



The

Gary Helfrich  
Planner III  
County of Sonoma  
2550 Ventura Avenue, Santa Rosa, CA 95403  
Submitted via email to: [gary.helfrich@sonoma-county.org](mailto:gary.helfrich@sonoma-county.org)

Re: Public Comment on Local Coastal Plan from Stewards of the Coast and Redwoods

Dear Mr. Helfrich,

Stewards of the Coast and Redwoods is a nonprofit that partners with the Russian River Sector of California State Parks to promote, restore, and protect the natural and cultural resources in our parks. The sector includes Armstrong Redwoods State Natural Reserve, Austin Creek State Recreation Area, and Sonoma Coast State Park. State Parks depend on Stewards to provide funding and support for the Volunteers in Parks Program, educational and interpretive activities, resource management and stewardship projects, and to assist in the development of interpretive facilities and displays.

Sonoma Coast State Park is located between Jenner and Bodega Bay on Highway 1. This 10,000+ acre park was established in 1934 and includes over 15 miles of trails. It is a series of beaches separated by rock bluffs and headlands extending 17 miles inland from Bodega Head to Vista Trail four miles north of Jenner. Features that make this State Park one of California's most scenic attractions include long sandy beaches below rugged headlands, a craggy coastline with natural rock arches, and secluded coves. Beachcombers, fishermen, sunbathers and picnickers can access the beach from more than a dozen points along the coast from Highway 1.

Stewards' Seal Watch volunteers rove the Goat Rock Beach seal rookery, located at the mouth of the Russian River. Volunteers assist in protecting the harbor seals during pupping season through interpretation by sharing information with Park visitors about the harbor seals' identification, natural history, and their protection under the Marine Mammal Protection Act. Beachgoers from near and far are able to view the animals from a safe distance with help of ropes, signs, and binoculars maintained by Seal Watch volunteers.

With significantly increased park visitation following the COVID-19 pandemic, public wildlife viewing is exceeding the capacity of volunteers and park staff to protect the Goat Rock Beach pinniped population. Thus, Stewards is submitting comments on several sections of the Local Coastal Plan revisions currently being drafted by Permit Sonoma and under consideration by the Planning Commissioners that pertain to Pinniped and Sea Bird protection. We cite paragraphs from the currently published draft. Our comments and recommendations for changes follow each citation:

**Page OSRC-17-18, 5th Paragraph:** “Stellar [sic] sea lions and other pinnipeds haul out on offshore intertidal areas that become exposed at low tides. Seals and sea lions use intertidal areas and sandy beaches, spits, and bars to haul out and rest. Harbor seals specifically use sandy beaches including the beaches at Sonoma Coast Sea Ranch, Jenner and Bodega Bay to rest, molt, give birth, and nurse their pups. California sea lions and northern elephant seals are occasionally observed at these harbor seal haul out locations.”

**Comment:** There is insufficient description of the importance of protection of haul-out areas, which even today are subject to human and dog intrusions, with inadequate State Parks staffing to monitor the sites.

**Recommendation: Change to:** "Harbor Seals, Steller sea lions, and other pinnipeds protected under the and the Marine Mammal Protection Act (MMPA), haul out on intertidal areas that become exposed at low tides as well as on offshore rocks. Harbor Seals, in addition to using offshore rocks along the Sonoma coast, specifically use sandy beaches at Sonoma coast locations at Sea Ranch, Goat Rock Beach in Jenner, and in the intertidal areas of Bodega Bay to rest, give birth, nurse their pups, and molt."

**Page OSRC-25, Policy C-OSRC-5e(3)** “Public access to Offshore Rocks and onshore nesting/rookery areas used by seabirds to breed or nest or which provide habitat for seals and sea lions shall be prohibited. (EXISTING LCP REVISED: RECOMMENDATION 39 ON PAGE 31)

**Page OSRC-26, Policy OSRC-5e(5):** “Disturbance of marine mammal haul-out grounds shall be prohibited and recreational activities near these areas shall be limited to passive recreation. Disturbance of areas used by harbor seals and sea lions shall be **avoided**. (EXISTING LCP REVISED)

**Comment:** The two above-cited policies are intended to protect biological resources (nesting birds on offshore rocks and marine mammals). But there is no mechanism specified for enforcement of the prohibitions against trespass on or disturbance/harassment of these sensitive habitats.

**Recommendation: Consider a programmatic revise to the public access element of the LCP for county, state, and federal agencies, and local nonprofit partners to develop a coastal development permit through the California Coastal Commission for a seasonal closure of a portion of Goat Rock Beach to protect the harbor seals during pupping season. Currently, State Parks and Stewards of the Coast and Redwoods Seal Watch Volunteers erect ropes and signage as a “symbolic” closure which we seek to have formalized through this programmatic mechanism and supported through agency collaboration.**

**Page OSRC-26, Policy C-OSRC-5e(6):** “Encourage the California Department of Fish and Wildlife to monitor Marine Mammal Haul-Out Grounds on an annual basis to determine their condition and level of use by marine mammals; and to incorporate this information into its management plan for marine mammals. (EXISTING LCP REVISED)”

Comment: Annual monitoring is not sufficient. Stewards currently monitors on a bi-weekly basis and monitoring should occur on a weekly basis during March-June pupping season and the August-September molting season.

**Recommendation: Change to: "Collaborate with the California Department of Fish and Wildlife and Sonoma Water to monitor Marine Mammal Haul-Out Grounds on a bi-weekly basis and on a weekly basis during pupping season (March through June) and molting season (August through September), in order to determine their condition and level of use and to incorporate this information into its management plan for marine mammals."**

Thank you for your consideration of these important issues. Protection of Sonoma Coast wildlife from human disturbance is critical to the beauty and value of the California coastal zone.

Sincerely,

A handwritten signature in black ink, appearing to read "Justin Lindenberg", written in a cursive style.

Justin Lindenberg  
Executive Director

BRISCOE IVESTER & BAZEL LLP

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23 February 2022

*By Email*

Sonoma County Planning Commission  
2550 Ventura Avenue  
Santa Rosa, CA 95403  
PRMD-LCP-Update@sonoma-county.org

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

Dear Planning Commission:

This office represents Concerned Citizens for Estero Americano, a citizens group that for years has engaged with agencies and the public to ensure the preservation of the unique biological and aquatic resources located in and around the Estero Americano. Citizens submits these comments on the draft LCP's proposal to significantly disrupt the sensitive environmental resources of the Estero Americano, particularly through a proposed new "public access" location (denoted K-2 or J-2), located adjacent to eelgrass beds and listed species habitat where there is no legal public access today.

The Estero Americano is a remarkable estuary, teeming with protected fish and wetland species, rare birds, endangered plants, and precious eelgrass. The operative LCP, at page III-11, deems the "[m]arsh, riparian and open water areas of Estero Americano from the mouth to Valley Ford" as "Sanctuary-Preservation Areas" and "Rare and/or endangered plant site". The entire Estero Americano is an environmentally sensitive habitat area entitled by the Coastal Act to being "protected" and "enhanced" rather than "disrupted" in "any" way:

§ 30230. Marine resources shall be maintained, enhanced,  
and, where feasible, restored. Special protection shall be

given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

§ 30231. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored ... .

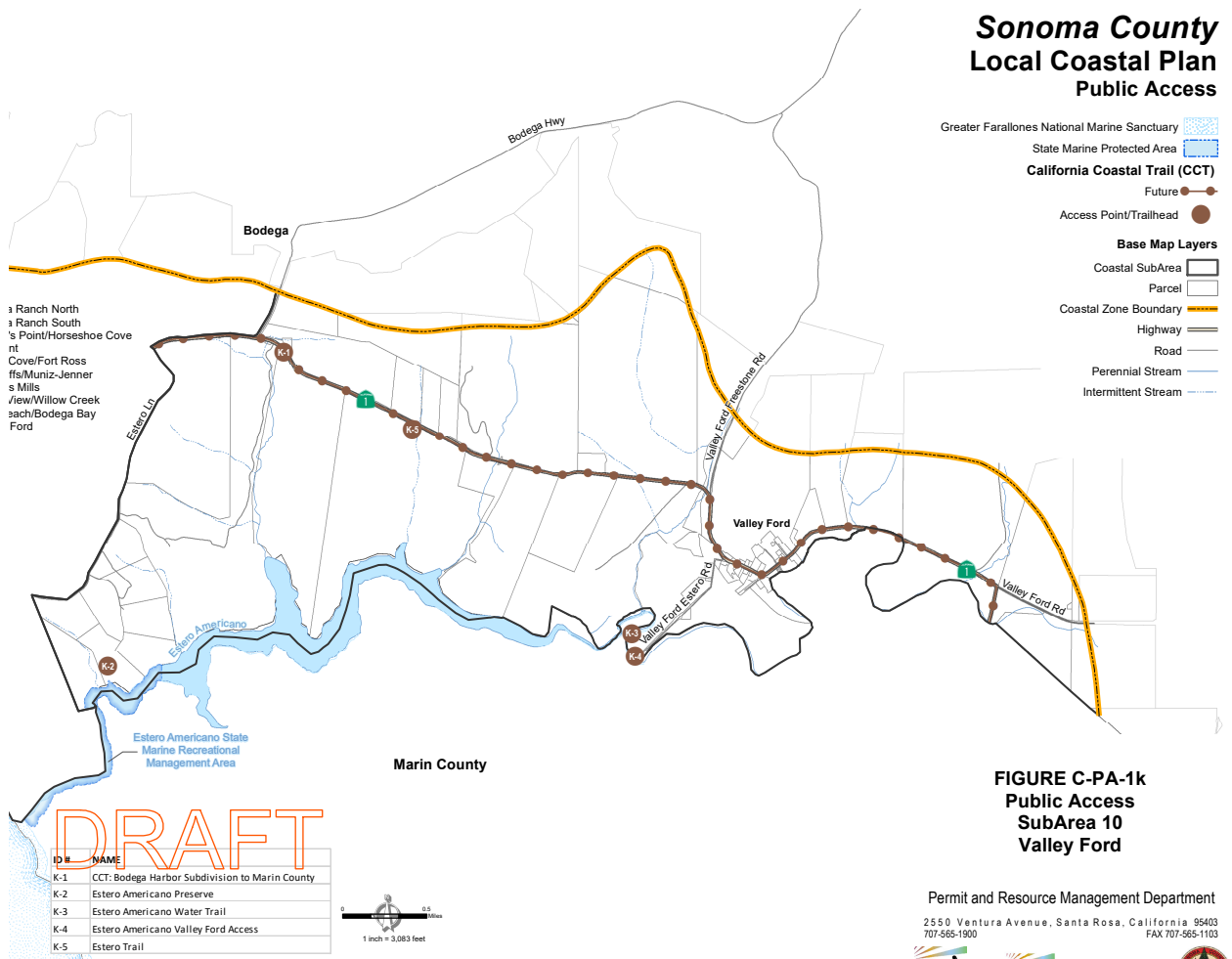
§ 30240. (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

[...]

When there is a conflict between these environmental-protection policies and any other policies, including public-access policies, the Coastal Act, in section 30007.5, requires that the conflict be resolved “in a manner which on balance is the most protective of significant coastal resources.”

The only existing public access to the Estero Americano is via the undedicated “Short-tail Gulch” trail, thence a mile south along a beach, or via a “bulkhead along Valley Ford Estero Road” in Marin County. (2001 LCP, pages V-30 through V-31.)

