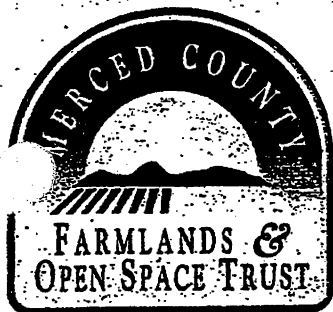


OCT - 4 2001



Post Office Box 3696
Merced, California 95344

October 3, 2001

Robert Smith, Planning Director
UC Merced Development Office
3351 M Street, Suite 240
Merced, CA 95348

Dear Mr. Smith,

We are submitting the following comments on the *Draft University Community Plan* and *Draft Environmental Impact Report* to be entered into the official record.

Merced County Farmlands & Open Space Trust was established in July of 1993 to: (1) accept donations of farmland and open space with the intent of preserving them in perpetuity; (2) purchase conservation easements on farmlands and open spaces or rights thereto with the intent of preserving them in perpetuity; (3) and educate the public as to the value of agricultural and open space lands.

On February 27, 1995 the Merced County Farmlands & Open Space Trust supported the concept of a new University of California Campus located on the Virginia Smith Trust property located north of Lake Yosemite. We expressed our concerns about the potential impacts to nearby farmland. Agricultural organizations were assured that the campus would not be built at the expense of production agriculture. Now that the campus has been moved to the Merced Hills Golf Course site, because of environmental issues, the impacts on productive farmlands are even greater. While we support the campus on the Merced Hills Golf Course site, we do not support the community as proposed in the *Draft University Community Plan* and *Draft Environmental Impact Report*.

The *Draft University Community Plan-A Plan for a Sustainable and Livable Community* contains smart growth objectives and policies that will result in a compact, environmentally sensitive community. These objectives and policies can be and should be successfully implemented for any planned development in Merced County, the Central Valley or the State.

The dedication of agricultural conservation easements, or equivalent in-lieu fees, has been recognized as a viable mitigation measure for the loss of viable agricultural land. However, it is important that the impacted land be replaced at a ratio greater than one to one so that sufficient agricultural land may be preserved from future growth and development impacts. In addition, it is essential that land set aside with conservation easements be of equivalent agricultural value so that productive lands are not replaced with lesser or inferior agricultural land. The policy developed should be able to be applied across the County in an equitable manner. As a farmland trust qualified to hold agricultural conservation easements we look forward to working with the County in planning and implementing a successful mitigation and conservation policy for farmland preservation County-wide.

The California Environmental Quality Act (CEQA) Guidelines encourage use of the Land Evaluation and Site Analysis (LESA) Model developed by the California State Department of Conservation to evaluate agricultural land subject to development. It may also be used to determine the value of potential conservation easement land in respect to the impacted land.

BZ-1

BZ-2

BZ-3

BZ-4

BZ-5

While originally developed for manual analysis, it has been developed as a sophisticated GIS Computer Program by the Merced County Planning and Community Development Department with the assistance of the Merced County Association of Governments (MCAG) through an Agricultural Land Stewardship Program (ALSP) Grant. It is reportedly the only such program within the State and allows for the objective quantification of differing lands, potential CEQA impacts, and recommended mitigation ratios based on this data. The Trust would encourage its use in determining impacts and recommended mitigation ratios for both the land impacted by growth as well as those lands proposed for conservation easements.

B2-5

The proposed campus community planned for the north-south alignment along Lake Road to Yosemite Avenue is unacceptable because of the loss of productive farmland and the cumulative affects on the intensively farmed eastern Merced County region. The diversified farming in this area is economically vital to the many local, state and national packing sheds, processors, shippers, and fresh markets. The access to a reliable water source adds an additional value for the area's agriculture and results in being an essential watershed recharge area.

B2-6

The 2001 Merced Water Supply Plan Update that is sited in the Draft EIR is a work in progress, not a completed document. Because of the importance of water to the agriculture industry, an extensive hydrology analysis of surface and groundwater availability is needed to fully assess the long-term effect of the projected growth as a result of the University of California Campus and Community.

