

**From:** [Cecily Condon](#)  
**To:** [Chelsea Holup](#)  
**Subject:** FW: garySonoma County LCP comments.  
**Date:** June 29, 2022 11:50:04 AM  
**Importance:** High

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**From:** Kimberly Burr <kimlarry2@comcast.net>  
**Sent:** Wednesday, June 29, 2022 11:41 AM  
**To:** Gary Helfrich <Gary.Helfrich@sonoma-county.org>; Cecily Condon <Cecily.Condon@sonoma-county.org>  
**Cc:** Eric Koenigshofer <Eric.Koenigshofer@sonoma-county.org>; Caitlin Cornwall <caitlin@sonomaecologycenter.org>  
**Subject:** Fwd: garySonoma County LCP comments.

### **EXTERNAL**

Thanks for accepting these comments in case I cannot attend the meeting today 6/29/22.

In summary-- I am concerned that the thinking contained in the draft has not incorporated the most modern science (see study on coastal habitat by CBD provided to staff) and mapping so am resending my comments for your reference. Specifically as these apply to ESHA protections and mapping.

Perhaps a blanket statement could go a long way to protect by setting the "standard" for all interpretations of the LCP by staff and developers....including protecting all areas needed for recovery of species, foraging, reproducing, migrating, etc. As you know, ESHA maps are very important and the current maps show the smallest possible interpretations where we should be requiring the most generous and biologically protective interpretations in the language of the LCP.

Thank you for the many hours you have devoted to weighing and figuring out how best to protect this narrow and environmentally vulnerable zone.

**Date:** September 13, 2021 at 10:49:21 AM PDT  
**To:** "[gary.helfrich@sonoma-county.org](mailto:gary.helfrich@sonoma-county.org)" <[gary.helfrich@sonoma-county.org](mailto:gary.helfrich@sonoma-county.org)>, "[Cecily.Condon@sonoma-county.org](mailto:Cecily.Condon@sonoma-county.org)" <[Cecily.Condon@sonoma-county.org](mailto:Cecily.Condon@sonoma-county.org)>

Sonoma County Supervisors,  
County staff, and  
California Coastal Commission staff

Thank you for your important work. Please make these comments a part of the official administrative record for the update of the Local Coastal

Plan (draft LCP).

The below appears to be a good addition.

1. "Policy C-OSRC-5a(6): Project applicants shall provide evidence of permits and clearances required by state and federal agencies before Permit Sonoma issues coastal development permits, or building or grading permits. (GP2020 REVISED/NEW) draft LCP.

## COASTAL ZONE

Generally speaking, the coastal zone is a very skinny slice of land.

Because of its sensitivity, uniqueness, and importance, it is well worth protecting this small but highly vulnerable area.

Some say the county is being ruined by a thousand cuts under pressure from entities with very short term goals and/or very narrow interests.

County leaders and planners must be acutely aware of how this occurs and aware of the patterns and justifications given for imprudent development (piecemeal). Given this knowledge, we should be well prepared to protect our shared and delicate coastal access, natural views, biodiversity, sensitive landscapes, etc. from such narrow justifications.

To date, so called protected areas in the draft LCP are measured in feet and in a piecemeal fashion. These are not meaningful units of measure when it comes to native plant and animal coastal species under extreme pressures from development and climate change.

2. *Objective C-OSRC-5.6. "Balance the need for agricultural production, development, timber and mining operations, and other land uses with the preservation of biotic resources. " (emphasis added).*

There is an easy fix for this pervasive problem. The scales must be tipped back into balance by simply placing higher value on recovering and protecting species in the first instance. Where the draft LCP allows for or requires the *balancing* of the needs of development with the needs of native wildlife and plants, the scales are *already* weighted heavily in favor of development. Real balance would be better. That would be the right *baseline*. We implore the county to restore balance. Define balance as restoration of the species under pressure and that need and will need areas in which to recover, migrate, forage, and to thrive. Give highest priority to species especially those who have low population numbers or who can now only survive in coastal areas and are facing an uncertain future.