The draft LCP, however, would significantly change public access to the Estero Americano, likely at the expense of the remarkable natural resources there. The draft LCP, in Figure C-PA-1k, proposes five public access locations (K-1 through K-5) in the Estero Americano area, while the Public Access Plan proposes six public access locations (J-1 through J-6) in that area. Locations K-1 through K-5 appear to correspond with locations J-1 through J-5; J-6 is left off the figure.



K-2/J-2 is the most problematic proposed new public access point for Estero Americano. As an initial matter, there simply is no public access to this point. Estero

Lane, which is depicted on the figure as leading towards this location, is an adjudicated *private* road. A 1977 judgment of the Sonoma County Superior Court (case no. 73865), to which the Coastal Commission is a party, in Section XI.7, decreed that the Coastal Commission and the County would “remov[e]” any requirement that Estero Lane be allowed to be a “through road for public use”:

With respect to Estero Lane ... the [Coastal Commission] shall secure from the County of Sonoma, removal of the requirement that Estero Lane be widened and/or allowed to be a through road for public use.

A certified copy of relevant portions of this 1977 judgment is attached. This provision of the judgment, requiring the Coastal Commission and the County to work together to remove public use of Estero Lane, prohibits the County and the Coastal Commission from working together now to encourage public access across Estero Lane to K-2/J-2 or the Estero Americano.

Nor is there public access to K-2/J-2 from the Estero Americano itself. While K-2/J-2 is depicted on a parcel owned by the Sonoma Land Trust, which is subject to an open-space easement, there is no way to get to that point from the Estero Americano without first crossing private property. (See Figure 3 of attached report of Moore Biological Consultants.) No public access easement exists across that private property.

Because there is no public access whatsoever to K-2/J-2, that location should be deleted from the draft LCP entirely.

Nor can public access to that location be reconciled with the Coastal Act policies, quoted above, requiring that sensitive environmental resources be “protected” and “enhanced” and not in any way “disrupted”. Moore Biological recently conducted a biological assessment (attached) of K-2/J-2 and reviewed the information available about the potential use of that site by Sonoma Land Trust.



Source: Estero Americano Preserve website (SLT, 2022)—*from Moore Biological report.*

Ms. Moore’s analysis was that public access to K-2/J-2 could cause all manner of harm and potential take to important or protected plant and animal species:

Encouraging and facilitating public access at the proposed Public Access Point could result in direct and indirect impacts to nesting birds, eelgrass beds, special-status fish species, California red-legged frog, and sensitive plants. Increased public access could also result in the degradation of critical habitat for California red-legged frog, tidewater goby, and Central Coast steelhead. Trampling the sensitive near shore mudflats and emergent wetlands would increase sedimentation of the Estero Americano and gatherings would generate noise and activity that could disrupt nesting birds and other wildlife, and also impact the quality of life of nearby residents. Increased traffic along the access road from Estero Lane could result in increased erosion along the



road and associated sedimentation of the watershed, degradation of eelgrass beds, direct vehicle impacts to California red-legged frog (i.e., take), and indirect impacts to nesting birds. Development of parking areas, trails, restroom facilities, or other amenities at the proposed Public Access Point could also result indirect and indirect impacts to these same resources.

The draft LCP update does not acknowledge these impacts or attempt to reconcile them with the Coastal Act policies requiring protection and enhancement of environmental resources, rather than their disruption. Nor could it. Ms. Moore did evaluate these impacts against those policies and concluded quite directly: “The proposed Public Access Point is in a remote and sensitive area and is inappropriate for public use.”

K-2/J-2 should be deleted entirely, both because there is no public access to that area and because it is entirely environmentally inappropriate as a public access area to the precious Estero Americano.

Thank you for considering Citizens’ comments.

Sincerely yours,

BRISCOE IVESTER & BAZEL LLP

*/s/ Peter Prows*

Attorneys for  
Concerned Citizens for Estero Americano

Attachments

- 1 – portions of certified copy of 1977 judgment prohibiting public access to Estero Lane
- 2 – Moore Biological report

## **Cea Higgins-2021 LCP Public Access Comments**

### **Introduction:**

While the California Coastal Act of 1976 calls for enhanced public access to the coast; it also mandates that public access be balanced with protection of natural resources and respect for private property rights. The introduction of the 2021 Draft of the Public Access element fails to reference or consider Section 4 of Article X of the California Constitution which states that public access “shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.” The Introduction also fails to reference or consider the sections of the Coastal Act which regulate how public access should be implemented such as Section 30212.5, Section & 30214. These sections control how Public Access & Facilities should be distributed and limited. Not only are these Sections not referenced in the 2021 draft LCP: they are similarly not considered throughout the 34 NEW Public Access policies which ignore:

- coastal carrying capacity or capacity of site to sustain use,
- proximity or impacts to adjacent residential uses,
- topographic and geologic site characteristics-including siting public access amenities in areas vulnerable to sea level rise or erodible bluffs
- fragility of the natural resources in the area and avoidance of impacts to ESHA

### **Relationship to Other Elements:**

The Public Access Element is missing a “Relationship to Other Elements” discussion which is included in every other element of the draft LCP. This section is necessary to show what other elements were considered when drafting Public Access policies. There should be a paragraph which identifies which other elements of the Plan were considered when preparing the Public Access Element. A relationship between Public Access, Public Safety, Land Use, Public Facilities and Services, Transportation, and Open Space and Resource Conservation exists but is not apparent in the Public Access Element.

### **2.1 Legal Basis for Public Access:**

California Coastal Trail legislation SB908 should be listed and the standards set forth which include that The California Coastal Trail should be constructed

in a manner that is consistent with the protection of coastal resources and shall be developed in a manner that demonstrates respect for property rights and the proximity of the trail to residential uses, and that evidences consideration for the protection of the privacy of adjacent property owners.

As set forth in the SB908 report: Coastal Trail Alignment should adhere to five principals and those Coastal Trail principles should be listed and considered properly in the Public Access Element. They include:

1. Proximity: Wherever feasible, the Coastal Trail should be within sight, sound, or at least the scent of the sea.
2. Connectivity: The trail should effectively link starting points to destinations.
3. Integrity: The Coastal Trail should be continuous and separated from motor traffic.
4. Respect: The trail must be located and designed with a healthy regard for the protection of natural habitats, cultural and archaeological features, private property rights, neighborhoods, and agricultural operations along the way
5. Feasibility: To achieve timely, tangible results with the resources that are available, both interim and long-term alignments of the Coastal Trail will need to be identified.

#### **4.1 Acquisition**

(Page 8)

**GOAL C-PA-1:** Maximize public access to and along the Sonoma County coast. Minimize adverse impacts from public access to cultural resources, public safety, public health and the environment; and minimize adverse impacts from development on public access.

To more closely adhere to Coastal Act mandates, GOAL C-PA-1: should be rewritten to state

**GOAL C-PA-1:** Enhance public access to and along the Sonoma County coast. Avoid adverse impacts from public access to cultural resources, public safety, public health and the environments especially environmentally sensitive habitat areas (ESHA); and minimize adverse impacts from development on public access.

(Page 9)

*Development Review*

**Policy C-PA-1d:** The new review and approval power given to Regional Parks for dedication of public access easements does not require or include a defined public process. This policy should be reworded to guarantee a public process as well as include & require the approval and review by the California Coastal Commission. Policy C-PA-1d is listed as “Existing LCP Revised” but now adds that the County will “*Provide appropriate assistance with State or private legal action to acquire access easements to access corridors for which prescriptive rights to the Sonoma Coast may exist*” but does not define what “assistance” is appropriate. If the County is to be involved with legal proceedings than the type of assistance (legal fees, staff time, enforcement...) provided should be clearly listed.

**Policy C-PA-1i:** Sonoma County shall either accept or assist in finding another public agency to accept Offers of Dedication which increase opportunities for public access to the coast consistent with the County's ability to assume liability and maintenance costs. **(New)**

Should be reworded to state:

**Policy C-PA-1i:** Sonoma County shall either accept or assist in finding another public agency **or non-profit organization** to accept Offers of Dedication which increase opportunities for public access to the coast consistent with the County's ability to assume liability and maintenance costs.

(Page 10)

**Policy C-PA-11:** A lateral accessway shall extend from the mean high tide line landward to a defined line, such as the intersection of the sand with the toe of a revetment, vertical face of a seawall, toe of a bluff, or other feature. (NEW)

This Policy should read: A **verticle** accessway... because as worded it inures rights beyond the scope of what is guaranteed in Section 4 of Article X of the California Constitution

**GOAL C-PA-2: Please reword to state-**Create a continuous braided California Coastal Trail system of walking, hiking, and bicycling access routes and trailhead connections that maximizes coastal access, ocean views, and educational opportunities while **avoiding** adverse environmental impacts.

(Page 11)

The Following objectives should be added or reworded for the California Coastal Trail:

**Reword Objective C-PA-2.9:** Provide an educational experience through interpretive facilities **that are multi-lingual** where feasible.

**Add Objective C-PA-2.10:** Alignment of Coastal Trail should avoid areas vulnerable to SLR or bluff erosion.

#### *Trail Location and Alignment*

**Reword Policy C-PA-2a:** Provide a safe, continuous walking and hiking trail as close to the ocean as possible using the following standards:

Where it is not feasible to locate the trail along the shoreline due to natural landforms, **sea level rise vulnerability, bluff erosion** or legally authorized development that prevents passage at all times, inland bypass trail segments located as close to the shoreline as possible should be used.

Shoreline trail segments that may not be passable at all times, or that are not passable by bicycles, should be augmented by inland alternative routes that are passable and safe for pedestrians and **where appropriate** for bicycles.

**Reword Policy C-PA-2d:** The California Coastal Trail should use existing oceanfront trails, **beach routes**, and recreational support facilities to the maximum extent feasible.

**Public Safety:** the Sonoma Coast is a rugged shoreline predominated by unsafe beaches and shoreline. There is no mention of the nature of the Sonoma Coast nor any goals, objectives, or policies which address safety concerns for the public to include interpretive panels along the Coastal Trail and at trailheads or parking areas, the need for guardrails or other protective barriers, alignment of Coastal Trail to avoid dangerous shoreline.....

(Page 12)

#### **4.2 Access Planning And Development**

**Reword Policy C-PA-2f:** Provide low cost overnight camping and lodging facilities at periodic intervals along the California Coastal Trail corridor **while avoiding ESHA or areas of biological diversity** to support long term hiking and bicycling excursions.

**Reword Policy C-PA-2g:** The Coastal Trail should be designed and located to **avoid** impacts to environmentally sensitive habitat areas to the maximum extent feasible. Where necessary to prevent disturbance to sensitive species, sections of the trail may be closed on a seasonal basis. **For situations where impact avoidance is not feasible, alternate alignments should be provided. If alternate alignments are not feasible, appropriate mitigation measures should be incorporated, including but not limited to, use of boardwalks, reducing trail width and protective fencing.**

**Reword Policy C-WR-1n: Remove abandoned buildings within the alignment of future Coastal Trails along the Sonoma Coast. Consider preserving portions of these structures to remain if they provide coastal access or low-cost accommodations and can be maintained in safe condition.**

Placing Policy C-WR-1n in the Coastal Trail discussion of the Public Access Element only serves to facilitate construction of a Boardwalk along the Bay which is controversial due to vulnerability to sea level rise and impacts to sensitive habitat or Commercial Fishing. A policy on removal of deteriorated piers is necessary in the Public Facilities, Public Safety, or Land Use Elements but should not be associated with alignment of the Coastal Trail.

