now returning to the area to farm. Her daughter has begun a nonprofit community farming operation, which after a slow start teamed up with Worldwide Opportunities on Organic Farms (WOOF) to train young people to farm. This is evolving into an "incubator" program that will ultimately set young people up to build their own farming and retail businesses. Agriculture in the eastern part of the County is a bit different; conventional and organic farmers are working together. The public needs to be better educated about the farming that already exists in the area they're moving to, as agriculture does need to be preserved. There are a lot of interesting new ideas out there, and LAFCO can be on the cutting edge.

Commissioner Piepho pointed out that the ECCCHCP and the Brentwood Agricultural Land Trust both work on a voluntary basis, which is important. The County "Ag Core" between Brentwood and Discovery Bay was designated in the late 1980s. But the designation was restrictive and the current uses didn't meet the needs of the farming community so the Board of Supervisors worked hard with the community to allow more commercial uses of the land in support of the farmers' operations.

#### *Session - Open Space in Contra Costa County*

Commissioner Skaredoff prefaced by noting the number of projects that the Contra Costa County Resource Conservation District, is involved in. He then introduced Joel Devalcourt, Greenbelt Alliance (GA); Seth Adams, Save Mt. Diablo (SMD), and Dick Schneider, Sierra Club (SC).

Joel Devalcourt, GA, asked attendees to go to the LAFCO website to see the maps that Greenbelt Alliance provided. As a small business owner, he is enjoying working with the farmers. He listed the benefits of agriculture in the County: economic (\$120 million in the County, just a portion of a multibillion industry in the Bay Area); health (produce at farmers' markets and in local grocery stores, parks and trails throughout the County); livability (proximity to open space); and habitat conservation. Contra Costa County alone has the greatest amount of at risk land in the Bay Area—18,000 acres are at risk of development within the next 10 years; double that amount in 30 years. The housing market is booming, development pressure is intense.

Mr. Devalcourt reminded attendees that this workshop is in line with what is happening around the State. In the Bay Area, "Plan Bay Area" will keep new growth within the urban growth boundaries (in this county the ULL). Nearly 80% of new homes will be built in urban areas, and 60% of the new

jobs will be within walking distance of public transit. Jurisdictions that do infill development will be rewarded through working within this program. Priority conservation areas have been identified around the County; we have all of the information, now we just have to work out the details. The County ULL has been well established, and to date has not been broken, but everyone must be vigilant. Keeping sprawl speculation to a minimum is critical; two ballot measures in Brentwood failed, thanks to voters standing with the agricultural industry in fighting them. There is no political momentum to break the ULL, due to the amount of money that it takes to put into such ballot measures, and the difficulty of an annexation that is undesirable to the voters. Housing market is focusing on infill development, which is something many people want.

Mr. Devalcourt listed some vision opportunities that he suggested LAFCO keep in mind: recognizing the ULL, their viability and importance; recognizing the importance of regional and state goals for smart planning and growth management; recognizing the value of infill development and the positive impacts for agriculture and open space. Policy opportunities include: pursuing a maximum feasible ag and open space mitigation policy; having a way to determine the reasons why LAFCO is being asked to annex important farmland and open space; doing buffering policy; and looking at the ways farmers can continue to farm in the County with conservation easements and other programs.

Dick Schneider, SC, has been primarily involved in open space issues in Alameda County; that county now has only about 3,000 acres of prime farmland left (as compared to Contra Costa's 30,000 acres). Contra Costa LAFCO has a choice. Mr. Schneider stated that he hopes the process would be more successful than that at Alameda LAFCO. By State law, the open space element is one of the seven required in every county and city general plan, and the State's policy is that open space must be preserved. Urban growth boundaries are the most important way to protect open land, and developers have been unable to break them. Mr. Schneider urged this LAFCO to respect the ULL as much as possible and do nothing in its policies to weaken it. The most significant non-urban threat is "rural ranchette" developments, which divide up land into 5-acre or 10-acre parcels; these are not viable agricultural areas, and they reduce the remaining area's infrastructure and its ability to stay in the farming business. To the extent that LAFCO has a role in this, it should make sure that fragmentation of agricultural land doesn't occur.

