

*Bringing you HOPE -*  
**Helping Our Peninsula's Environment**  
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Board of Directors  
Landwatch  
Salinas, California

February 23, 2005

**Does Landwatch Accept Growth?  
HOPE Does Not Accept Growth.**

Dear President Rod McMahan and Landwatch Board members:

The Trustees and staff of Helping Our Peninsula's Environment wish to express our appreciation to Landwatch for your efforts towards bringing the community out on the crucial subject of land use and the importance of having a good General Plan. Thank you for educating and inspiring citizens to act. Furthermore, we appreciate most of the information that has been given out on the Land Use Report on FM radio station KUSP. However, we must point out that Mr. Patton's KUSP statement on Friday, January 21st, "What community members said they wanted wasn't a "no growth" approach for Monterey County..." is not true. As our article pointed out the public votes on the Carmel River New Los Padres Dam and Rancho San Carlos strongly indicate why even developers recognize that our community will always oppose growth when we organize and get to vote on it.

Thank you for your letter of February 2 responding to our article about Landwatch's November Commentary and "Community" General Plan. This was not something we wrote eagerly or lightly. However, those actions forced us to do so. Your November Commentary and the "Community" General Plan are both great disappointments, primarily for the huge growth they support - allowing 125 thousand more population - that we call huge growth - during this time of local environmental crisis.

**HOPE is truly disappointed that Landwatch failed to present a General Plan that provides a genuinely sustainable community**, one that solves our problems without worsening our local environmental crisis. We can't imagine anyone credibly arguing that a 25 percent County population increase in the next 15 years is sustainable.

**Landwatch Can Still Prove Us Wrong**

While HOPE continues to aspire for Landwatch to prove us wrong, your letter fails to do so. You can easily prove us wrong by simply and clearly opposing 40,000 more housing units and a 125,000 population increase in Monterey County.

However, until Landwatch explicitly opposes 40,000 more housing units and a 125,000 population increase for Monterey County, HOPE cannot agree that we have similar positions on major land use and environmental issues.

*Trustees 2005*

Dena Ibrahim  
Holly Kiefer  
Ed Leeper  
Vienna Merritt-Moore  
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## **No Errors Identified**

Your letter claims to correct some errors in HOPE's article, but it doesn't - either technical errors or errors of spirit. It does provide differences of opinion, but opinions are a species distinct from erroneous facts. Nowhere can we find any clear declaration contradicting our claims other than arguing "not true." It admits we are right on important factual points, on other key points it directly contradicts your own commentary's plain language<sup>1</sup> (which we cannot agree are errors), and it even introduces its own factual error. We can find absolutely nothing identifying any evidence of factual errors or flaws. (Please see our attached detailed responses)

### **What we find remarkable is what the Landwatch letter failed to address.**

- **It does not explain why your "Community" General Plan opposes the wishes of the hundreds of people at the forums who firmly rejected using AMBAG's growth numbers.**
- **It does not oppose or disavow 40,000 more new housing units.**
- **It does not explain when, where or who made the decision to use AMBAG's growth numbers.**
- **It does not deny deciding to exclude HOPE and other groups from those decisions, yet after all this it ironically complains that we didn't contact you before we sent out our article.**
- **It even essentially admits deceiving the media by continuing to allow them to believe that 18 organizations support the "Community" General Plan when your letter admits none of them did.**

At its core, it appears that Landwatch is now accepting growth - 25 percent in 15 years is huge growth, while HOPE clearly does not accept growth. HOPE is unambiguously dedicated to fighting environmentally harmful growth. As long as there is no water, we cannot grow without causing harm.

We hope this is not the case, and invite and welcome your response explicitly opposing 40,000 more housing units and opposing a 125,000 population increase for Monterey County.

With all due respect,

**Dena Ibrahim - HOPE Trustee**  
**Ed Leeper- HOPE Trustee**  
**Terrence Zito- HOPE Trustee**

**Holly Keifer- HOPE Trustee**  
**Vienna Merritt-Moore - HOPE Trustee**  
**David Dilworth - HOPE, Executive Director**

PS HOPE is sending our your letter to our list along with this response. HOPE has had a link to your November commentary for four weeks, since January 21 (your commentary which was not included with your letter). HOPE has already posted your letter and this response on our website for everyone to read your actual words. We respectfully request you also post a link to our article and this response on your website.

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<sup>1</sup> **We wonder why you did not include a copy of your commentary so readers could see for themselves your actual words and intent.**

Founded in 1998, and known for helping with hundreds of environmental and democracy successes, H.O.P.E. is a non-profit, tax deductible, public interest group protecting our Monterey Peninsula's natural land, air, and water ecosystems and public participation in government, using science, law, education, news alerts and advocacy.

