



# Riverside County Farm Bureau, Inc.

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Richard Lashbrook, Agency Director  
4080 Lemon Street  
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March 21, 2002

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Subject: Multi Species Habitat Conservation Plan - Advisory Committee Draft

Dear Mr. Lashbrook:

The Riverside County Farm Bureau is an active member of the South West Riverside County Multi- Species Habitat Conservation Plan. The purpose of this letter is to attempt to comment on the Draft MSHCP document delivered to Advisory Committee members on March 7, 2002. A 14 day time period for review of the volume of work that took over 3 years to create is an impossible task and an unreasonable request to be made of either individual volunteers or the organizations they represent.

At the foundation of our comments, it must be noted the Farm Bureau does not support the MSHCP in its current form.

- The MSHCP includes restrictions that will make it difficult or impossible for normal farming operations to continue within the Criteria Area and adjacent to the Reserve and throughout the MSHCP Plan Area. The MSHCP will take 7,640 acres to 14,900 acres of agriculture out of production. The coverage of agricultural activities under Section 6.3 (Agriculture) needs to be expanded to provide adequate coverage to sustain agricultural activities within the Criteria Area. For example, normal farming activities on agricultural land such as relocating a barn or field would be classified as an "expansion" subjecting the farmer or rancher to extensive survey and setback requirements as well as the Habitat Evaluation and Acquisition Negotiation Process (p.6-38). The MSHCP imposes a cap on new agriculture within the Criteria Area (including expansions) that is significantly lower than the acreage to be removed from agriculture within the Criteria Area (p. 6-39). The MSHCP imposes a 5-year moratorium prohibiting development on new agricultural land that is permissible under the agricultural zone unless it occurs within a previously tilled field (p.6-40). The MSHCP broadly prohibits the use of manure and chemical fertilizers next to the reserve that might "degrade or harm biological resources" within the Reserve (p. 6-27). We request that the MSHCP's agricultural provisions be amended prior to public release of the draft MSHCP. Agricultural landowners expect the MSHCP to include the protections of the Planning Agreement, including automatic extension of incidental take permits to ongoing agricultural operations, and economically viable mitigation for conversion of new agricultural lands.
- The review process applicable to single family homes on legal lots within the Criteria Area are substantially more burdensome than current requirements (p. 6-16). For example, the requirement to site any building foot print and access road "on the least sensitive portion of the lot" will result in rural homes being restricted to areas adjacent to the road, regardless of the size of the lot. Single family homes on existing lots should be exempt from the MSHCP Conservation Criteria.

- This document represents a breach of the basic agreement of creating a voluntary, incentive based, cooperative process with stakeholder and public participation which would culminate in delivering a program that would be 'better than the status quo'
- This MSHCP would have the County imposing significant *new regulation* enforced by a *new* County ordinance which exceed current state and federal authority instead of decreasing or streamlining existing state and federal laws and regulations as originally promised.
- Landowners would bear an unfair burden when it requires conservation of privately owned land regardless of actual conditions. Text in some places says that the MSHCP is optional and flexible (e.g. p. 3-435), and does not impose land use regulations (p. 6-2) but criteria are written as "mandatory" and MSHCP imposes "interim controls" on private land use requiring that all proposed activities within the MSHCP criteria area will be reviewed for consistency with the MSHCP criteria and consistency findings shall be incorporated in the permit issued for the proposed activity (p. 6-34). It states these controls are necessary "to ensure that resources ultimately to be conveyed to the reserve system are maintained in their existing condition prior to conveyance to the reserve system". This is a blatant violation of the Planning Agreement.
- The document includes concepts opposed by the Farm Bureau while omitting agricultural and property owner promised protections. The negative impact to agriculture is dramatically understated and noted as follows:
  - Neither the state nor federal government currently have authority to mandate conservation as called for in this plan such as requiring conservation of steep slope areas in addition to Reserve areas with no recognition of productive agricultural use of such land even though "constrained" for development uses.

Negative impacts to agriculture:

- The MSHCP imposes buffers (called "edge treatments" and "Land Use Adjacency Guidelines") on private land uses adjacent to the Reserve (p.6-20, 6-26). This again is in direct violation of the Planning Agreement and has been a particular problem for agriculture adjacent to new Reserves.
- Agricultural activities that are now exempt from environmental regulation under state and federal law would be required to be set aside and conserve land, for example, drainages and wetlands areas beyond what is included in the Reserve (see p. 6-18).
- Tables and charts are confusing and seem to indicate that agriculture will be preserved within the Reserve area when it actually will be outside of the Reserve area. Also, there is discrepancy in tables referring to 'existing and new agriculture land' to be taken out of production and conserved as part of the Reserve (p. 3-35) (7,640 acres) compared with p. 3-434, 3-438, 3-441, 9-1 (14,900 acres).

- The MSHCP calls for 'closing' existing or 'significantly regulating' roads within the Reserve area much of which is rural and agricultural areas (p.7-17). Additionally, the MSHCP requires "new roads to be located in the least environmentally sensitive location feasible" without regard to compatibility with the private land uses proposed to be served by the roads (p. 7-41). These are important issues for agriculture considering that transportation of farm vehicles and equipment is already severely constrained.

The impacts and feasibility of the MSHCP are not adequately disclosed or analyzed. We request correction of the flawed or non-existent scientific underpinnings of the MSHCP, an economic analysis of the impacts of implementing such a plan, a financial plan which includes funding sources that actually compensate landowners in a timely manner instead of one that requires the use of the "interim controls" on personal land use while funding dribbles in, and an economic impact analysis to the community resulting from the MSHCP's taking tens of thousands of productive farmland and other private land out of productive use both within and outside the Reserve. And finally, a Reserve Management Plan, budget for the management of the eventual Reserve and the funding sources to cover recurring perpetual Reserve Management costs.

The Farm Bureau rejects the program presented and expects the County shall also reject an MSHCP that omits agricultural and property owner protections included in the original September 15, 1998, Planning Agreement that established the ground rules for its formation.

Very truly yours,  
RIVERSIDE COUNTY FARM BUREAU



Sharon Bolton  
Executive Director

cc: RCIP Policy Chairs  
RCFB Board