(Page 14)

The Public Access Element states that

*“Residential Conflicts : Access facilities must be designed and managed to minimize conflicts with residential development. The distance between coastal access trails and residences should be as large as possible to protect the quality of the user experience and the privacy of the occupants of the residence.”*

However, there are inadequate goals, objectives, or policies in the Planning & Development section 4.1 to ensure that access facilities will be designed, managed, or located to minimize conflicts with residential development.

For example: policies that follow ***Locating and Developing Parking Improvements*** (page 17 & 18) do not consider conflicts with residential uses or existing residential development.

**Reword Policy C-PA-4a:** Encourage new parking facilities in conjunction with development of new public access facilities. Parking may be developed in phases as use levels increase. At public access facilities, provide the maximum

parking capacity that does not reduce public safety or significantly impact the environment **or create conflicts with residential areas.**

(Page 15)

#### Development Review

**Remove Policy C-PA-3c:** This policy as written promotes development in sensitive areas by allowing work around alternative mitigations.

(Page 18)

#### Temporary Events on Public Beaches

**Remove Policy C-PA-4e:** Until completion of Program C-PA-3 continues to apply zoning permit standards for temporary private events on public beaches that do not involve structures or other coastal development.

The permitting of temporary events is a Land Use issue so no policies or programs regarding permitting temporary events should be hidden within the Public Access Element not should current protections which require a discretionary CDP for temporary events on beaches or the coast that pose impacts to coastal access or coastal resources be replaced by a ministerial permitting process.

(Page 21)

### **4.4 Recreational Boating**

**Reword Policy C-PA-6d:** Encourage the establishment of waterway trails **in non-sensitive areas away from wildlife breeding or feeding habitat** for non-motorized boating to promote environmentally sensitive water based education, recreation, and tourism. Provide information at launch sites for safe and responsible boating **including identification of sensitive areas and species and behaviors to avoid impacts to sensitive areas and species.** (NEW)

### **5.1 Public Access Programs**

**Remove Program C-PA-3:** Consider developing policies for review of applications for temporary private events on a public beach that consider: public or private use; type of associated coastal-dependent activities; displacement of public use; number of people; season, weekday or weekend, and hours; location and area relative to size of beach and public accessways; pedestrian access; transportation and parking; amplified music and other

noise; equipment; temporary structures and enclosures; food service; warming fires; signage; admission fee; wastewater and solid waste disposal; and required mitigation measures. (NEW)

Programs regarding permitting temporary events should not be included within the Public Access Element and are more appropriately placed in the Land use Element. Current protections which require a discretionary CDP for temporary events that pose impacts to coastal access or coastal resources should not be replaced by a ministerial permitting process.

**Remove Program C-PA—4:** Evaluate the feasibility of a Bodega Bay water tax to connect existing recreational and commercial facilities and reduce automobile dependency. (NEW)

This is an outdated and unpopular program proposal. Motorized traffic across Bodega Bay should be discouraged as it will interfere with commercial fishing, non-motorized recreational boating, and poses impacts to sensitive areas. This is primarily a tourism draw and not a local serving amenity.



**From:** [Laura Morgan](#)  
**To:** [PlanningAgency](#)  
**Cc:** [CAROLINE Higgins](#); [SonCo LCP.Update2020](#); [Ernie Carpenter](#)  
**Subject:** LCP ESHA Comment forwarded from Cea Higgins (in Switzerland currently)  
**Date:** May 11, 2022 2:52:04 PM

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I have not seen any policy which directly promotes restoration of ESHA. Labeling ESHA as "degraded" has often lead to allowing development of ESHA rather than ensuring restoration of degraded ESHA.

**Please add a new Policy: Ecological Restoration:** Encourage the restoration and enhancement of degraded ESHAs and the creation of new ESHAs, and streamline regulatory processes whenever possible to facilitate the successful completion of restoration projects."

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Sonoma County Board of Supervisors  
575 Administration Drive Room 100 A  
Santa Rosa, California 95403

And

Cicely Condon [PRMD-LCP-Update@sonoma.county.org](mailto:PRMD-LCP-Update@sonoma.county.org) June 21, 2021  
Sonoma County Permit and Resource Management Department  
2550 Ventura Avenue  
Santa Rosa, CA 95403

RE: Sonoma County Draft Local Coastal Plan Update - Public Access Plan

Dear Sonoma County Board of Supervisors and Ms. Condon,

Our family has a working cattle ranch in Marin County along the coast stopping at the Marin County line at the Estero Americano in Valley Ford.

For years we have been fighting future proposed trails to not be placed in or on our property lines. We were involved in the Local Coastal Plan update for Marin County regarding the California Coastal Trail to be placed on our property. Marin County agreed with us and felt that a trail in this area was only going to damage the environment, affect agricultural operations and trap pedestrians in a rural area. Marin County placed the CCT on Highway One to be continuous with Sonoma County Local Coastal Plan Update. (Map included with this letter) Marin County does not identify a continuous coastal alignment from Sonoma County across the county line at the Estero Americano showing on map # 25 of their Marin County Local Coastal Program. This area along the Estero Americano is only accessible during low tides as stated by Sonoma County. In Marin County, it is not accessible in many areas of this coastline. The cliffs are steep, and the footing is mostly in the water. This is dangerous to place and advertise a public trail in this area trapping people and or having them climb up the cliffs to private property.

We have been involved with Sonoma County for several years writing letters to keep development off the Estero Americano. We have written to your Board and PRMD, as well as attended many meetings regarding these future land markers and future development of this fragile estuary.

The proposed California Coastal Trail in your PRMD-LCP Update:

Public Review Draft September 2019  
Appendix B: Public Access Plan page 87  
(I-34) Short-Tail Gulch Trail

“It is possible to walk along the beach from the Estero Americano to Doran Beach at low tide.”

Placing this sentence in your Public Access Plan invites people to damage the coastline and the estero’s fragile integrity with out having a permanent, managed foot trail. It

invites trespassing and this trail is not continuous with Marin County Local Coastal Program Maps. Please take this sentence out of your LCP-Update.

Valley Ford Subarea 10 (Figure C-PA-1K)

(J-1) California Coastal Trail: Bodega Harbor Subdivision to Marin County page 88

“The coastal and inland routes of the California Coastal trail from Bodega Bay Harbor to Marin County are intertwined with both the Bodega Bay and Valley Ford Subareas. The coastal route follows the shoreline of the Bodega Harbor subdivision from Doran Regional Park to the Marin County line at the Estero Americano. This pedestrian only route is limited to use during low tides.”

Placing unmanaged coastline public trails in this fragile area will only cause harm to this area's ecosystem. Marin County has placed the California Coastal Trail inland as to not harm the coast environment. We would like Sonoma County to connect the California Coastal Trail inland to Marin County. The Marin County land along the coast at the Marin County line is in agriculture use with Marin Agriculture Land Trust. There is no sign managed public trail in this area. Telling the public that you can walk the coast to the Marin County line will cause trespassing, conflict with agriculture, and cause erosion to coast habitat. Please take out the sentence that invites the public to walk this proposed California Coastal Trail to the Marin County line that is not continuous.

“The inland route generally follows Highway 1 and Valley Ford Estero Road from the entrance of the Bodega Harbor Subdivision to the Marin County Line.”

This sentence needs to be changed to: “The California Coastal Trail route continues on Highway 1 at the County line of both Marin and Sonoma Counties.”

The word “generally” is an opinion, not a fact and needs to be taken out. Most highway traffic continues on Highway 1 and does not turn on Valley Ford Estero Road. This marker is now listed as (K-1) See enclosed map.

(J-2) Estero Americano Preserve page 89. This marker is now listed as (K-2) See enclosed map.

Map marker (J-2)/(K-2) and wording needs to be taken out of Public Access Plan as asked by the landowners. This property is not open to the public unless by an appointment. This marker posting and wording only invites trespassing.

(J-3)/(K-3) Estero Americano Water Trail page 89

There is no developed access water facility on the Estero Americano. The waters of the Estero Americano have the most significant habitat in the state. Marin County has elected in their Local Coastal Plan to have NO DEVELOPMENT in, on or along the Estero Americano. Marin County only allows scientific study and or restoration. We find it puzzling that Sonoma County wants to develop the same body of water that Marin

County wants to protect! Sonoma County Public Access plan wants to develop many boat launch sites – (J-5)/(K-5) Estero Trail Bordessa Ranch - Floating Dock, (J-6) Wildlands Conservancy - Boat Pull Out, (J-2)/(K-2) Sonoma Land Trust - Low-Impact Support Facilities, (J-3)/(K-3) Estero Americano Water Trail & (J-4)/(K-4) Estero Americano Valley Ford Access - Create a Maximum Public Access with Bathroom Facilities. (J-4)/(K-4) is on Marin County Land and is not located in Sonoma County; the land is also private property. These proposed development plans will surly decimate the Estero Americano waters and shores with increased public population.

Who will patrol the public and keep them safe while protecting the estero's integrity? Why is Sonoma County developing Marin County lands in their county LCP-Public Access Plan? Does Marin County develop Sonoma County Lands? What county will pay for this development and keep it maintained? Did Marin County give consent to Sonoma County to develop private property on the Estero Americano?

Please take out map markers (J-3) & (J-4) that are located in Marin County on your maps. Now listed as (K-3) and (K-4) See enclosed map. Please take out ALL wording located on page 90, Public Review Draft, September 2019, that pertains to the Estero Americano Water Trail and Estero Americano Valley Ford Access located in Marin County. You listed Valley Ford Estero Road as the access point of boat launching. You listed the wrong road. It is not Valley Ford Estero Road. The private property that people use to launch boats into the Estero Americano, is located in Marin County on Marsh Road. Your proposed Estero Americano Water Trail is also in Marin County on Marsh Road and needs to be removed from maps. There is no way to launch a boat off the high bridge at the Sonoma - Marin County line. Markers are placed on maps incorrectly and need to be removed. Enclosed is two letters from Marin County - Tom Lai, Director of Community Development Agency asking PRMD to request removal of markers (K-2) and (J-4)/(K-4). Also removal of wording regarding these markers. Marin County also ask that wording regarding California Coastal Trail along coast from Doran Regional Park to the Marin County line at the Estero Americano be removed. Marin County ask that this CCT trail be aligned inland on Highway One. Enclosed Map #25 showing this proposed trail alignment for Marin County. This will preserve sensitive ecosystem in recognition of the difficult terrain.

We would like to see the Estero Americano preserved and not developed. We hope you understand our concerns with public trails and the adverse effects that they may cause to the estero's beautiful eco system.

We appreciate being able to comment on your proposed Sonoma County Draft Local Coastal Plan Update - Public Access Plan.

We would also like to remain on the contact list for any further plans for the Valley Ford Area and the development of the Estero Americano. In past years, we have been taken off mailing list. Can you also print our letters with other comment letters? Thank you!