Mr. Schneider noted that 1:1 mitigation means that you're losing half of the remaining agricultural land; this is insufficient. This county has a 65:35 preservation standard, implying a 2:1 mitigation ratio. With the ECCCHCP, the wildlife agencies' mitigation ratio for habitat land is 3:1 or 3.5:1. He urges a minimum of 2:1. Contra Costa County is the seventh most densely populated county in the state, so with this much pressure, LAFCO has to do even more to protect what is left.

Mr. Schneider urged caution with the use of in-lieu fees for mitigation of loss of land, because sometimes those fees never get spent. It can be just like affordable housing in-lieu fees, which often do not get spent to build enough affordable housing. In this county, there are appropriate organizations to handle protection of land, so LAFCO would be wise to look at the standards of land trusts.

Finally, he urged LAFCO to be wary of distinguishing open space land between inside and outside the ULL as far as its importance to the people who live nearby for preservation.

Seth Adams, Lands Conservation Director for SMD, noted that his organization, since its establishment in 1972, has grown from 6,800 acres to 110,000 acres of preserved land around Mt. Diablo. He provided background on SMD's work. While he claims no expertise in agriculture, he knows that we have lost a quarter of agricultural land in the last 20 years. There are about 200,000 acres left of open space land, most of it grazing land and some high-quality farmland. When Mr. Adams began doing this work 30 years ago, Contra Costa and Alameda counties were in last place in the nine Bay Area counties in terms of open space preservation. They are now in 5<sup>th</sup> and 6<sup>th</sup> place. With 25% developed, 25% protected, there is still 50% in the middle that lies in the balance. Not all of it has to be protected or developed, but how you keep protection in place longer term is what we are discussing.

Challenges: high land values: development pressures; mixture of city and county policies that are somewhat effective in some places and not very effective in other places; and generally, conflict between tremendously high resource values and high pressure against those resources from various entities.

Contra Costa County's minimum agricultural lot size is 5 acres, which is not agriculturally viable, especially without secure water sources. In Tassajara Valley, the minimum acreage is 80 based on water shortages, which is still not viable; it's mainly grazing land. In eastern Alameda County the minimum agricultural lot size is 160 and 320 acres.

Over the past 30 years, urban growth boundaries have been established, and strengthened, and the bottom line now is that the public is supportive of agriculture and open space and suspicious of development. Eastern Alameda and Contra Costa Counties, according to a map of endangered species created by The Nature Conservancy, represent one of three "hot spots" for endangered species in the State of California. The ECCCHCP was a model designed to streamline processes for developers while also protecting habitat for endangered species, thereby eliminating potential endless rounds of lawsuits delaying development and economic growth. Rational agricultural mitigation measures will be needed for this area, and LAFCO has a role to play in this.

LAFCO has an opportunity to look at mitigation ratios, ranges of ratios, incentives and timing (should there be an incentive for strengthening the ULL by preserving land adjacent to it?—i.e., apply high mitigation ratios in general, but perhaps a lower ratio for preservation right along the ULL), this should be applied to both prime ag and grazing lands. All of these efforts require matching funds, and if you have locally generated funds, more matches will come. In the absence of strong policies, SMD will continue to do ballot box planning, which is disruptive and less effective, and wants to encourage LAFCO to work on this process.

#### *Session - Collaboration and Smart Growth*

Commissioner McGill stated that LAFCO is charged with "orderly growth," including housing growth, industrial growth, and adequate services. There is an issue of "birth over death," and whether we like it or not there is growth coming at us. He introduced Kristin Connelly, President and CEO of both East Bay Leadership Council (EBLC) and Contra Costa Economic Partnership (CCEP); Heather Schiffman, Government Affairs Director of Contra Costa Association of Realtors (CCAR); and Lisa Vorderbrueggen, East Bay Executive Director for Government Affairs for the Building Industry Association of the Bay Area (BIA).

Lisa Vorderbrueggen, BIA, stated that the BIA supports adoption of a simple agricultural preservation policy within the context of LAFCO's broad responsibility, as outlined in the CKH law to balance the competing interests of growth/development and preserving ag land/open space. Relatively speaking, we don't have an agricultural crisis, we have a housing crisis. According to the California Important Farmland Monitoring and Mapping Program, between 2000 and 2012, Contra Costa County had a net loss of 3% farming acreage. Under "Plan Bay Area" projections, the County should have built since January 1, 2011 an additional 12,000 housing units to accommodate an estimated 18,030 workers. The County is nearly 900% ahead of job projections, but lags 56.7% behind its housing goals. The lack of affordable housing is hurting our children and their educational opportunities and potential.

