

# Attachment D

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## Attachment D

**From:** [Beretti, Melanie](#)  
**To:** [Robert Roach](#)  
**Cc:** [Price, Taylor](#)  
**Subject:** RE: Ag Mitigation  
**Date:** Thursday, November 9, 2023 11:29:18 AM

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Received, thank you, Bob.

Kindly,  
Melanie

Melanie Beretti, AICP | Acting Chief of Planning  
Phone | 831-755-5285 Email | [BerettiM@co.monterey.ca.us](mailto:BerettiM@co.monterey.ca.us)

-----Original Message-----

From: Robert Roach <[roachb@comcast.net](mailto:roachb@comcast.net)>  
Sent: Thursday, November 9, 2023 10:20 AM  
To: Beretti, Melanie <[BerettiM@co.monterey.ca.us](mailto:BerettiM@co.monterey.ca.us)>  
Cc: Price, Taylor <[PriceT1@co.monterey.ca.us](mailto:PriceT1@co.monterey.ca.us)>  
Subject: Ag Mitigation

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Melanie,

I liked your thought yesterday about “substantial equivalence.” That’s really what we are after in a mitigation process, like for like, lands with similar agriculture capabilities. That should be a first principle, and clearly stated in the ordinance. Many factors will determine that capability, too many to prescribe in an ordinance. The likelihood of future availability of water is only one factor, an important one but difficult to ascertain. Others include the current water supply quantity and quality, aquifer recharge, soil composition and chemistry, topography, micro-climates, surroundings, infrastructure, presence of deleterious organisms, and more. Perhaps leave it so, that the parcels must have substantially equivalent agricultural capabilities, based on such factors as are applicable to the particular situation. A land trust is going to weigh those factors because they should not want to be a party to a deal that could be seen as not providing adequate mitigation and get drawn into a third-party lawsuit. (Lawsuit avoidance is a cornerstone policy of the ALT.) The County has the Agricultural Advisory Committee to review and make recommendations on particular proposals.

The SVBGSA continues to gather data and formulate plans and I have confidence that nearly all of our agricultural lands will have adequate long-term water supplies, absent a severe change in the climate. The current state of knowledge already identifies sub-basins in overdraft and some trouble spots. There should be sufficient data available to forecast the future availability of water for agricultural operations in any particular area, and our knowledge of the local hydrology will continue to develop. The SVBGSA cannot issue a will-serve letter, but how reliable are those anyway? I’m sure the water provider believes they will be around in 50 or 100 years, but there is a non-zero probability that they will not. Will-serve letters are necessarily based on current knowledge and are considered a reasonable assurance.

Bob

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