Any questions, please contact us: The Spalettas Box 506 Valley ford, CA 94972

*n Spaletta@gmail.com*  
*Resending (2 Letters) again*  
*Only - Nov 7, 2020 is listed as submitted.*  
*Letter*



Nichola Spaletta &lt;nspaletta@gmail.com&gt;

**Fwd: Sonoma County Local Coastal Plan update-Public access Plan**

1 message

Nichola Spaletta &lt;nspaletta@gmail.com&gt;

Wed, Feb 23, 2022 at 6:24 PM

~~Rebecca Spaletta <r\_spaletta@yahoo.com>~~

Cc: Nichola Spaletta &lt;nspaletta@gmail.com&gt;

Sent from my iPhone

Begin forwarded message:

**From:** Nichola Spaletta <nspaletta@gmail.com>  
**Date:** February 23, 2022 at 2:11:50 AM PST  
**To:** PRMD-LCP-Update@sonoma-county.org, PlanningAgency <PlanningAgency@sonoma-county.org>, Nichola Spaletta <nspaletta@gmail.com>  
**Subject:** Sonoma County Local Coastal Plan update-Public access Plan

To Whom it May Concern,

Our family has owned an agricultural cattle ranch active with both the Williamson Act and Marin Agricultural Trust on the Marin County side of the Estero Americano since 1988. We are very concerned about the possible future development and intensity of use of this very fragile estero being planned by Sonoma County. The Estero Americano waters run into the Pacific Ocean and is managed by the Gulf of the Farallones National Marine Sanctuary.

Marin County Local Coastal Plan was approved by the California Coastal Commission to NOT DEVELOP the Marin county side of the Estero Americano shores and water. The only development that was approved was: Marin County LCP:POLICY C-BIO-15 "8. In the Esteros Americano and de San Antonio, limit any alterations to those for the purpose of scientific study or restoration." We feel that the Sonoma County Local Coastal Plan Update should also plan on NO DEVELOPMENT of their shores and water. Sonoma County should follow the same management and guidelines as Marin County. This is the same body of water that is between these two counties. The estero's width ranges from around three feet to one thousand, two hundred feet.

Sonoma County does not agree to follow Marin County and the Coastal Commissions plan and future guidelines within the same body of water of the "Estero Americano" of Northern California as stated in their SCLP-Update.

The Sonoma County LCP-Update has proposed five different boat launch sites along this Environmentally Sensitive Habitat Area. Four are located on map: Public Access Figure C-PA-1K Public Access SubArea Valley Ford- 6/3/2019. Markers K-1-K-5. You also can view their recent map: Sonoma County Local Coastal Plan Environmentally Sensitive Habitat Area (ESHA) Figure C-OSRC-2K Sub Area 10 Valley Ford- 10/20/2020 This map clearly states that this area is filled with many sensitive habitat environments near these proposed boat launch access points.

Wetlands, Tidal salt marsh, and Riparian Corridors to name just a few. The first boat access is proposed on the shore of the Wildland Conservancy property as a "Boat Pull Out" located near the mouth of this estero at a future date. This "Boat Pull Out" is not on maps, but is proposed by Wildlands Conservancy. The proposed launch hours are 7:00 am to 7:00 pm, seven days a week. A steelhead trout route runs from the mouth of this estero and goes past this whole frontage property. Placing a boat ramp in this area that is also in a State Marine Protected Area (State Coastal Commission, 2002) is very damaging to the steelhead trout that are a Special-status species. There are eelgrass beds in this area as well that provide food, shelter and nesting habitat for many marine and plant life. If boats are coming and going in this area as proposed, the

marine and plant life will diminish and most likely never come back. Is this the future of this estero to have a great intensity of public use and development by Sonoma County to ruin this very fragile area? We hope not and would like to see this area remain undeveloped and protected. These waters are home to many marine and freshwater species. Several water and land species are federally endangered and or labeled special status. California Red-Legged Frog, Coho Salmon, Tidewater Goby, Tri-Colored Blackbird, Contra Costa Goldfields, and the Myrtle's SilverSpot Butterfly are some listed.

The second boat access point is located in a Freshwater Herbaceous Wetland area of the Bordessa Ranch-Estero trail property near the middle of the Estero Americano, Marker K-5 ESTERO TRAIL- A proposed 400 foot floating boat ramp mat will be placed on the wetland grasses for people to walk and carry their boats into the water. The grasses will be trampled on and when they disappear, people will be walking on the mud flats. During construction of this boat launch site, the Special-status Northwestern Pond Turtle spotted in this area will be removed if seen. They nest and lay their eggs along the shores of this estero. If these turtles are bothered, they will not return. This proposed floating dock will have signage moved as the boat ramp moves. This launch site will be used by the public seasonally, seven days a week from sunrise to sunset. This area of waters has Freshwater/Brackish marsh located on both sides of the proposed boat access point. These brackish marshes are rare in many areas and are very sensitive giving abundance protection, food, and roosting area for marine life. There is no proposed management for boaters or funding for future protection of both boaters and the estero in this Bordessa Ranch-Estero Trail Plan. Why is a floating boat ramp being proposed in such a sensitive habitat area that is considered one of the most significant habitat areas in the state? How will these boaters be monitored and protected by the changing tides and ferocious winds? When they embark, will they trespass on agricultural lands that surround both banks of the estero? Will they be back in time to get their auto before the gates close? Will they picnic on private lands? Bathrooms? garbage? Fires? Rescue management and funding? The marker needs to stop at the estero. No Boat Ramp. Save your money and Preserve the Bordessa Ranch with more education for the public.

The third boat access is Marker, K-2 ESTERO AMERICANO PRESERVE- This marker is surrounded by private property. In order to reach this preserve, you must trespass on the surrounding lands. This preserve is private property and can only be accessed by a reservation and permission by land owner. This marker needs to be removed off maps. It is confusing to the public as it is marked on maps as a boat access, and is not listed as private.

The fourth Marker, K-3 ESTERO AMERICANO WATER TRAIL- This marker was placed on Marin County Lands. This marker was asked to be removed from Marin County land by Marin County Community Development Agency. It was then removed and placed in water in Sonoma County just over the county line that is located on private property in a cattle pasture. There is no boat access in this area as stated by Marin County. Boaters have to trespass to get to the marker in cattle pasture. This marker needs to be removed from maps as there is no public boat access in this area of Sonoma County.

The fifth Marker, K-4 ESTERO AMERICANO VALLEY FORD ACCESS is located on Marsh Road, Valley Ford in Marin County. This marker was also asked to be removed from Marin County land with wording from Sonoma County Local Coastal Plan Update. This marker is still on the Public Access map located in Marin County. Marin County has no plans to develop this area or acquire land in this area. This marker is out of the jurisdiction of Sonoma County and it's LCP Update and was asked to be removed and should be removed from maps.

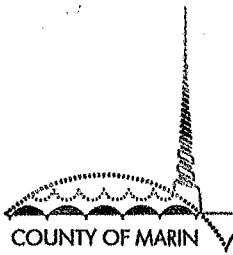
Lastly, Marker K-1 BODEGA HARBOR SUBDIVISION TO MARIN COUNTY. This marker has wording for the California Coastal Trail "The coastal route follows the shoreline of the Bodega Harbor subdivision from Doran Regional Park to the Marin County Line at the Estero Americano. This pedestrian only route is limited to use during low tides, although portions can be accessed anytime from Doran Beach, Pinnacle Gulch, and Short Tail Gulch Trail." For seven years our family and Marin County have asked that this trail be placed on Highway One so it would be continuous with Marin County California Coastal Trail alignment. (MAP #25 Enclosed) As you state this trail is only limited to use at low tides. At high tides it is underwater, un accessible, dangerous and detrimental to the coast's ecosystem. Marin County states that this coastal route is of difficult terrain and would have potential conflict with agricultural uses. The footing is not a permanent, maintained and safe pedestrian trail. People would get caught in the tides and have to be rescued or they would hike up on private property and trespass. This marker location, and writing, telling the public to walk in water will cause erosion and damage to the coastal region in this area. Keep the people out of the water and safe. Take this CCT trail marker and wording off Sonoma County maps, as it does not connect to any trails in this coastal area past the Marin County Line.

We have enclosed a letter to Cicely Condon that we did not see if you received. We have not heard from any of our senders and our phone calls are not returned. We have written to several Sonoma County agencies for seven years regarding our feelings on why the Estero Americano should not be developed. We hope by reading our letter that you have a better understanding as to why the Estero Americano should be preserved and protected as an Environmental Sensitive Restricted Area.

Thank you for giving us the opportunity to comment.

Sincerely,

Nichola Spaletta, Family  
nspaletta@gmail.com



COMMUNITY DEVELOPMENT AGENCY  
PLANNING DIVISION

March 8, 2021 (Sent Via Email to [PRMD-LCP-Update@sonoma-county.org](mailto:PRMD-LCP-Update@sonoma-county.org))

Cecily Condon  
Sonoma County Permit and Resource Management Department  
2550 Ventura Venue  
Santa Rosa, CA 95403

RE: Sonoma County Draft Local Coastal Plan Update - Public Access Plan

Dear Ms. Condon:

I am writing in response to concerns raised by the Spaletta Families in their comment letter dated November 28, 2020 regarding the 2019 Public Review Draft of Sonoma County's Local Coastal Plan Update. Specifically, Section J-1 (Valley Ford Subarea 10) states:

"The coastal route follows the shoreline of the Bodega Harbor subdivision from Doran Regional Park to the Marin County line at the Estero Americano. This pedestrian only route is limited to use during low tides, although portions can be accessed anytime from Doran Beach, Pinnacle Gulch, and Short Tail Gulch Trail."

The recommended coastal route is depicted in Figure C-PA-1K which shows an access point (K-2) at the Estero Americano Preserve. Please note that Marin County does not identify existing, proposed, or continuation of a coastal access alignment from Sonoma County across the county line at the Estero Americano. The Marin County Local Coastal Program identifies the proposed coastal trail alignment inland along Highway 1, which provides a seamless transition into the proposed alignment at Valley Ford, as depicted in Figure C-PA-1k. Our Local Coastal Program identifies the inland (Highway 1) alignment for the proposed coastal trail in recognition of the difficult terrain, sensitive ecosystem, and potential conflict with agricultural uses associated with a coastal alignment.

Please let me know if you have any questions regarding this matter. I can be reached at (415) 473-6292 or by email at [tlai@marincounty.org](mailto:tlai@marincounty.org).

