

City's position on annexation dispute backed

By STEVE SHENDER

Deputy County Counsel Jim Ritchey, who is carrying Santa Cruz County's legal ball in a lawsuit against the city of Watsonville over a proposed dump site annexation, said this week that city officials had failed to comply with Coastal Act procedures when they "pre-zoned" a 52-acre parcel last month.

Ritchey said the city should have applied for a coastal development permit before asking the Local Agency Formation Commission (LAFCO) to OK annexation of the parcel, which is in the coastal zone.

But an attorney for the state Coastal Commission said today that the city, so far, has not violated coastal procedures.

The property in question is owned by the city and is next to the city dump on Buena Vista Road (and across the railroad tracks from a 50-acre county dump.)

The City Council last month voted to pre-zone the parcel for use as a dump, and, as part of that action, declared that conversion of the property to a dump site would have no harmful impact on the environment.

The county is suing to force the city to do an environmental impact report on the annexation. This week, Supervisors Chairman Robley Levy accused the city of "ignoring the legal process" in its handling of the annexation, and Ritchey cited the city's failure to seek a coastal permit as one of its procedural abuses.

City Planning Director Robert Ellenwood indicated today, however, that there was no need to seek a coastal permit prior to annexation because one would be required before the site could actually be used as a dump in any event.

Ellenwood said it would be at least eight years before the property is actually used as a dump, and said coastal issues would be resolved well before then.

Roy Gorman, an attorney with the Coastal Commission, confirmed that the city was not required to seek a coastal permit before going to LAFCO, but said Watsonville would need commis-

sion sanction sooner than 1990. He said that the city would be required to change its coastal land use plan before the parcel could be annexed to the city, but that the city was not required to take steps to do that until after the annexation is approved by LAFCO.

The Coastal Commission attorney said that the commission would subject the plan change to extensive environmental review before approving it.

Ellenwood said today that LAFCO could, if it chose, require an EIR prior to approving the annexation request. But LAFCO Executive Officer Pat McCormick said it was highly unlikely that the commission would do so.

"The city is the lead agency for environmental review," McCormick said. "Except under extremely limited circumstances, LAFCO has to use the environmental documents prepared by the city."