

ALTERNATIVE ACTIONS:

The Commission may modify, delete or add to the draft comment letter.

Respectfully Submitted,

Kate McKenna, AICP
Executive Officer

Attachments:

1. Draft letter to the U.S. Census Bureau
2. Letter from Carl G. Sedoryk to the U.S. Census Bureau, dated November 19, 2010

water and sewer. Both Commissions have long traditions of preserving the important agricultural and coastal resource areas between Santa Cruz and Watsonville, and between Watsonville and Salinas. These areas are significant on a national level for their critical food production, scenic and habitat values. Other State, regional and local laws, policies and programs are also in place to protect these rural areas from urbanization, including protective policies of the California Coastal Commission, and the Counties of Monterey and Santa Cruz.

In addition, as described in other letters you have received, the proposed designation could severely undermine public transit in Monterey and Santa Cruz Counties.

For these reasons, the Local Agency Formation Commission of Monterey County supports the Monterey-Transit District's request that the Census Bureau not implement an Urban Area designation for the Salinas-Santa Cruz-Watsonville area. We urge the Census Bureau to work with the stakeholders to resolve this matter.

Sincerely,

Don Champion, Ph.D.
Chair

cc: Representative Sam Farr
Senator Diane Feinstein
Senator Barbara Boxer
Carl G. Sedoryk, General Manager/CEO, Monterey-Salinas Transit
Pat McCormick, Executive Officer, LAFCO of Santa Cruz County

MST

MONTEREY-SALINAS TRANSIT

TRANSIT DISTRICT MEMBERS:

*City of Carmel-by-the-Sea • City of Del Rey Oaks • City of Gonzales • City of Greenfield
City of King • City of Marina • City of Monterey • City of Pacific Grove • City of Salinas
City of Sand City • City of Seaside • City of Soledad • County of Monterey*

November 18, 2010

Mr. Robert M. Groves, Director
Mr. Timothy Trainor
Chief, Geography Division
U.S. Census Bureau
Washington, DC 20233-7400

Mr. Gary Locke, Secretary
Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

Re: Comments on Proposed Criteria:
Proposed Urban Area Criteria for the 2010
Census; Notice *Federal Register*, 8/24/10

Dear Director Groves, Chief Trainor and Secretary Locke:

In response to the above-referenced Notice in the *Federal Register*, Monterey-Salinas Transit (MST) is writing to request an extension of the close of the comment period, currently set at November 22, 2010. We respectfully ask for an additional 30 days, or until December 21, 2010. We request that the Department of Commerce's Geography Division make no changes to any and all existing Urban and Rural Areas in place since Census 2000 and maintain the population threshold for splitting agglomerations at 250,000.

MST is the primary public transportation provider for Monterey County, which is characterized by vast areas of rural, sparsely populated land with a handful of densely populated small urban areas clustered near the coast and in the Salinas Valley. MST interfaces with Santa Cruz Metropolitan Transit District (METRO) at the Watsonville Transit Center, where passengers can easily transfer between the two systems. Our colleagues at METRO have conducted a thorough analysis of the Geography Division's methodology and have found it to be flawed, at best (see Attachment 1). We support these findings wholeheartedly and challenge the Geography Division's recommendation that the Salinas Urbanized Area (UA) be combined with the Watsonville and Santa Cruz UAs into a single agglomeration.

The contention of the Geography Department that the Salinas UA and Watsonville UA are growing together is incorrect. While a census researcher in Washington DC or a computer program might jump to that conclusion based on some nation-wide typical growth, development and sprawl patterns, the Monterey Bay area is anything but typical. If the Geography Division had any knowledge or context of this community, its issues and governance beyond what their

maps and computers tell them, they would know that between the Watsonville and Salinas UAs lay some of the most fertile farmland in the world that is protected and restricted from development. They would know that the Elkhorn Slough – a unique, protected ecosystem unrivalled in coastal California for its diversity of rare and endangered species of flora and fauna -- forms a natural barrier between jurisdictions in Monterey and Santa Cruz counties. In fact, the 2 lane highway (California Highway 1) that travels through Elkhorn Slough linking Monterey and Santa Cruz counties cannot even be widened to 4 lanes given the sensitive habitat. If it cannot even be widened to 4 lanes, then certainly urbanized development will never be allowed in the area that would join Watsonville and Salinas UAs together as the Geography Department has predicted.

Pursuant to California law, each county has a commission that regulates the boundaries of local cities and special districts that provide water, sewer and other public services. The Local Agency Formation Commissions in Monterey County and Santa Cruz County are responsible for discouraging urban sprawl, encouraging orderly growth, preserving prime agricultural lands and open space, and coordinating the delivery of water and sewer services where appropriate. Both commissions have long traditions of preserving the agricultural and coastal resource areas between Santa Cruz and Watsonville and between Watsonville and Salinas. These areas are significant on a national level for their critical food production, scenic and habitat values. State, regional and local laws and policies are in place to protect these rural areas from urbanization.