Sincerely,

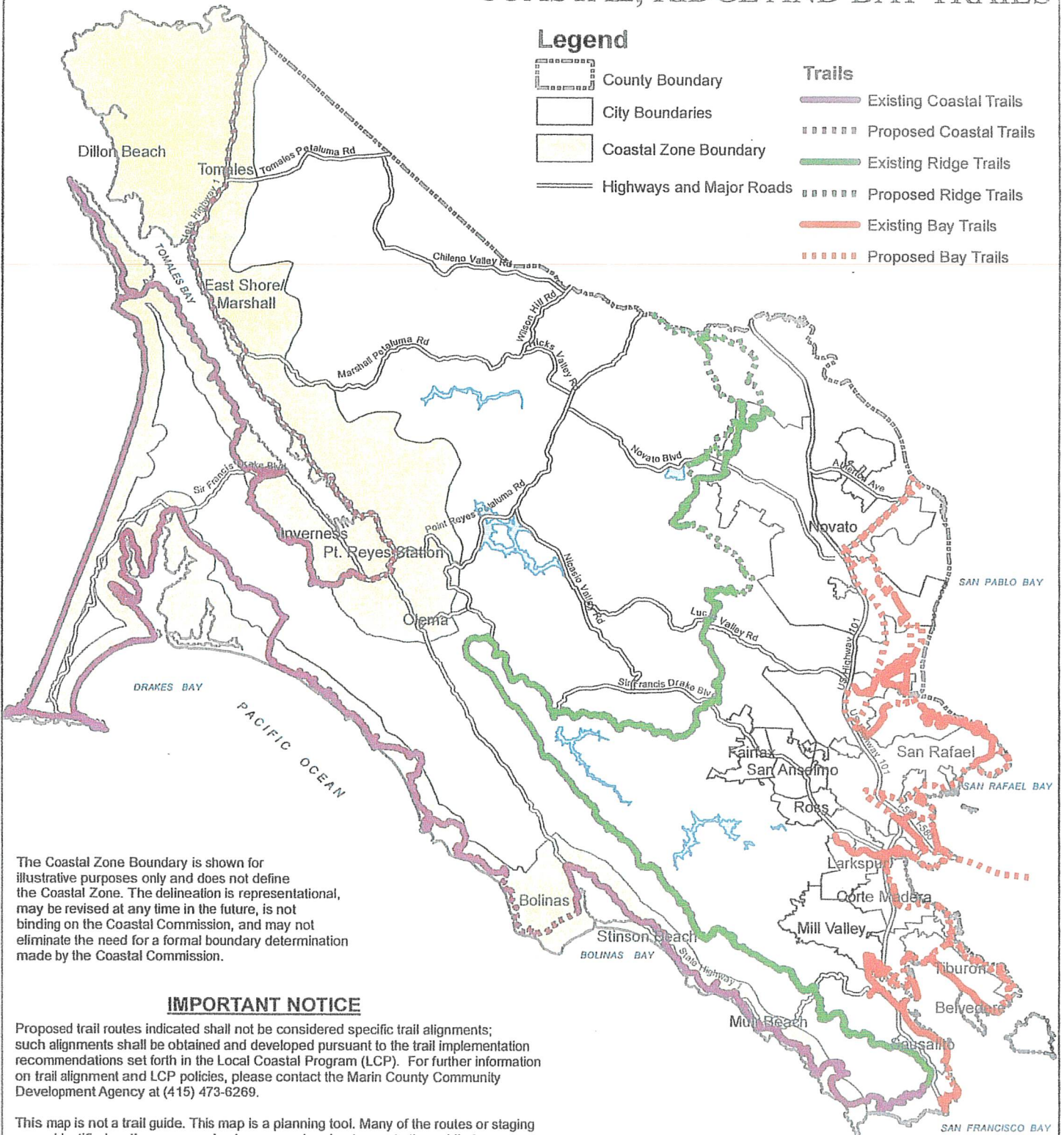
Tom Lai, Interim Director

Attachment: Marin County Local Coastal Program Map 25

# MAP 25 COASTAL, RIDGE AND BAY TRAILS

## Legend

- |   |                          |   |                         |
|---|--------------------------|---|-------------------------|
|  | County Boundary          |  | Existing Coastal Trails |
|  | City Boundaries          |  | Proposed Coastal Trails |
|  | Coastal Zone Boundary    |  | Existing Ridge Trails   |
|  | Highways and Major Roads |  | Proposed Ridge Trails   |
|   |                          |  | Existing Bay Trails     |
|   |                          |  | Proposed Bay Trails     |



The Coastal Zone Boundary is shown for illustrative purposes only and does not define the Coastal Zone. The delineation is representational, may be revised at any time in the future, is not binding on the Coastal Commission, and may not eliminate the need for a formal boundary determination made by the Coastal Commission.

### IMPORTANT NOTICE

Proposed trail routes indicated shall not be considered specific trail alignments; such alignments shall be obtained and developed pursuant to the trail implementation recommendations set forth in the Local Coastal Program (LCP). For further information on trail alignment and LCP policies, please contact the Marin County Community Development Agency at (415) 473-6269.

This map is not a trail guide. This map is a planning tool. Many of the routes or staging areas identified on the map are simply proposed and not open to the public for any purpose. This map does not convey any rights to the public to use any trail routes shown on this drawing; nor does this map exempt any person from trespassing charges. For copies of maps about existing trails that are available for public use, contact the Marin County Department of Parks and Open Space at (415) 473-6387.

Note: For questions or comments on these State and Regional trails, please contact the appropriate agency.

SOURCE: Association of Bay Area Governments (Bay and Ridge Trails), California State Coastal Conservancy, California Coastal Commission (Coastal Trails).



THIS MAP WAS DEVELOPED FOR PLANNING PURPOSES AND IS ILLUSTRATIVE ONLY. THE COUNTY OF MARIN IS NOT RESPONSIBLE OR LIABLE FOR USE OF THIS MAP BEYOND ITS INTENDED PURPOSE. THIS MAP IS REPRESENTATIONAL ONLY. DATA ARE NOT SURVEY ACCURATE.

Date: 12/22/2016

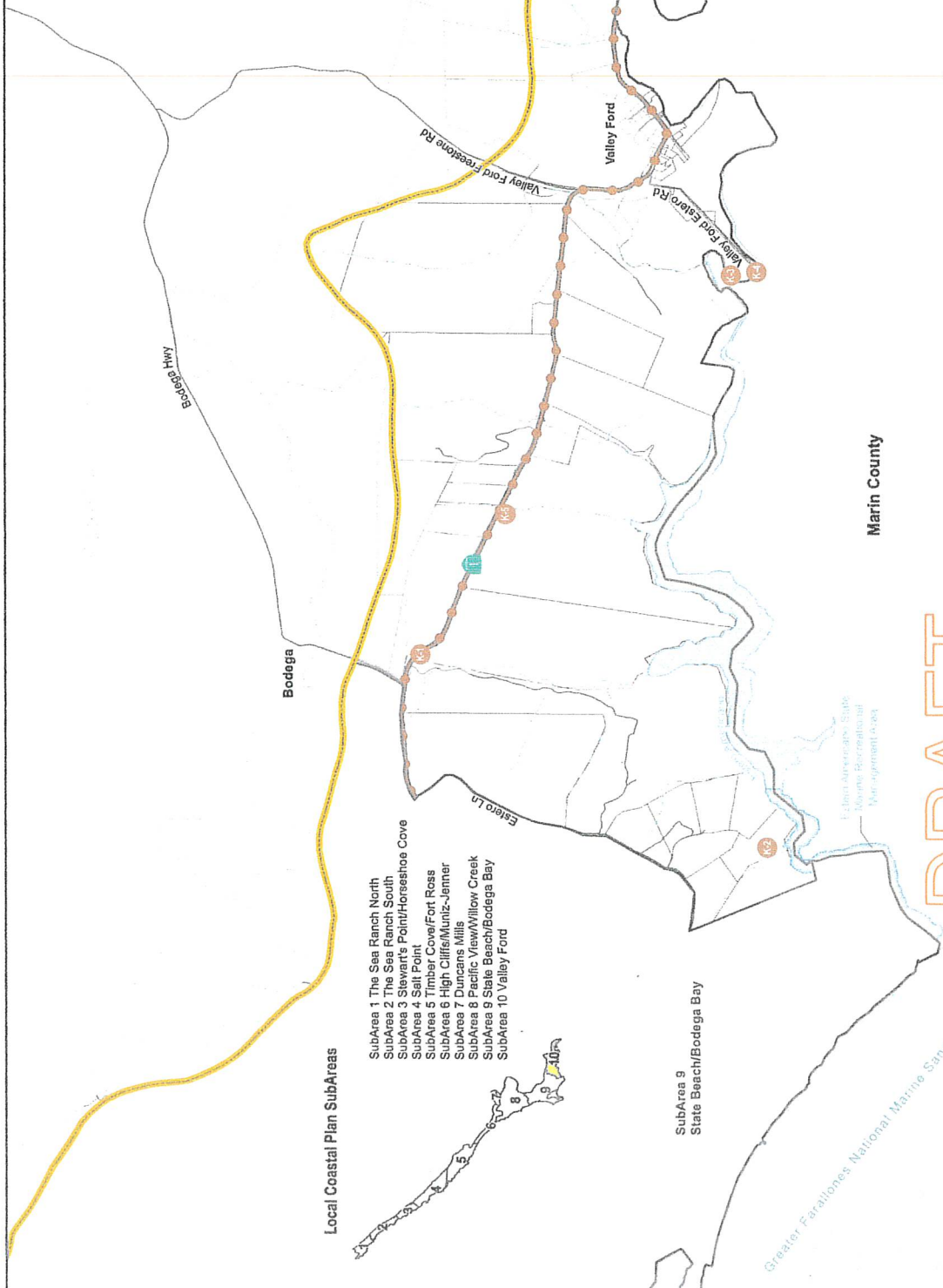
File: Map 25\_Coastal Ridge Bay Trails.mxd





# Sonoma County Local Coastal Plan Public Access

- Greater Farallones National Marine Sanctuary
- State Marine Protected Area
- California Coastal Trail (CCT)
- Future
- Access Point/Traffichead
- Baseo Map Layers
- Coastal Sub-Area
- Parcel
- Coastal Zone Boundary
- Highway
- Road
- Perennial Stream
- Intermittent Stream



## Local Coastal Plan SubAreas

- SubArea 1 The Sea Ranch North
- SubArea 2 The Sea Ranch South
- SubArea 3 Stewart's Point/Horseshoe Cove
- SubArea 4 Salt Point
- SubArea 5 Timber Cove/Fort Ross
- SubArea 6 High Cliffs/Munitz-Jenner
- SubArea 7 Duncans Mills
- SubArea 8 Pacific View/Willow Creek
- SubArea 9 State Beach/Bodega Bay
- SubArea 10 Valley Ford

SubArea 9  
State Beach/Bodega Bay

Marin County

**FIGURE C-PA-1k**  
Public Access  
SubArea 10  
Valley Ford

**DRAFT**

- ID NAME
- K-1 CCT: Bodega Harbor Subdivision to Marin County
- K-2 Estero Americano Preserve
- K-3 Estero Americano Water Trail
- K-4 Estero Americano Valley Ford Access
- K-5 Estero Trail

**Note:**  
In some areas the County's parcel base is not in alignment with the coastline. In these areas the mapped locations of access points/trafficheads and the proposed California Coastal Trail relative to parcel boundaries is approximate. Any scale and reproduction methods limit precision in physical features displayed. The parcels combined herein are not intended to represent surveyed data. This map is for illustrative purposes only and does not reflect all public. Specific details are subject to change. This map is for the description of the existing and planned paths and access points/trafficheads.

Data Source: Sonoma County PRWD GIS; Sonoma County Regional Parks, California Dept of Fish & Wildlife, NOAA - Office of National Marine Sanctuaries

Author: PRWD Category: J. Saville File Number: S:\SUBAREA\PRWD\_BASER\PRWD\_District\Physical\Comprehensive Planning\Local Coastal\Public map\Public Review Draft\Figure C-PA-1k\_Plandr Date: 10/20/19



Permit and Resource Management Department  
2550 Ventura Avenue, Santa Rosa, California 95403  
707-565-1900 FAX 707-565-1103



## Agriculture

(Please note mis-numbering of pages in this Element)

### Page AR-2, 2.1, FARMLAND IN THE COASTAL ZONE

**Comment:** There is no explicit mention of the Williamson Act and Agricultural Preserves in this section.

**Recommendation:** [Here is suggested language from the 2008 LCP:](#)

"Many landowners in the Sonoma coastal zone have demonstrated a commitment to agriculture by entering into Williamson Act contracts. The California Land Conservation Act of 1965 (the Williamson Act) allows counties to establish agricultural preserves and thereby give tax reductions to landowners engaged in commercial agricultural operations. Under current law, lands under contract are appraised by the county assessor for their agricultural productivity rather than market value. When an agricultural preserve is formed, State law requires all lands in the preserve to be zoned to prevent land uses incompatible with agriculture within the preserve. In signing a contract with the County, the landowner agrees to retain his land in agricultural uses for at least ten years."

