

**From:** Peter Prows <[pprows@briscoelaw.net](mailto:pprows@briscoelaw.net)>

**Sent:** Wednesday, June 29, 2022 9:39 AM

**To:** PRMD-LCP-Update <[PRMD-LCP-Update@sonoma-county.org](mailto:PRMD-LCP-Update@sonoma-county.org)>

**Cc:** [Peter.benham@coastal.ca.gov](mailto:Peter.benham@coastal.ca.gov); Gary Helfrich <[Gary.Helfrich@sonoma-county.org](mailto:Gary.Helfrich@sonoma-county.org)>; PlanningAgency <[PlanningAgency@sonoma-county.org](mailto:PlanningAgency@sonoma-county.org)>; Eric Koenigshofer <[Eric.Koenigshofer@sonoma-county.org](mailto:Eric.Koenigshofer@sonoma-county.org)>

**Subject:** Re: Public access and environmental protection at Estero Americano, location K-2/J-2, in the Sonoma County LCP update

## EXTERNAL

Dear Sonoma County Planning Commission:

Concerned Citizens for Estero Americano continues to object to the “K-2” “access point” shown on the revised draft public access LCP map. K-2 is not a public access point. As the public access appendix makes clear, K-2 is merely a “proposed” public access point. As my previous letters made clear, and as staff now seem to accept, significant legal obstacles prevent K-2 from likely ever being an actual public access point: Estero Lane is a private road, not a public access road, and public access to K-2 likely can never be consistent with the ESHA policies of the Coastal Act. Depicting K-2 as an “access point” on the public access map, when K-2 is not currently a public access point, has the potential to create significant confusion and cause significant environmental harm by encouraging trespassing onto environmentally sensitive habitat areas to which there is currently no legal public access.

Staff’s analysis of K-2 also relied on a 1999 “Coastal Parcel Study” by Sonoma Land Trust. On 25 June, I requested a copy of that report from Sonoma County staff, but I received no response. Until the public and the Planning Commission can review and meaningfully evaluate the materials that staff has cited and is relying on, I object to the Planning Commission making any decisions about the proposed LCP update now. The Planning Commission should continue this item to a subsequent meeting after the public has had a meaningful opportunity to review the voluminous materials staff has cited.

Regards,

Peter Prows

Counsel for Concerned Citizens for Estero Americano



**PETER PROWS**

235 Montgomery Street, Suite 935

San Francisco, California 94104

Direct: (415) 402-2708 Cell: (415) 994-8991

> On 1 Mar 2022, at 15:34, Peter Prows <[pprows@briscoelaw.net](mailto:pprows@briscoelaw.net)> wrote:

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> Dear Sonoma County Planning Commission:

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> Please find attached a letter, with 3 attachments, on behalf of Concerned Citizens for Estero

Americano, which replies to the Sonoma Land Trust letter to you from yesterday.

>

> Regards,

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> Peter Prows

>

> -----Original Message-----

> From: Peter Prows <[pprows@briscoelaw.net](mailto:pprows@briscoelaw.net)>

> Sent: Wednesday, February 23, 2022 5:02 PM

> To: [PRMD-LCP-Update@sonoma-county.org](mailto:PRMD-LCP-Update@sonoma-county.org)

> Cc: [Peter.benham@coastal.ca.gov](mailto:Peter.benham@coastal.ca.gov); [gary.helfrich@sonoma-county.org](mailto:gary.helfrich@sonoma-county.org);

[PlanningAgency@sonoma-county.org](mailto:PlanningAgency@sonoma-county.org)

> Subject: Public access and environmental protection at Estero Americano, location K-2/J-2, in the Sonoma County LCP update

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> Dear Sonoma County Planning Commission:

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> In anticipation of your meeting on 3 March, please see the attached letter on behalf of the environmental group Concerned Citizens for Estero Americano asking that the public access location K-2/J-2 be removed from the draft LCP both because there is no public access to that location and because public access at that location would have unacceptable negative environmental impacts to ESHA, eelgrass, and listed and important species.

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> Also attached are excerpts of a 1977 Sonoma County Superior Court judgment, to which the Coastal Commission was a party, requiring Estero Lane to be made private, and a biological assessment prepared by Moore Biological.

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> Please do not hesitate to contact me with any questions.

>

> Regards,

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> Peter Prows

> <Concerned Citizens ltr to Sonoma Planning Commission March 2022.pdf><Exhibit 3--SLT On The Land.pdf><Exhibit 4--guided outing are not public access per SLT.pdf><Exhibit 5--SLT report on public access harming environment.pdf>

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