The “stepping stone” between the Salinas and Watsonville UAs is the North Monterey County rural area centered around Prunedale. No development is being permitted in that area for the foreseeable future because there is no water available. Wells in the area are going dry, and some communities have to have water trucked in and stored in tanks. There are no additional water supplies on the horizon that would permit additional development in this area until well into the next decade. And the Monterey County General Plan that was adopted just weeks ago directs any growth to clusters in urban and rural centers, not outwardly sprawling growth. Any additional development in the area between Watsonville and Prunedale would be prohibited by the new General Plan, which in California has the force of law.

Additional evidence to refute the Geography Department’s contention that these communities are growing together can be found in the long range development plans for the city of Salinas. An annexation area has been identified to the east and northeast of Salinas, in the opposite direction heading away from Watsonville, not toward it. Plus, with the current economic recession and dormant real estate market, new home construction has slowed to a trickle in the Monterey Bay area. In fact, the Association for Monterey Bay Area Governments’ 2008 population forecast predicts population growth of 4,269 persons (a 3.9% increase) between 2010 and 2020 in the entire unincorporated area of Monterey County, which has an area of over 3,500 square miles. As less than 2% of Monterey County is incorporated, the average population density of the unincorporated area of the county is predicted to increase by a paltry 1.15 persons per square mile between 2010 (29.61 persons/square mile) and 2020 (30.77 persons/square mile).

Beyond the aforementioned flaws in methodology and incorrect prediction of growth patterns in the Monterey Bay area, MST also challenges the US Census Department's contention in the Federal Register, "The Census Bureau is not responsible for the use of its urban-rural classifications in nonstatistical programs." All departments of the US government are responsible for and are obligated to adhere to Title VI, Americans with Disabilities Act, and Environmental Justice Regulations (Executive Orders 12898 and 13166). It is also the US Census Department's responsibility to implement all legally required means to reach out to and inform affected Department of Commerce program participants—specifically minority, limited English proficiency (LEP), economically disadvantaged, elderly, disabled and isolated populations. It is unlikely that any of these groups read the *Federal Register*, since it is not available in other languages or at appropriate literacy levels. As such, they are completely unaware of any intermediate or final effects of Departmental decisions, designations or other actions which may affect Department of Commerce programs which target them.

These classes of protected persons would be adversely impacted by the proposed agglomeration because its end result would be the loss of approximately \$3.9 million (using FY 2010 data) in operating funds annually. Because Salinas is a UA under 200,000 in population, MST can use Federal Transit Administration Section 5307 funds for operating. Agglomerating Salinas into a UA that includes Watsonville and Santa Cruz would push the population well over 200,000. MST's 5307 funds would then be restricted to capital funding only. The population of Salinas that MST serves is overwhelmingly minority, economically disadvantaged and LEP. They would suffer disproportionate harm with the loss of these operating funds – a direct result of the proposed actions by the US Census and the Department of Commerce. Transit service to this community would be decimated by as much as a 50% reduction in service to the Salinas area, the most heavily concentrated area of poor, minority and disadvantaged persons in Monterey County. In fact, during the agricultural growing season, the population density of some East Salinas census blocks rivals that of areas in Manhattan.

Thus, at the very least, the Department of Commerce—subject to the same Title VI, ADA and environmental justice principles, including the named Executive Orders, which apply to all Departments—has a legal obligation to examine the impacts of the potential re-designation of UAs early enough in the process to develop the proposed steps to guard against adverse effects on affected and legally protected populations. The Department of Commerce has a legal obligation to itself, as stated in Executive Order 13166: "Agencies shall ensure that stakeholders, such as limited English proficiency persons and their representative organizations, recipients, and other appropriate individuals or entities, have an adequate opportunity to provide input."

In conclusion, growth is simply not predicted between 2010 and 2020 in the unincorporated area of Monterey County and especially will not happen in the unincorporated areas between Salinas and Watsonville. For the reasons cited above as well as included in the

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documentation submitted by Santa Cruz METRO, the Salinas and Watsonville UAs should not be agglomerated. At the very least, no changes in UA designation should be made until the 2020 census is conducted. At that point, the US Census Geography Department can revisit this issue and assess whether in fact Salinas has grown towards Watsonville.

In addition, MST reiterates its request to extend the comment period so that the Local Agency Formation Commissions in Monterey County and Santa Cruz County can comment on the proposed criteria for designating Salinas-Santa Cruz-Salinas as a single Urban Area. Extending the comment period will provide time for both commissions to consider and authorize comments at their respective meetings in early December 2010.

Sincerely,



Carl G. Sedoryk
General Manager/CEO

Attachment

Cc: US Congressman Sam Farr
US Senator Dianne Feinstein
US Senator Barbara Boxer

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