### Page AR-4, 4.1 RESIDENTIAL SUBDIVISION POTENTIAL

**Comment:** What does **RESIDENTIAL SUBDIVISION POTENTIAL** mean? This header implies that Ag land will be converted to residential subdivisions, in contradiction to Page AR-2, 1.1 PURPOSE: "The California Coastal Act protects productive resource lands, including agricultural lands, and establishes agriculture as a priority use and emphasizes the retention of agricultural land in production."

**Recommendation:** [Please directly cite Coastal Act Section 30222:](#)

"The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over **agriculture** or coastal-dependent industry."

“Complaints about noise, odors, flies, **spraying of pesticides**, and similar nuisances related to agricultural practices may discourage and sometimes prevent farmers from managing their operations in an efficient and economic manner.”

**Comment:** Pesticide applications are not necessary to efficient and economic agricultural operations. Witness the burgeoning market for organic products and the public and environmental health risks of pesticide application. Their use in the Coastal Zone is inadvisable altogether, due to both human and biotic impacts such as pollinator, bird and mammal by-kill.

**Recommendation:** Please omit “**spraying of pesticides**”.

**Objective C-AR-1.1:** “**Avoid** the conversion of agricultural lands to residential or non-agricultural commercial uses.”

**Comment:** “Avoid” is too weak a word to use in the context of Ag land commercial uses.

**Recommendation:** Please change the word “**avoid**” to the word “**prohibit**”.

**Policy C-AR-1a:**

“The following criteria shall be used for approval of subdivisions on designated Land Extensive Agriculture or Diverse Agriculture:

(b) agricultural conversions shall be limited and evaluated **on a case-by-case basis.....**”

**Comment:** As has been seen in the costly and contentious 5-year struggle to create a Sonoma County Winery Event Ordinance, lack of clear criteria for application permitting, administered on a case-by-case basis, leads to unnecessary expenditure of County time and effort as well as public conflict.

**Recommendation:** We strongly recommend outlining specific criteria for agricultural conversions in this LCP Update for public review, in advance of its presentation to the Board of Supervisors.

**Policy C-AR-1b: “Subdivisions on designated resource and agricultural lands shall be permitted only for development related to the pursuit of either agriculture or forestry, as appropriate; and only with mechanisms such as open space or agricultural easements to ensure the long-term protection of agriculture and resource production. (EXISTING LCP REVISED)”**

**Comment:** Objective C-AR-1.2 and the Policies which follow express intent and detailed plans, at the discretion of Permit Sonoma, to convert agricultural land in the coastal zone to residential subdivisions. Even with the proviso that they.....”shall be permitted only for development related to the pursuit of either agriculture or forestry, as appropriate”, there is no clear definition of the word “appropriate” or specific examples of what those pursuits would be. Since agricultural product promotion is deemed essential to agricultural profits in Sonoma County, it is logical to assume that there would be more visitor-serving commercial uses of agricultural lands in the Coastal Zone, such as promotional events, as a result.

**Recommendation:** We strongly recommend that Objective C-AR-1.2 and Policies C-AR-1a and 1b be struck from the LCP Update entirely and replaced with specific criteria for subdivision permitting, as stated above.

## Page AR-6, PROTECTION OF AGRICULTURAL LAND

**GOAL C-AR-2:** “Maintain agricultural production by **limiting intrusion of urban development on agricultural land.**”

**Objective C-AR-2.1:** “**Limit intrusion of urban development in agricultural areas.**”

**Comment:** “Limit” implies intention to permit urban intrusion in agricultural lands. Even with conditions, this is contradictory to the Coastal Act and contradicts the previous rhetoric of **PROTECTION OF AGRICULTURAL LAND.**

**Recommendation:** Replace the word “limit” with the word “prohibit”.

**Objective C-AR-2.3:** “**Limit extension of sewer and other urban services** beyond the Bodega Bay Urban Service Area Boundary and Rural Community Boundaries.”

**Comment:** “Limit” again implies intention to permit extension of sewer and other services, presumably water, beyond the Bodega Bay Urban Service Area Boundary and Rural Community Boundaries. The Coastal Zone is a Class 4 Water area and drought is the new normal.

**Recommendation:** **Change the word “limit” to the word “prohibit”, or drop this Objective and any other language promoting public services outside of urban or rural community boundaries, save for failed septic systems that pose a public health risk.**

**Policy C-AR-2c:** “Extension of urban services.....shall be limited to....solve existing health and safety problems, **unless allowed by the Public Facilities and Services Element** or Policy C-AR-7b (aquaculture).”

**From Public Facilities and Services, Policy C-PF-2a:** “In areas with limited service capacity, **new development for a non-priority use, including land divisions, not specified above, shall only be allowed if adequate capacity remains for Coastal Act priority land uses.**”

and **Policy C-PF-2e(4):** “**Use agreements, covenants and zoning to limit the growth inducement potential of extension of public sewer services.**”

**Comment:** These policies are essentially providing for new development for non-priority uses outside of urban and rural community boundaries by extension of water and sewage services. There is no definition of “adequate capacity” remaining for Coastal Act priority land uses. The use of “agreements, covenants and (pending) zoning is not defined, specific nor enforceable.

**Recommendation:** **Change Policy C-AR2c by dropping the words: “....unless allowed by the Public Facilities and Services Element or....”.**

**Policy C-AR—3a: “.....and spraying of chemicals.”**

**Comment:** “Spraying of chemicals” does not specify what type they may be, (eg, copper sulfate, synthetic pesticides, hormones or fertilizers). There are differences between the public health effects of various sprays.

**Recommendation:** Please specify the types of chemical sprays being referred to and expressly exclude the spraying of pesticides or application of rodenticides in the Coastal Zone.

## **Page AR-8, 4.3 AGRICULTURAL SUPPORT USES**

### **Vineyards and Wineries in the Coastal Zone (margin)**

**Comment:** The overarching theme of this aside is one of reassurance that there have never been wineries in the Coastal Zone for a variety of reasons. However, it is noted that “**there are wineries within a mile of the Coastal Zone**” and that “**a Coastal Development Permit would be required**”, an **historically obtainable goal**. Given the desirability of a cooler climate for many wine grape varieties in the current setting of Climate Change, it is easy to picture vineyards and wineries permitted in the Coastal Zone in future. The vast majority of vineyards in Sonoma County use synthetic pesticides, remove trees, rip land in an erodible manner and require access roads and heavy equipment. These practices would be ecologically disastrous in the Coastal Zone and strongly opposed by the public.

**Recommendation:** Prohibit vineyards and wineries in the Coastal Zone.

### **4.3.2 Agricultural Visitor-Serving Uses (Agricultural Tourism)**

“Examples-of these uses are **farm-stays.....**”.

**Comment:** There is countywide difficulty passing a vacation rental ordinance and no vacation rental regulation whatsoever in the Coastal Zone.

**Recommendation:** Please define “**farm-stay**” and “**hosted rentals on agricultural land with regard to their physical setting, purpose, host requirements and activities related to the experience of farm life for visitors.**”

## Page AR-9, Goals, Objectives and Policies|Agricultural Support Uses

**Policy C-AR-5b:** “Storage facilities shall be permitted for agricultural products grown, prepared, or processed on-site.

**Comment:** It is not unusual for agricultural products grown out of area to be combined with local products, for commercial purposes.

**Recommendation:** Change to “Storage facilities, processing and promotional activities shall be permitted....”.

**Table C-AR-3 (NEW) :** Row crops (cannabis) are Principally Permitted “by right”, with no permit required. Vineyards are Principally Permitted at the discretion of Permit Sonoma. Constraint “2” does not provide appeal details. The “map on file at Permit Sonoma” per which appealable areas are shown is not displayed here, nor described.

**Comment:** As the LCP will determine Coastal Zone Policy for the next 20 years, it would behoove us to consider the potential water-depleting and other consequences of cannabis farming and processing, vineyards, wineries and events for both these forms of agriculture in the Coastal Zone. There are no criteria listed for discretionary permitting of wineries by Permit Sonoma. There is no mention, let alone regulatory language, re: events on agricultural lands.

**Recommendation:** Prior to presentation of this Draft LCP Update to the Board of Supervisors, specific policy re: cannabis growing and processing in the Coastal Zone should be written and offered for public review. Likewise, Permit Sonoma criteria for discretionary permitting of vineyards and wineries and event policy for agricultural lands should be written and publicly reviewed.

## Page AR-11, Goals, Objectives and Policies|Farmworker Housing

**Recommendation:** Please add a policy prohibiting conversion of farmworker housing to visitor-serving uses.

## **Marine Aquaculture Fishing**

**Comment:** Current language regarding aquaculture should be removed and replaced with Coastal Act and OPC consistent policy on aquaculture including policies regulating onshore support facilities with specific requirements of ocean water intake/discharge pipes for onshore aquaculture and—as the County controls leases to Sonoma Coast tidelands—also include policies that protect seagrass and salt marsh habitat, promote practices that reduce marine debris, restrict cultivation of non-native species, protect wildlife habitat, and address spatial conflicts with recreational and commercial fishing uses.

[Cea Higgins is drafting and will submit suggested policy language separately as requested by Gary H.](#)



## SSC's LCP Public Safety Element Recommendations

**General:**

**From Permit Sonoma Code Enforcement Violation Penalty Fees:**

**“Permits for commercial and residential violations may be calculated in the following manner:**

- 1. A per day rate between \$5.00 and \$100 per day for the first violation of any Sonoma County Code Section.**
  - A per day rate between \$5.00 and \$200 per day for the second violation of the same Sonoma County Code Section within a 12-month period.**
  - A per day rate between \$5.00 and \$500 per day for the third violation of the same Sonoma County Code Section within a 12-month period.**
- 2. A multiple of the permit fee ( from three to ten times) if the violation can be corrected with a permit.”**

**Comment:** These violation fees comprise insignificant disincentive to prevent coastal development.

**Recommendation:** For violations of permit conditions, zoning and code, increase the per-day violation fee for all violations in the Coastal Zone compared to the rest Sonoma County to a rate that is truly disincentivizing (eg, \$100-300 per day for first violations, \$300-600 per day for second violations and \$1000 per day for third violations), in addition to the other mitigating measures listed.

**Policy C-PS-3b:** Floodplain management shall be given priority over flood control structures for preventing property damage from flooding, **except where the intensity of development** justifies the costs of a bank or shoreline protection structure, and such structure complies with requirements of the California Coastal Act and shoreline protection structure requirements of this Public Safety Element. (GP2020)

**Comment:** It would be an error of permitting to approve an “intensity of development” in an area that **“requires a high level of protection”** from flooding in the first place.

**Recommendation:** Drop the rest of the policy after the words:....damage of flooding.”

**Policy C-PS-3g:** **Assess potential hazards from proposed development on a case by case basis** to ensure that siting, mitigation measures, or design changes are sufficient to reduce exposure to these hazards to an acceptable level. Such assessments shall consider hazards from river and creek flooding, dam failure, storm surge and high waves during storms, sea level rise, and undersized or blocked stormwater facilities. (NEW)

**Comment:** There are already guidelines requiring expert (eg, geologic) assessments for every development permit application. The term “case by case basis” may imply to applicants that requirements may be discretionarily waived.