ESHA Protections

Notwithstanding the needs of the native plants and animals at this time, the draft LCP states:

3. "Policy C-OSRC-5b(7): In some cases, **smaller** buffers around (non-wetland) ESHA and other biotic resources may be appropriate, when conditions of the site as demonstrated in a site specific biological assessment, the nature of the proposed development, and appropriate mitigation, show that a **smaller** buffer would provide adequate protection. In such cases, the County **must** find that a reduced buffer is appropriate and that the development could not be **feasibly** constructed without a reduced buffer. In no case shall the buffer be less than 50 feet. "" (emphasis added).

The above section should be removed. It eviscerates protections. It provides for construction no matter what. This is not protection or planning.

Where the draft LCP contains loop holes like those above, it undermines the requirements of the state *Coastal Act*. Unfortunately, **this is an example - of many, contained in the draft LCP that are unwarranted, too lenient, and difficult to manage and further threaten important, rare, and significant natural communities. It is an example of death by a thousands cuts.**

An adequate plan would not depend on development proposals to determine where development will go but would plan where the special coastal lands will remain open, *protected*, and accessible to passive recreation and appreciation.

#### ESHA Maps and Buffer Areas

Because developers often rely heavily on maps to plan construction, the maps the county has produced will be the subject of much debate. This can largely be avoided if the maps are revised to incorporate forward thinking - like planning on a "multi-species" scale and by incorporating the latest climate science. The maps should protect areas of likely sensitivity to include current and future migration needs of native plants and animals, habitat needed to fully recover species on the brink including larger mammals, grasses, aquatic species, and amphibians.

Instead of temporarily limiting construction activity near a nest of a particular bird, for example, we must protect the broader habitat too year round as part of an important ecosystem.

The proposed approach does not take into account the inability of wild

animals to live in areas of close human activity. As written, the wildlife is squeezed on all sides as much as possible and that as we know from science, has been *inadequate protection* for a long time and is even less adequate today.

Another very troubling section of the draft LCP is the following.

*4. "Policy C-OSRC-5b(10): If the application of the policies and standards contained in this Local Coastal Plan regarding use of property designated as ESHA or ESHA buffer, including the restriction of ESHA to only resource-dependent use, would likely constitute a taking of private property without just compensation, then a use that is not consistent with the ESHA provisions of the Local Coastal Plan may be allowed on the property, provided such use is consistent with all other applicable policies of the Local Coastal Plan, the approved project is the alternative that would result in the fewest or least significant impacts, and it is the minimum amount of development necessary to avoid a taking of private property without just compensation"*

ESHA is by definition rare and unique. Real estate development, speculation, and "remodeling" older properties are not. ESHA must be protected and expanded as science requires.

## COASTAL PRAIRIE

Coastal prairie must be protected. According to the ESHA maps, coastal prairie makes up some of the least protected areas. Some have suggested that the prairie is gone or damaged in places and therefore not sensitive to development. This is not the experience of professional land managers that manage for natural biodiversity. The Jenner Headlands Preserve (Conservation Fund and Sonoma Land Trust) is actively restoring coastal prairie that was once heavily grazed. This increase in biodiversity makes the coastal ecosystem more *resilient*.

As has been the experience of biologist at Jenner Headlands Preserve, the removal of large cattle operations has allowed the natural and often times rare plants to re-emerge on the coastal prairie.

The thin sliver of land called the coastal zone is where the small remaining patches of coastal prairie exist, and they must be protected from increased intensification of use and restored. Subdivisions, lot line adjustments, impoundments, roads, intensification of farming practices, ect. will compromise the ability of the biodiversity of this prairie to persist and to be repaired under ever increasing climate and development pressures.

The areas must be classified as ESHA and the focus must be on repairing the lost biodiversity upon which many species rely, on scenic resource values, on passive recreation, and the like.

Thank you for your kind attention to the above. Although a bit wordy, I hope the comments and reasoning are helpful. I will be continuing to review the draft LCP and may supplement these comments in the near future.

Kimberly Burr

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