Ms. Vorderbrueggen stated that LAFCO actually needs a housing policy. Agencies need to make it easier for developers to build housing inside the ULL. There needs to be an in-depth analysis of water supplies. CKH prohibits LAFCOs from imposing any conditions that would directly regulate land use or infringe on land use policy. The development community simply wants to build housing where people want to live. We need to make it easier for this to happen so that we can protect open space.

Kristin Connelly, EBLC/CCEP, recognized the number of EBLC members in the room. The EBLC represents over 300 employers of all sizes and purposes. Agriculture and food processing are in the top five of the County's economic sectors. The EBLC is looking at how the ag business is doing in the East Bay. Housing is one of the factors that EBLC focuses on, and she echoes Ms. Vorderbrueggen's comments about needing to build housing within the ULL and protect farmlands as well.

Heather Schiffman stated that CCAR represents realtors in western and central County (about 3,800 members). She also agrees with Ms. Vorderbrueggen's statements about housing needs. House are on the market for no more than 35 days. They are hearing from more people who want mixed-use housing, near transit and commercial hubs. Basically, they need more housing inventory. Residents want an outdoors experience as well as proximity to public transportation.

*Question and Answer Period*

Commissioner Burke asked for questions; some questions were submitted in writing.

**Q:** What is being done to help farmers find affordable water? If there's no water, does that mean selling the land to developers?

**A:** Kathryn Lyddan, BALT, explained that in East Contra Costa County, farmers have senior water rights, which have never been curtailed until this year's extreme drought. The irrigation districts are now purchasing water from other districts.

**Q:** What are the differences in the challenges crop growers vs. ranchers face that create pressure to develop? Are there differences in the needed policy or programmatic solutions for each constituency?

**A:** Chad Godoy, County Agriculture Commissioner, noted that growers have had the land in their possession longer, constantly cultivating the land. Ranchers use land differently, leasing range land and not necessarily owning it, but if it's up in the hills it may be desirable for development.

Nancy Schaefer responded that for ranchers, converting range land to almonds can be quite lucrative, and cultivated agriculture can actually be a threat to range land, especially that which is leased.

**Q:** Is there any way to develop funding for land trusts via some kind of special district designation?

**A:** Kathryn Lyddan responded that the Bay Area has protected a million acres of open space and habitat through bonds. She believes this is a matter of educating the public and the voters at the State, regional, and local levels.

Seth Adams stated that as these efforts have evolved, they are seeing many more collaborative efforts for funding for preservation efforts.

Joel Devalcourt stated that the priority conservation area framework is a big tool for funding.

Kathryn Lyddan applied for and received priority conservation area funding—but it required a 75% match, and they ultimately couldn't access federal funding because of that requirement.

Nancy Schaefer pointed out that open space provides value for flood control and groundwater recharging, so they're also looking for funding in that direction.

**Q:** Does vertical farming fit into the strategy to protect production of crops and ag and open space lands?

**Q:** What is LAFCO's perspective on urban agriculture given the urban heat island effect?

**A:** Serena Unger responded that the rise of urban agriculture is great, but its greatest value is in educating urban city dwellers on what it's like to grow food and how challenging it is to grow lots of food on a little bit of land. It may also have some effect on reducing the heat island effect.



Kathryn Lyddan stated that while this is encouraging, it's a little different from the ag land preservation issue we're discussing here; but in this county it has some really interesting applications—for instance, with the revitalization of the northern waterfront, this could be a place where controlled environment/ vertical/greenhouse agriculture businesses could be a really important new sort of business source for those post-industrial areas.

**Q:** Have you observed patterns in the occurrences that precipitate the conversion of ag land to development (e.g., inheritance, estate taxes, loss of Williamson Act contracts, changes in land lease requirements, etc.)?

**A:** John Kopchik stated that all of those things can create a desire to sell farmland, but if it's outside the ULL and without urban services, it's difficult to do that.

Nancy Schaefer spoke on the family succession planning problem, where families don't look ahead and the successors get hit with high estate taxes and have to sell part or all of the property. Conservation easements are part of the answer.

Seth Adams noted that voluntary mitigation funds provide landowners with flexibility when they most need it.

Serena Unger concurred, and noted that the biggest threat is when the ag land is adjacent to a city (and inside of a sphere of influence). Reducing spheres and creating mitigation programs are the best way to reduce the threat to ag land in these critical areas.