**Recommendation:** Change the words: .....”proposed development as stated in Policies C-PS-2f and i, and according to independent standards based on the best science available, to ensure that.....”.

**Policy C-PS-4f: New development shall be avoided on undeveloped land immediately adjacent to wetlands or other sensitive habitats that are at risk of inundation or flooding....”**

**Comment: New development adjacent to wetlands is to be prohibited within 100’, according to the following Policy, -4g.**

**Recommendation: Change the wording of this Policy to: “For undeveloped land immediately adjacent to wetlands..... flooding, new development applications will be referred for California Coastal Commission review. Wetland and habitat restoration projects will be strongly encouraged instead.”**

**Note: CalFire’s Fire Hazard Severity Zone Mapping has changed since this LCP Draft’s Wildland Fire Threat maps were drawn.**

**General Recommendations:**

**Access roads to any residence, school, hospital, or public facility, etc, should be at least 15’ wide, to allow for simultaneous evacuation and first response.**

**The document “*Living in a Fire-Adapted Landscape*”, produced by Sonoma County Ag and Open Space and Greenbelt Alliance through The Watershed Collaborative project and approved by the Sonoma County Board of Supervisors in 2018, is important to include as a guideline and reference in the Public Safety Element. It was written expressly in response to the climate change**

impacts of both fire and drought in Sonoma County. It should be mentioned under Section 1.3– Relationship to Other Plans and Regulations and more details should be given in Section 6.1.2, Land Use Planning, under Wildlands Fire Hazard Policy.

Re: Policy itself, Section C-PS-5, should reflect the actual recommendations applicable to agricultural and open space lands below:

**“Priority Actions: Land Management**

**1. Take actions to protect natural and agricultural lands in the short and long term. Key concerns include water quality impacts, sensitive habitat damage, road and slope failures, and invasive plant proliferation.**

**a. Focus fire-related sediment and toxin contamination control efforts on rural home sites near waterways and steep slopes, and remove hazardous debris from waterways.**

**b. Evaluate and prepare necessary culvert and road repairs for infrastructure damaged by fire or by subsequent debris flows and higher stormflows.**

**c. Prepare for invasive species management on burned lands.**

**d. Implement land management best practices within 100 feet of creeks.**

**2. Restore sensitive natural landscapes disrupted by fire and pre-fire degradation. Some areas may require active management, including erosion control, native plant revegetation, etc.**

**a. Collect fire-related hazard trees for use as large woody debris in riparian restoration projects.**

**b. Identify high-sensitivity natural areas that may need restoration (e.g., high-intensity burn areas, graded areas in high quality or rare vegetation types, riparian habitat) and implement forward thinking, with climate change resilient restoration projects based on best available science.**

**c. Repair damage to lands caused by fire suppression [bulldozer lines and other fire breaks, fire retardant, etc.]**

**d. Improve wetland habitat waters.**

**e. During fire-restoration activities, include pre-fire-degraded areas in targeted enhancements.**

**3. Increase local capacity to effectively prevent build-up of dangerous fuel loads, enhance environmental benefits, and protect escape routes.**

**a. Create and maintain firebreaks that provide multiple benefits beyond fuel load reduction, including agriculture, recreation, biodiversity, water supply and quality, and carbon sequestration.**

**b. Expand local capacity for utilizing prescribed burns to manage fuels and maintain healthy ecosystems.**

**c. Support establishment of Forest Health Districts or a similar mechanism to provide structure, funding, and resources for rural landowners to collectively manage forest lands in ecologically sound manner.**

**.**

**From:** Gary Helfrich  
**To:** [Denny Tibbets](#)  
**CC:** [Scott Orr](#)  
**Subject:** FW: Zoom comments made during March 3, 2022 LCP meeting  
**Date:** June 07, 2022 2:52:20 PM

Not sure how to respond to this request.

Gary

**From:** Denny Tibbets <tibbs44@comcast.net>  
**Sent:** Tuesday, June 07, 2022 2:51 PM  
**To:** Gary Helfrich <Gary.Helfrich@sonoma-county.org>  
**Subject:** Zoom comments made during March 3, 2022 LCP meeting

EXTERNAL

In review of the LCP meeting video, Scott Orr indicated that my connection was poor and some of the comments were missed. Here is a written copy of what I said.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.  
Warning: If you don't know this email sender or the email is unexpected,  
do not click any web links, attachments, and never give out your user ID or password.

Thank you for this opportunity to comment on the Local Coastal Plan, in particular the public access element and the map of sub area 10 Valley Ford. Since 2019 I have been submitting comments regarding Sub Area 10 Valley Ford marker K-2 requesting the removal of this non-existent designation. Included in these comments is a letter that appears in the public comment section of documents for today's meeting purporting to be my comment that I did not submit. I was unaware that it was appropriate and approved by the county that correspondence could be submitted in this fashion. To the point, the entire public access map sub area 10 Valley Ford is problematic, in particular the erroneous placement of K-2 designation on the Estero Americano Preserve. The map depicts an access point/trailhead where none exists. There is no public access to this property. There is no existing easement or neighbor permission to allow such access. One would have to trespass across private property for access. The access point is adjacent to a marine sanctuary as well as private property and a highly sensitive habitat and wetland area that supports special species, eelgrass beds and nesting birds. Public access would endanger these important natural resources. Both of these occurrences are in direct conflict with the Coastal Act. Code 30001.5 (c) states in part

(c) Access .. with sound conservation principles and constitutionally protected rights of private property. Further on page 8 of the March 1 Permit Sonoma LCP update Memo, the Coastal Commission recommends for the public access policy element: Throughout this element "public access shall mean access to the Coast as defined by chapter 3 of the Coastal Act. Highlighted - protection of environmentally sensitive habitat areas may not be adversely impacted by public access and recreational activities."

It is imperative that the LCP Public Access Map for Sub Area 10 be reviewed carefully and the K-2 marker removed. It is your responsibility that these maps are accurate for public safety, conservation and preserving private property rights. Unless this access point/trailhead designation is removed, there is great danger of those rights being trampled, along with the sensitive habitat of the Estero Americano and the adjacent land. Thank you for your consideration.

Sent from my iPad

**From:** Denny Tibbetts <[tibbsx4@comcast.net](mailto:tibbsx4@comcast.net)>  
**Date:** October 4, 2021 at 3:02:07 PM PDT  
**To:** Steve Ehret <[Steve.Ehret@sonoma-county.org](mailto:Steve.Ehret@sonoma-county.org)>, [Bert.Whitaker@sonoma-county.org](mailto:Bert.Whitaker@sonoma-county.org)  
**Cc:** Cecily Condon <[Cecily.Condon@sonoma-county.org](mailto:Cecily.Condon@sonoma-county.org)>, Gary Helfrich  
<[Gary.Helfrich@sonoma-county.org](mailto:Gary.Helfrich@sonoma-county.org)>, [eric.koenigshofer@sonoma-county.org](mailto:eric.koenigshofer@sonoma-county.org)  
**Subject: Re: LCP: K-2**

Dear Steve,

Thank you for reaching out to me about our concerns for the K-2 public access point on the LCP public access map and it's very real potential to infringe on private property and encourage trespassing. You mention previous LCP maps of the last 30 years. I have not been able to look at them. Access to the Permit Sonoma office has been minimal and these maps are not available digitally. This is probably the reason why, as you contend, the previous maps have not been used by recreation seekers or caused confusion to the public in the past. Times have changed.

“Infrequent guided activities by SLT” describes access to the preserve on their website. When the public sees a public access point shown on a LCP public access map, they perceive it as a place that is open to the public, like a public beach. Point K-2 should not be depicted as a public access location on the LCP Map.

It is important to acknowledge that a lot has changed in the past thirty years. The internet, with facebook, instagram, TikTok, gps locators, blogs, apps for hiking, hunting and fishing, has changed how the public pursues its outdoor adventure. Unfortunately this includes trespassing on private property which makes it vital that public access maps for the county be accurate in their designations. These public access maps are readily available to the public who do not necessarily consult other sections of the plan to research the narrative description which is the governing texts for the access points. A real example of this occurred several weeks ago on August 23 when a fisherman drove through multiple private property signs, parked on private property and climbed a locked gate. Hours later when he was approached, said he had received a gps ping for the access point to fish (illegally) on the Estero and believed he could gain access through the preserve. It is your responsibility that these maps should be accurate for public safety, conservation of natural resources and preserving private property rights.

Thank you for your consideration. I look forward to resolution in this matter.

Denny Tibbetts

Sent from my iPad

**From:** Denny Tibbetts <[tibbsx4@comcast.net](mailto:tibbsx4@comcast.net)>  
**Sent:** Tuesday, June 07, 2022 5:24 PM  
**To:** Gary Helfrich <[Gary.Helfrich@sonoma-county.org](mailto:Gary.Helfrich@sonoma-county.org)>  
**Subject:** Fwd: K-2 Access Point on LCP public access maps March 25, 2022 public comment - name and subjective summary correction

**EXTERNAL**

Additional correspondence provided from correspondence from SLT to correct the published March 3 hearing minutes states: SLT was not responsible for having the K-2 access point on the public access map as well as have no plans to develop an access point or trailhead.

Sent from my iPad

Begin forwarded message:

**From:** Denny Tibbetts <[tibbsx4@comcast.net](mailto:tibbsx4@comcast.net)>  
**Date:** March 25, 2022 at 11:15:11 AM PDT  
**To:** [eric.koenigshofer@sonoma-county.org](mailto:eric.koenigshofer@sonoma-county.org), [PRMD-LCP-Update@sonoma-county.org](mailto:PRMD-LCP-Update@sonoma-county.org)  
**Cc:** Gary Helfrich <[Gary.Helfrich@sonoma-county.org](mailto:Gary.Helfrich@sonoma-county.org)>  
**Subject:** **K-2 Access Point on LCP public access maps**

Dear Commissioners,

Here is some additional correspondence between Sonoma Land Trust and Estero neighbors to clarify and correct the published minutes from the 3 March hearing on public access. I hope it is helpful in dealing with this inaccurate public access point. Having accurate and current public access points published on maps is vital especially in light of the recent rescue March 12 by Henry 1 of a nine year old boy in a canoe and the two accompanying adults from land. There are many other occurrences of related situations. Thank you,

Denny Tibbetts  
Bodega Bay

Sent from my iPad

Begin forwarded message:

**From:** Bob Neale <[bob@sonomalandtrust.org](mailto:bob@sonomalandtrust.org)>  
**Date:** September 3, 2021 at 5:09:36 PM PDT  
**To:** [cindyeggen@me.com](mailto:cindyeggen@me.com), [eric@cety.us](mailto:eric@cety.us), [zuccononnie@gmail.com](mailto:zuccononnie@gmail.com), [tibbsx4@comcast.net](mailto:tibbsx4@comcast.net)  
**Subject:** **Trailhead and LCP**



Dear Estero Lane Neighbors,

I've done a little investigating into the issue of the Trailhead that the draft LCP has located on Sonoma Land Trust's Estero Americano Preserve. I'm not positive who suggested that location for a trailhead, but it was not Sonoma Land Trust. I have reviewed the LCP map that shows the Trailhead, and others along the Estero, and I have done some further investigation. It is my understanding that the County views this Trailhead and other points on Figure C-PA-1k as a general designation of desired public access points. It doesn't change any existing property rights. It also does not require that a trailhead be built here, nor indicate any permission to do so. No obligation or requirement appears to be created. Given that the LCP is a broad County planning document and incorporates a process for broad community input, whether for or against any parts of the plan, Sonoma Land Trust doesn't think it is necessary for us to ask the County to remove this point from the map. It isn't clear that there is a mechanism to do this anyway.

