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21 June 2011

The Honorable Christine Kehoe
California State Senate
State Capitol, Rm 5050
Sacramento, CA 95814

RE: **SB 436 (Kehoe) – Mitigation Lands: SUPPORT**

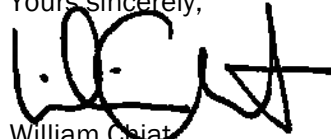
Dear Senator Kehoe:

On behalf of the California Association of Local Agency Formation Commissions, I write to express our support for your bill, SB 436. This bill would allow a local agency to provide funds to a non-profit to acquire and manage lands that satisfy an agency's mitigation obligations.

Since 1963 Local Agency Formation Commissions (LAFCo) have worked within each county to meet its legislative mandate of balancing growth and development with discouraging sprawl and protecting California's important agricultural and open space lands. A number of LAFCos have adopted policies which require mitigation for open space or agricultural lands that are to be annexed to a city or special district. This legislation would provide LAFCos and local agencies with an effective tool to reduce sprawl and protect agricultural and open space lands. The amendments to the legislation requiring the nonprofit to meet certain qualification and local reporting requirements, as well as the "fail to perform" provision, address our concerns regarding the viability of this approach and past problems we have observed.

Because SB 436 provides an important tool for LAFCos and local agencies, and enhances LAFCo ability to meet our legislative mandate to preserve open space and agricultural lands, we are in support of this legislation and urge the Assembly policy committees for an "Aye" vote.

Yours sincerely,



William Chiat,
Executive Director

- c: Chair Smyth and Members, Assembly Local Government Committee
Chair Chesbro and Members, Assembly Natural Resources Committee
Debbie Michael, Consultant, Assembly Local Government Committee
Mario Debernardo, Consultant, Assembly Natural Resources Committee
William Weber, Consultant, Assembly Republican Caucus
John Kennedy, Consultant, Assembly Republican Caucus