**Q:** Would a project in Brentwood pay a Habitat Conservation Plan fee (assuming it's row-crop land converting to housing)? If yes, are the fees designated for acquiring row crop ground?

**A:** John Kopchik responded that yes, the project would pay two fees: one habitat mitigation fee to the HCP and one ag mitigation fee to the City of Brentwood.

**Q:** Does LAFCO make recommendations on collaboration with farmers to increase ecosystem services?

No one could explain what they meant by this question, so it was not answered.

Commissioner Burke opened the floor to further questions.

**Q:** Rob Kingsbury has a permaculture farm in the foothills of Mt. Diablo, near Clayton; he has moved here from Seattle where he was a member of Puget Consumers Co-op, a profitable food service cooperative, which purchases farmland and helps educate farmers to "bring food to the plate." He asked - Is there a way for everyone here to come together and create a sustainable community? We have a lot of cultural power here; how can we better come together and solve these far-reaching issues? Contra Costa County should be able to raise its own food, and save ag land, and deal with health and education.

**A:** Kathryn Lyddan responded that there is now a Contra Costa Food System Alliance, and they would love to have Mr. Kingsbury join.

**Q:** [Unidentified Speaker] thanked everyone for a good workshop. Heard a lot of great ideas, with mitigation outstanding in maintaining our agriculture community. That's important for protecting farmland, but what about policies that help protect farmers? The economic realities for farmers still pressure them to convert land to development. What else can LAFCO do to address this?

**A:** Seth Adams stated that this is something we've been addressing all day, and it will continue to be a part of the discussion.

John Kopchik responded that the County and cities have spent time looking at industrial development, and ag economic development opportunities are now being studied as well.

**Q:** Ben Wallace, Contra Costa RCD Executive Director, referring to the issue of growth: It looks as if there's some openness to looking at improving infill development—can LAFCO do anything to help this?

**A:** Commissioner Burke responded to this question by stating that LAFCO can impose conditions on annexation proposals, requiring the city to develop infill areas before new land can be annexed.

**Q:** Serena Unger added that if we want to make infill more desirable, can LAFCO streamline the process for this?

**A:** Executive Officer Teixeira responded that when LAFCO does its city municipal service reviews, it requests that cities provide analyses of vacant and underused land. That information can be used by LAFCO when a city comes to annex land on the edge of the city or to expand its SOI.

**Q:** Ben Wallace's second question: There are twice again as many acres of farmland in the Delta, which are very different lands but a huge part of the agricultural industry. Will LAFCO address this as a special circumstance?

**A:** Commissioner Piepho noted that we already have, through the Delta Reform Act, primary and secondary zones with special land use protections for the most important and sensitive lands around the Delta. The levee issue is an extremely political piece of the discussion. Reclamation districts do tremendous work to help maintain and restore the levee structure not only for ag protection but also surrounding community protection. Levees are being discussed at a very high level—not just local and regional, but also state and federal levels.

*Next steps*

Commissioner Tatzin thanked all of the presenters for their participation in this workshop; they have provided more and higher quality information than they expected; and he thanked the staff for their work on this. First, LAFCO will have to digest all the information received today, along with that gathered in the process of putting this workshop together.

The first question to be addressed is: Does LAFCO want an agriculture and open space policy at all? It doesn't have one at this time. Many counties do, some do not.

If we say "yes," a series of questions cascade from that: What do we want to protect, how do we want to protect it? After further discussion in regular meetings, we'll come back with a draft policy that will again be open for public discussion. Mr. Tatzin predicted that the final policy will most likely come up for public review and approval in 2016. All LAFCO meetings are open to the public; they begin at 1:30 p.m. in the Board of Supervisors Chamber at 651 Pine Street. Our agendas are published on our website with all supporting materials. Also, materials from this ag workshop are available on the Contra Costa LAFCO website.

Chair Schroder thanked everyone for their work on and their participation in the workshop, and adjourned the meeting.

The workshop and the LAFCO meeting adjourned at 4:35 p.m.

Final Minutes Approved by the Commission August 12, 2015.

AYES: Andersen (A), Blubaugh, McGill, Schroder, Skaredoff, Tatzin  
NOES: none  
ABSTAIN: none  
ABSENT: Glover (M), Piepho (M)

By 

Executive Officer