HOPE Article January 21, 2005	Landwatch Letter of Feb 2, 2005	HOPE Response to Landwatch Letter of February 2.
<p><b>1. Growth Opposition</b> Your "Community" forums showed <u>strong public opposition to</u>, and zero support for, using AMBAG's population growth numbers.</p>	<p>(no response)</p>	<p>Apparently hundreds of people attended your seven community forums. These <b>people voiced a <u>clear opposition to using AMBAG's growth numbers.</u></b></p> <p><b>No one, <u>literally no one, spoke out</u> in favor of any growth at any of your three meetings HOPE attended - including the Marina forum specifically discussing AMBAG's growth numbers. <u>This is even though the presentations were highly biased by completely omitting downzoning and no-growth as options, and telling the attendees that we had to accept some growth.</u></b></p> <p>Landwatch claims theirs is a "Community" General Plan, yet in your own words "<b><u>Landwatch favored" using AMBAG numbers;</u></b> and the Landwatch letter defends using AMBAG population growth numbers.</p> <p>Then a <b><u>decision was made somewhere where the community was not invited</u></b> and the "Community" General Plan magically uses AMBAG's numbers - as Landwatch wanted.</p> <ul style="list-style-type: none"> <li>• <b>Since our community specifically and strongly opposes that AMBAG growth, why is Landwatch insisting on it, getting it, and opposing our community's wishes?</b></li> </ul> <p><b>HOPE believes that is not a "community" decision. That is a Landwatch decision.</b></p>
<p><b>2. "Landwatch's commentary then advocates for 40,000 new housing units and another 126,000 people to live here - within the next 15 years."</b></p>	<p>"Not True. My commentary <b><u>did not discuss the amount of growth</u></b> issue. Rather I focused on the <i>location</i> for new growth."</p>	<p>Directly contradicting this is your Landwatch commentary - "<b><u>there is plenty of undeveloped land within cities and developed unincorporated areas to provide 40,093 new housing units. This would accommodate the expected population increase of 126,000 people by 2020.</u></b>"<sup>1</sup></p> <p>This clearly discusses an <b><i>amount</i></b> of growth.</p> <p>This raises two substantial issues.</p> <ol style="list-style-type: none"> <li>1. How can Landwatch claim something so flagrantly false, which directly contradicts its own published words, and</li> <li>2. How can anyone now trust Landwatch to write a complex General Plan after examining such a flat out falsehood on such a <b><u>critical, basic and controversial issue?</u></b></li> </ol>

<sup>1</sup> Notably, Landwatch **did not provide copies** of their November 2004 commentary **containing these quotes** in their rebuttal packet to HOPE's article or to the Carmel Valley Womens' Network. HOPE did provide copies.

HOPE Article January 21, 2005	Landwatch Letter of Feb 2, 2005	HOPE Response to Landwatch Letter of February 2.
3. "LandWatch Disavows No-Growth and Slow-Growth"	"Not True." (No other references to this topic)	<p>While <b><u>'no-growth'</u></b> and <b><u>'slow-growth are ambiguous terms,</u></b> again, directly contradicting this is the Landwatch commentary explicitly stating -"<b><u>This reasonable policy ... is neither 'no-growth' nor 'slow-growth.'</u></b> <b><u>It is planned growth...</u></b>"<sup>2</sup></p> <p>However big "<b><u>planned growth</u></b>" favored by <i>Landwatch</i> is, it is <b><u>more growth</u></b> than <b><u>downzoning,</u></b> 'no and <b><u>even slow-growth'</u></b> - which <b><u>Landwatch dismisses above as not "reasonable."</u></b></p>
4. "How many of the 18 organizations actually read, understood, and then signed off on the document before it was turned in?"	" <b><u>Absolutely true.</u></b> In submitting the "Community General Plan" to the Board of Supervisors, <b><u>none of the groups (including LandWatch, by the way) officially endorsed the document.</u></b> "	<p>This is a breathtaking admission.</p> <p>It directly contradicts Landwatch's Executive Director' words and implications to Supervisors - "You can adopt this General Plan today."<sup>3</sup></p> <p>The Herald reported - "A coalition of 18 environmental, community and controlled-growth groups unveiled a 261-page version of a 20-year growth blueprint that representatives said reflects the true desires of county residents. <b><u>They urged county supervisors to adopt the plan as law or face a possible initiative campaign</u></b> to put their general plan to a countywide vote."</p> <p>This threat is hard to interpret as anything other than support. <b><u>The League of Women Voters objected;</u></b> Landwatch however has yet to refute this in any subsequent letter to the paper.</p>
5. Landwatch advocates a County General Plan providing for "Huge Growth"	"Not True." (No other references to this topic)	<p>Landwatch did not use the term "huge" growth, nor did our article imply that they used that term. They did raise the concept.</p> <p>Landwatch admittedly supports growth. They prefer to call it "Planned Growth."</p> <p>"Huge growth" is the term used by HOPE for adding <b><u>40,000 more housing units</u></b> to our County (more than all housing in Peninsula cities) when we are <b><u>enduring a water emergency,</u></b> <b><u>our Carmel River is dying,</u></b> <b><u>our roads are choked with gridlock,</u></b> and we are <b><u>forcing dozens of animal and flower species into extinction.</u></b></p>