B2-7

Contrary to planned, compact growth the proposed north-south alignment along Lake Road "leapfrogs" over an established rural residential community that is less than 1 mile from the current city limits of Merced. This creates a "new town" adjacent to the city of Merced and does not align with the planned northern growth that has been established and approved for decades in both the County General Plan and the Merced City General Plan.

B2-8

As a result of the reasons sited above we support the *No Loss of Prime Farmland Alternative* sited in *Volume 2 of the Draft Environmental Impact Report Alternatives Analysis*. This alternative for the proposed community directs growth westward into the planned growth of the City of Merced. The land has not been intensively farmed and lessens the impact of growth to the southeast. The City of Merced will be supplying the water and sewer for the campus and community and wants to install the infrastructure needed along Bellevue Road. This alternative will lessen the cost of infrastructure, meet the projected growth, and have no loss of productive farmland.

B2-9

We are confident that a successful compromise can be reached by addressing the above mentioned issues and look forward to your response. The University of California Merced campus can be established in a timely manner, becoming an addition to our community, while maintaining our #1 industry, agriculture.

B2-10

Sincerely,

Linda Macedo
President

CC: Ric Notini, Environmental and Permitting Manager
University of California - Merced
1170 West Olive Ave., Suite 1
Merced, CA 95348-1959

**COMMENT LETTER BZ: LINDA MACEDO
MERCED COUNTY FARMLANDS &
OPEN SPACE TRUST**

Response to Comment BZ-1:

The comment provides background on the formation of the Farmlands & Open Space Trust, and is hereby forwarded to the decision makers.

Response to Comment BZ-2:

The comment supports the campus on the Merced Golf Course site, but not development of the University Community in its proposed location, is hereby forwarded to the decision makers.

Response to Comment BZ-3:

The comment's support for the goals and policies contained in the Draft County of Merced University Community Plan - A Plan for a Sustainable and Livable Community (August 2001). A copy of the plan is available at the Merced County UC Development Office. The comment is hereby forwarded to the decision makers

Response to Comment BZ-4:

Please see Master Response 7 for information on the Board of Supervisors' preliminary determination regarding the feasibility of agricultural mitigation and direction to staff.

Response to Comment BZ-5:

At the present time, the County of Merced does not typically use the Land Evaluation and Site Analysis model developed by the California State Department of Conservation for evaluation of significance of farmland conversions. Furthermore, in accordance with Section 15131 of the CEQA Guidelines, an EIR only analyzes the physical effects a project will have on the environment and is not required to analyze social or economic effects. However, as indicated on pages 4.2-3 through 4.2-10 of the DEIR, agricultural uses, farmland classification, storic index rating, soils capability rating and surrounding agricultural uses are evaluated in the Draft EIR, so the existing condition of agricultural resources is fully addressed.

Response to Comment BZ-6:

The concern about loss of farmland is hereby forwarded to the decision makers for their consideration. The significant and unavoidable loss of agricultural land due to the UCP area was identified in the DEIR on page 4.2-21 in Impact 4.2-1.

Response to Comment BZ-7:

Please see Master Response 10 for a discussion of water supply and Master Response 11 for a discussion of groundwater resources.

Response to Comment BZ-8:

Please see Master Response 1 regarding planning considerations.

Response to Comment BZ-9:

The comment's support for the No Loss of Prime Farmland Alternative is hereby forwarded to the decision makers. It should be noted, however, that the City of Merced will not necessarily supply the water and sewer for the community. As discussed in Section 4.15 Utilities, page 4.15-5, third paragraph, "It is anticipated that water for the UCP would be supplied by groundwater, with the wells drilled either on- or off-site. The wells could become part of the City of Merced's public water system." As discussed in the same section on page 4.15-16, third paragraph, "A combination of two methods to collect, treat and dispose of wastewater generated by the University Community is proposed in the UCP: (1) decentralized wastewater treatment and disposal systems; and (2) a centralized wastewater treatment plant and water recycling system. During portions of the year when demand for recycled water is low, the centralized WWTP could be shut down and wastewater flows directed to a local municipal WWTP (either the City of Merced WWTP or the City of Atwater WWTP)." Therefore, it is unknown at this time if the wells will become part of the City of Merced's system and whether wastewater flows will be sent to the City of Merced for treatment.

Response to Comment BZ-10:

The commentor's closing remarks are hereby forwarded to the decision makers for their consideration.