

VCF ANNA
VCF ANNEXATION RP 12/8/88

Franich annexation faces tough LAFCO hurdle

By KATHARINE BALL

STAFF WRITER

Santa Cruz County Supervisor Gary Patton said yesterday that Watsonville should study a wide range of alternatives to annexing Tony Franich's East Lake Avenue apple orchard to the city.

The study would come as part of an Environmental Impact Report on the annexation recently undertaken by the city, which Franich is paying for.

Patton made his remarks during a meeting of the Local Agency Formation Commission, on which he serves. LAFCO has the final say over whether Watsonville may extend its city limits to include the orchard.

Patton's proposal irked Watsonville Mayor Betty Murphy, also a LAFCO commissioner.

Murphy said it was not reasonable for the city to have to

study as many as 15 possible alternatives, ranging from partial annexation of the 72-acre orchard to annexations of completely different properties that might be more suited to development than the agricultural land of the orchard.

The list of alternatives was drawn up by Patrick McCormick, executive director of LAFCO, and defended by Patton at yesterday's LAFCO meeting.

"Fifteen alternatives are unnecessary in the city's viewpoint," Murphy said. Studying all 15 would take "months and months and months and months," she said.

Franich, who is paying for the EIR, said later that it would also be expensive.

Under the current EIR proposal, the EIR consultant, Jones and Stokes of Sacramento, will study a number of alternatives, including full annexation, no annexation, par-

tial annexation and perhaps annexation of an alternative site.

The price tag for that study is \$68,297, said Franich.

"If we're compelled to have

"Maybe that's the idea, to make it so prohibitive that Franich will give up. Well, I'll be damned if I'll give it up."

15 alternatives, God knows what the damn thing would cost," Franich said. "Maybe that's the idea, to make it so prohibitive that Franich will give up. Well, I'll be damned if I'll give it up."

(Franich has already spent \$17,500 on a Sacramento consultant who attempted to get the Legislature to pass a bill that would have allowed the annexa-

tion without going through LAFCO. Franich subsequently donated \$8,500 to various legislators, but the bill was never brought to a final vote).

McCormick said LAFCO could not tell the city what to

include in the EIR, but that LAFCO needed a thorough EIR so it can make a final decision on whether the property should be annexed or not.

"This is a touchy process in that the city is doing the EIR and LAFCO has to make a decision based on the EIR," McCormick said.

He said LAFCO could not tell

the city what to include in the EIR, but should make some strong suggestions, so that LAFCO would find the EIR "adequate" when it came before the commission for evaluation.

Patton reminded Murphy, "We legally have the right to require a supplemental EIR."

He also said, "I would rather add another alternative than take any away."

McCormick noted that the whole Franich brouhaha stemmed from an EIR found inadequate by the state Court of Appeal. The Franich annexation was originally approved by LAFCO in 1982, but was successfully challenged by the Resource Defense Fund because LAFCO had failed to consider a partial annexation of the property.

McCormick suggested nine possible whole or partial annexations of the orchard that might

be studied, and five other sites that might be compared to the orchard. The 15th alternative, required by law, is "no annexation."

The five alternative annexations included the Buena Vista Drive/Calabasas Road area; the west side of Highway 1 north of Harkins Slough Road; the west side of Highway 1 at Lee Road, south of Harkins Slough Road; the Landmark Industrial Park site; and an unspecified combination of several sites.

If it were annexed, Franich's orchard would be used to build as many as 600 housing units.

Watsonville and LAFCO are still negotiating a memorandum of understanding over the annexation and possible alternatives, which has stalled over the question of whether LAFCO should have to consider the economic feasibility of any alternatives to the Franich orchard.