<sup>2</sup> Notably, Landwatch **did not provide a copy** of their November 2004 commentary containing these quotes in their rebuttal to HOPE's article or in the packet to the C.V. Womens' Network. HOPE did provide copies.

<sup>3</sup> (County Supervisors minutes for Jan 11, 2005 - "Gary Patton, LandWatch of Monterey County, spoke to the Board about the Community General Plan presented to the Board earlier, and had the Participants who were in the audience stand up for recognition. He said that He felt the Board could adopt the plan presented to them today.")

		<p>Please help us understand which part(s) Landwatch disputes -</p> <ul style="list-style-type: none"> <li>• That 40,000 new housing units is huge growth; or that</li> <li>• Landwatch does not oppose 40,000 new housing units?</li> </ul>
<p><b>6. Landwatch wants our County to grow by ... essentially another Monterey Peninsula's worth of houses.</b></p>	<p>"not true" "...there is nothing in my commentary that would support that statement."</p>	<p>While it seems to do so - <u><i>the Landwatch letter does not refute or oppose 40,000 new housing units (more housing units than in all Peninsula cities).</i></u></p> <ul style="list-style-type: none"> <li>• Landwatch can <b>very easily refute this</b> by simply and clearly putting in writing -</li> </ul> <p><b>"Landwatch absolutely opposes any County General Plan allowing 40,000 (or more) new housing units."</b></p> <p><b>HOPE's Board has done so and we hope Landwatch will join us.</b></p>
<p><b>7. "Landwatch's commentary advocated for 40,000 new housing units and another 126,000 people to live here - within the next 15 years."</b></p>	<p>"LandWatch was not 'advocating' for such growth"</p>	<p>Landwatch seems to be concerned about the concept of "advocating" for huge growth.</p> <p>The Oxford Universal Dictionary states advocating is <i>"to argue in favour of, to recommend publicly."</i></p> <p>In your own words "Landwatch favored" using AMBAG numbers. Your commentary publicly favored, accepted, endorsed or recommended the use of the numbers it explicitly mentioned - 40,000 more new housing units and another 126,000 more people (a 25 percent growth increase in 15 years).</p>
<p><b>8. LandWatch made a distinct decision to not include a handful of environmental groups, including HOPE, in developing their General Plan.</b></p>	<p>"Untrue. David Dilworth in fact participated in at least two of the Community General Plan Forums held by the eighteen community groups sponsoring the Community General Plan process."</p>	<p>Landwatch does not deny deciding to exclude HOPE and other organizations, the letter changes the subject.</p> <p><b>"Participating"</b> in a Community General Plan Forum is far different from playing a <b>"key role."</b></p> <p>Your letter says - "Landwatch was one of eighteen different community groups that <b>played a key role</b> in developing the 'Community General Plan.'"</p> <p>Considering HOPE's undisputed strong track record of local land use successes and substantial expertise, <b>why was HOPE not invited to play a "key" role as 17 other groups were?</b></p> <p>Your letter states that HOPE is now "on the Landwatch mailing list." Yet less than a week after your letter was sent to HOPE, Landwatch sends out invitations to hear our Coastal Commission's Peter Douglas speak and HOPE is omitted. Nor was HOPE asked to co-sponsor the event.</p>

		<p>It is difficult to ignore how Landwatch made strong efforts to meet with &amp; <b>cooperate with those loudly demanding growth (Common Ground), but has yet to ever write or even call HOPE</b>, except to ask for money - and now to respond to our article.</p> <ul style="list-style-type: none"> <li>• <b><u>Besides HOPE, how many of the 17 other groups were not invited to participate in the decision to use AMBAG's growth numbers?</u></b></li> <li>• <b><u>Exactly who made the decision to use AMBAG's growth numbers?</u></b></li> <li>• <b><u>When and where was that decision made?</u></b></li> <li>• <b><u>Who were all the authors and editors of the Plan?</u></b></li> </ul> <p>HOPE will be glad to make a presentation to Landwatch's Board and each of the 17 other co-sponsors about the AMBAG growth numbers and let them decide whether such huge growth should be opposed.</p>
<p><b>9. AMBAG Technical Advisory Committee participation</b></p>	<p>"It is important to note that <b><u>you did not participate in the 2004 forecast update process</u></b>, which is the process that produced the forecasts the HOPE email complains about."</p>	<p>This is simply false. <b>Not only did HOPE participate as members of the public</b>, we may have been <i>the only</i> non-governmental attendees at the Technical Advisory Group (TAC) meetings. On the other hand - <b>Landwatch did not attend any of the AMBAG meetings HOPE attended.</b></p> <p>HOPE's leaders have been involved in AMBAG's population forecasts for 14 years, since 1991. In the most recent Population update process, HOPE and all other non-governmental persons were excluded from Technical Advisory Committee (TAC) membership. This was a contrast to 1997 when Sierra Club, the League of Women Voters and the Highway 68 Coalition <u>were all TAC members</u> and <b>HOPE's Executive Director authored the Minority Report which is included as part of the official forecast.</b></p> <p>Since HOPE was excluded from its membership, at the first and second Technical Advisory Group meetings this time, <b>HOPE participated by making presentations asking that all official (governmental) members read the minority report from 1997. We asked them to adopt a population forecast constrained by infrastructure and resources.</b></p> <p>HOPE attended until the TAC adopted a poor forecast methodology. HOPE also attended two AMBAG Board meetings where the forecast numbers were discussed.</p>

		<p><b>Landwatch did not participate in any of these meetings, yet it attacks HOPE for not participating when in fact we did?</b></p> <p>One of the Landwatch board members participated, but only as a government agent - not as a Landwatch member. By law she was prohibited from representing Landwatch at the same time.</p> <p>Why is Landwatch trying to disparage HOPE's public participation? We know of no group in the County who participates in more issues in more governmental meetings (including AMBAG's), than HOPE.</p>
<p><b>10. Question Authority: Wishcasting</b></p>	<p><b>Landwatch defends AMBAG's constrained forecasts as somehow acceptable, or reasonable, or scientifically supportable.</b></p>	<p>To familiarize themselves with how <b>anti-scientific</b> the AMBAG population growth "forecast" process is - perhaps the Landwatch Board could read the 1997 AMBAG Population Forecast Minority Report. It is written in plain English (without technical jargon) on HOPE's website at --</p> <p style="text-align: center;"><b><a href="http://www.1hope.org/popfrcst.97">www.1hope.org/popfrcst.97</a></b></p> <p>Just because a government agency provides some biased growth forecast (wish-casting) numbers does not mean they are either valid, reasonable or scientifically defensible. In reality, <b>AMBAG's growth "forecast" numbers are pre-determined</b>, then everything is adjusted to make them add up to the pre-determined growth numbers. <b><u>There is absolutely no scientific reason to use them - even if they now pretend to use resource constraints.</u></b></p>
<p><b>11. LandWatch [has] not "responded" to HOPE's call for a "Sustainable Communities" Plan.</b></p>	<p>"HOPE has never corresponded with LandWatch on these issues."</p>	<p>True, while HOPE has not written specifically to the Landwatch address on this issue, that is an attempt to duck reality. We gave our comments on <b><u>Carrying Capacity</u></b> to your General Plan Forum leaders.</p> <p><b><u>HOPE delivered 30 copies of an open letter explicitly outlining these points including "Carrying Capacity" and Sustainable Communities" at your first forum in Prunedale.</u></b></p> <p><b>Those eight Healthy Community policies are supported by HOPE and six (6) other local community and environmental groups. (At least one more organization has signed on since then.) These open letters were directly given to your planner Terrill Watt.</b></p> <p><b>As far as we know none of the six groups supporting Carrying Capacity were ever contacted or invited to play a "key" role, or to help make the decision on growth.</b></p>

		<p><b>We also gave Ms Watt three (3) ready-to-use General Plan Elements for Noise, Light and Chemical Pollution, a Monterey Pine forest Protection ordinance, and our Model Meetings Guidelines.</b></p> <p><b>In the same conversation at that meeting, Ms. Watt specifically asked to read our letter objecting to the Supervisor's <u>12 Objectives</u> because of its <u>fatal flaws</u>. We emailed it to her. We have never received any response to any of these documents whatsoever.</b></p> <p>We also gave our article on "<b><u>Affordable Housing without New Buildings</u></b>" to a Landwatch staff person - who tried to refuse it. <b>Have Landwatch's Board members read any of these documents?</b> That is also on our website.</p> <p><b><u>If your Board members have not read them, how can Landwatch make any decision to support this "Community" General Plan without being fully informed of the comments, especially expert comments directly on topic, written in plain English, using the best available science, and supported by seven community groups?</u></b></p> <p><b>At that Marina forum two tables including ours, explicitly decided to strongly oppose the AMBAG numbers and support "Sustainable Communities" with a Carrying Capacity.</b> It is on the video tape of that meeting. Our table at the Carmel Valley meeting included the same sentiment.</p>
<p><b>12. "The 'Community' General Plan appears to increase private property rights so large property owners can get around county environmental protections."</b></p>	<p>"Nothing could be further from the truth. Not only does the property rights language not have this legal effect, the purpose of the property rights language is to make it impossible for the Board of Supervisors to hide behind an alleged concern for "property rights," and by doing so fail to adopt the strongest possible environmental protections."</p>	<p>We hope we are wrong on this. However,</p> <ul style="list-style-type: none"> <li>• because there is an alarming movement to increase property rights on our West Coast,</li> <li>• because Landwatch boasts of their efforts to accommodate the developer driven Common Ground,</li> <li>• because of earlier ambiguous language suggested by Landwatch,</li> <li>• because the "Community" General Plan document was not available to us or the public, and</li> <li>• because that Plan used AMBAG numbers that our community opposed,</li> </ul> <p>HOPE was and is reasonably concerned with any General Plan language that might be interpreted <b>or mis-interpreted</b> by a Judge or <b>by the pro-development Supervisors</b> to increase property rights.</p> <p>As we wrote, "HOPE will be obtaining a formal legal opinion on this soon and will let you know."</p>



<p><b>13. (HOPE did not raise this issue in our article.)</b></p>	<p><b>"[The Community General Plan has] the strongest environmental policies ever proposed for Monterey County, and probably anywhere else."</b></p>	<p>This is an absurd claim, laughable to anyone familiar with genuinely strong environmental policies.</p> <p>Worldwide, hundreds of cities, counties, states and nations have policies and laws that <b>explicitly prohibit harmful activities</b> which Landwatch's <b>Community</b> General Plan policies <b>merely regulate</b>. It is the difference between outlawing rape or only regulating it by requiring permits.</p> <p>Locally, Landwatch's <b>Community</b> General Plan "environmental protection" policies are a mere shadow to HOPE's three "Informed Consent" Pollution Prevention Policies, our Model Meetings Guidelines and our "Monterey Pine Forest Ecosystem Ordinance." You can read these at <a href="http://www.1hope.org/gp">www.1hope.org/gp</a></p> <p><b>Again, we gave copies of these policies to the <u>County</u> General Plan staff, <i>both</i> "Refinement Groups" and <i>to your Planner Terrill Watt</i> at the Prunedale "Community" General Plan forum. They have been on our website for more than a year soliciting improvements. These are reasonable, strong and publicly supportable environmental protection policies that <u>use the best available science</u> and have real enforcement teeth.</b></p>
<p><b>14. Landwatch provided no comment period for anyone before asking for their General Plan to become law.</b></p>	<p>(no response)</p>	<p>This is simply an unacceptable process.</p> <p>Even the developer driven "Refinement Group" puts all their documents for their General Plan on their website and have not yet asked the Supervisors to adopt it. When HOPE asked, <b>the developer driven Refinement Group even put us on the next agenda letting us make a formal presentation on an Informed Consent Pesticide Policy.</b> They let us finish, asked good questions, argued fiercely but politely against it, and refused to include any part of it - but at least they made the motions of taking us seriously; recognizing that we were providing sincere respectful public interest suggestions.</p>
<p><b>15. (HOPE did not raise this issue in our article.)</b></p>	<p>"The Twelve Guiding Objectives) adopted by the Supervisors, ... are the foundation upon which the Community General Plan was explicitly based."</p>	<p>Upon her request, HOPE provided your Planner Terrill Watt, our critique and serious objections to the <b>fatal provisions of the Supervisor's 12 Guiding Objectives</b>. It is available on our website at -</p> <p style="text-align: center;"><b><a href="http://www.1hope.org/POORGOALS.PDF">Www.1hope.org/POORGOALS.PDF</a></b></p> <p>We have never received any response to this whatsoever other than "thank you for sending it."</p>