As we discussed, Sonoma Land Trust has no current plans for developing a public access point or trailhead at that location. We are not in discussions with any County agency to develop a trailhead there. We understand and respect the private property rights of our neighbors and other landowners along Estero Lane as we do the County's process for updating the LCP. Any future support or opposition by SLT for the actual siting or construction of a trailhead on the Preserve will be dependent upon the actual plan and circumstances at that time, including the input of our neighbors. However, we are not aware of any current efforts for such a trailhead at this time.

Denny, thanks for bringing this issue to our attention, I wasn't aware of it. I look forward to talking to you all soon.

Best,

Bob

<image001.jpg>

**Bob Neale** *Stewardship Director*  
**Sonoma Land Trust**  
He/Him/His  
822 Fifth Street, Santa Rosa, CA 95404  
Cell (707) 391-3732  
[www.sonomalandtrust.org](http://www.sonomalandtrust.org)

[\*Be A Force for Nature! Learn more\*](#)

EXTERNAL

[www.winewaterwatch.org](http://www.winewaterwatch.org)

May 15, 2022

RE: Draft Local Coastal Plan Comments

Attention: Ms. Cecily Condon

Permit Sonoma

2550 Ventura Avenue

Santa Rosa, CA 95403

Submitted to: [PRMD-LCP-Update@sonoma-county.org](mailto:PRMD-LCP-Update@sonoma-county.org)

Wine and Water Watch is a local organization of over 250 citizens concerned with the overdevelopment, climate change and social justice issues. We promote ethical land and water use. We advocate agricultural practices that are ecologically regenerative.

Some of the issues we find troubling with the draft Local Coastal Plan and would like addressed are:

. Endangered Species Habitat Area (ESHA) zones have been reduced from the original three to only one;

- Marine Protection Areas (MPA) have been entirely eliminated;
- The current draft LCP makes no provision to prevent Bodega Bay from serving as an incoming shale oil port and transfer nexus for Bay Area fossil fuel refineries;
- Tourism — and related impacts, already beyond ecological and infrastructural carrying capacities — is actively promoted through permitting of new roads, non-permanent residential housing, and other commercial enterprises that will further strain overburdened local facilities and environments;
- With vacation rentals already comprising 53% of coastal zone housing, Permit Sonoma is planning and promoting additional residences for this purpose, while local residents and employees cannot find or afford housing;

- References to studies and other scientific data are outdated (to 2005-2008), especially in light of the ready availability of more recent scientific and social data that MUST inform this process;
- Permit Sonoma has not consulted or requested participation from public agencies, such as the National Oceanic and Atmospheric Administration (NOAA) and the National Marine Fisheries Service (NMFS), local non-profits and land managers (e.g., the University of California, The Wildlands Conservancy, Sonoma Land Trust), and other agencies, academic institutions, and organizations that have conducted highly relevant research on climate change, impacts on coastal ecology and wildlife, effects of climate and oceanic process on marine biology, et al.;
- Once approved by Permit Sonoma and the County Board of Supervisors, changes to zoning designations will not subject to appeals to the California Coastal Commission;
- The current Draft LCP usurps authority for “discretionary” permitting, which bypasses public notice of and participation in review of such permitting (under the California Environmental Quality Act and other regulatory standards);
- While the Sonoma County Board of Supervisors retains legal authority to review timber harvest plans and otherwise regulate timber extraction in the county, the Draft LCP defers local authority to the California Department of Forestry and Fire Protection through a streamlined permitting process (the Timber Regulation and Forest Restoration Program) that over-rides many of the environmental safeguards in the California Environmental Quality Act?

Suggested edits by section: LCP AG Section

Page !

Farmland of Local Importance is farmland other than Prime Farmland, Farmland of Statewide Importance, or Unique Farmland. In Sonoma County, Farmland of Local Importance includes inland hay producing lands **and lands with the capability for producing locally important crops but may not be planted at the present time. This land may be important to the local economy due to its productivity or value, as defined by the Board of Supervisors**

**Notes: who determines “value” and what considerations for water, run off and impacts to wildlife? Does not say that scientific studies or water availability criteria would be used before approval.**

P1. 1.1, 3rd para: recommend adding on to last sentence “.....County’s economy, *while preserving the unique and fragile visual and natural resources of the coastal zone.*”

P1. 1.1, 4th para: recommend adding as last sentence: “Due to negative impacts cited, future vineyard development shall be prohibited in the coastal zone.”

P2, 2. 2nd para: recommend specifically defining Farmland of Local Importance to exclude cannabis or alcohol crops, as they are intrinsically not of “Local Importance” and are potential sources of wealthy lobbying to the Board of Supervisors.

Also recommend adding “.....rests with the Board of Supervisors *in collaboration with local residents in Sonoma County.*”

P4. 4th para: Recommend adding as last sentences: “Therefore, future vineyard development shall be prohibited in the coastal zone.

**Page 5 2.2** In other cases, some park and open space agencies have demonstrated that agricultural production is compatible with recreational use and can be a significant benefit for ecological management and cultural interpretation.

**What examples? Farming is a violent act by ripping up the earth and using chemicals in some ag production. GHG? We need actual examples they used to make this statement.**

P5. 2.2: Recommend adding last sentence: “Where agricultural production and public recreation overlap, the application of synthetic pesticides shall be prohibited.”

P6. 2.3.1: Recommend adding to end of last sentence: “.....customers *shall be prohibited in the coastal agricultural areas and limited to commercial areas....*”

Page 6 2.3.1 Tourism is already the major economic driver in the Coastal Zone and agricultural tourism could contribute to supporting the economic success of the agricultural industry on the Coast, provided that agricultural tourism directly promotes the sale of agricultural products grown on-site.....Activities such as special events and tasting rooms that attract large numbers of customers are not considered appropriate in the coastal agricultural areas and are limited to the commercial areas within rural communities.

**Please codify NO winery events.**

## Page 7 2.6 Aquaculture

### 2.6 Aquaculture

Aquaculture and the fishing industry produce a food source and have needs similar to land based agricultural operations. Policy is needed to treat the support facilities of the aquaculture and fishing industries that relate to food production or harvesting in the same manner as those for other types of agriculture

**This should not be allowed in ESHA areas from previous LCP. Those should be added back on as aquaculture uses antibiotics and have problems with excessive pollution from feeding and containing the fish. NO GMO fish should be allowed as it kills off native fish. We need this codified.**

P7. 2.6: Recommend adding as last sentence: "No GMOs, antibiotics, or adverse effects on local marine biota or ESHAs shall be permitted in the production process."

### 2.7 Impacts of Climate Change

Climate Change could affect animals both directly and indirectly. Extreme heat events, which are projected to increase under climate change, could directly threaten livestock. Drought may threaten pasture and feed supplies and reduce water availability for livestock.

**Whole section proves more ag not a good idea. What protections of water?**

## Page 8 3. AGRICULTURAL RESOURCES POLICIES

### 3.1 Maintain Large Minimum Parcel Sized in Agricultural Lands

It is consistent with California Coastal Act which requires that (a) the maximum amount of agricultural land shall be maintained in agricultural production, (b) agricultural conversions shall be limited and evaluated on a case-by-case basis,

**Case by case do we know if the CA CC approves or is this another discretionary to the supervisors and Permit Sonoma?**

P8. 2.7: Recommend adding as last sentence: "All policies shall include and reflect current climate change studies."

## Page 10

**Policy C-AR-2b:** The Land Extensive Agriculture and Diverse Agriculture land use categories shall be applied based on the capability of the land to produce agricultural products. **(GP2020)**

**Again, what criteria and science would be used? Example, what if we got a few years of good rain would they allow more lands to be classified for ag?**

## Page 11

**Policy C-AR-3a:** The primary use of any parcel designated Land Extensive Agriculture or Diverse Agriculture shall be agricultural production. Residential uses in these areas shall recognize that the primary use of the land in agriculture may create slower traffic and agricultural nuisance situations, such as flies, noise, odors, and spraying of chemicals. **(Existing LCP Revised – Appendix E, AR-4a)**

**This policy implies chemical spraying not a problem.**

**Policy C-AR-3c:** Apply the provisions of the Right to Farm Ordinance **(Appendix C)** to all lands designated Land Extensive Agriculture and Diverse Agriculture. **(Existing LCP Revised)**

**Right to Farm Ordinance being challenged as it is a property taking.**

**Objective C-AR-4.3:** Ensure that agricultural support uses allowed on agricultural lands are only allowed when demonstrated to be necessary for, and proportional to, agricultural production on-site.

**Must be directly linked to ag produced on the parcel. NO weddings etc. This needs to be in the LCP. Events cause traffic, GHG, water depletion etc.**

P11. 3.3: Objective C-AR-4.2: Add as last sentence: “Agricultural support shall be permitted only for products grown in the immediate area (eg, not for products imported from outside the coastal zone).”

## Page 12

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**Table C-AR-3: Agricultural  
Uses and Support Uses**

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**Allowed and Permit  
Thresholds Use**

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**Planning Permits Required**

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**Permit Type**

**Allowed**

Grazing, Row Crops

Principally Permitted

**“By-Right”**

none required

Vineyard, Orchard

Principally Permitted

Coastal Permit<sup>1</sup>

Discretionary

Agricultural Processing

(e.g., creamery, winery)

Use Permit

Coastal Permit

Discretionary<sup>2</sup>

Agricultural Services

(e.g., farm equipment, veterinarian)

Use Permit

Coastal Permit

Discretionary<sup>2</sup>

Small-Scale Farm Retail Sales

Coastal Permit

Discretionary

Farm Stand

Principally Permitted

“By-Right”

none required

**Non Agricultural Uses**

Tasting Rooms

Discretionary, Only allowed in commercial zones

Other Visitor-Serving Use (e.g., agricultural promotional event, restaurant)

Discretionary, Only allowed in commercial zones

Notes:

1 VESCO permit also required from Sonoma County Agricultural Commissioner

2 May be appealable to California Coastal Commission if within their jurisdiction or appealable area per map on file

**No discretionary with exception of farm stands tied to actual production on the land. Vineyards as “principally permitted” dry farmed only must be added. All crops were dry farmed until 1970 in this county. With the county acknowledging the coast is water scarce, NO WATER can be used for this crop.**

**Policy C-AR-4b:** Storage facilities shall be permitted for agricultural products grown, prepared, or processed on-site. Facilities shall be sized to accommodate but not exceed the agricultural operation, and shall be designed to be compatible with and not adversely impact surrounding land uses. **(Existing LCP Revised – Appendix E, AR-5f)**

**Not spelled out is people bringing in grapes for processing who own property elsewhere and would truck in the grapes.**

P12. Table C-AR-3: Recommend adding a 3rd note to vineyard/orchard principally permitted use category, stating “Vineyards principally permitted shall be dry-farmed due to water scarcity in the coastal zone.”

P12. Table C-AR-3: Recommend adding a 3rd note to vineyard/orchard principally permitted use category, stating “Vineyards principally permitted shall be dry-farmed due to water scarcity in the coastal zone.”

(Objective C-AR-4.3 already states direct linkage of product to location and proportion.)



P12. Policy C-AR-4b: Recommend changing first two sentences to: “...shall be permitted *only* for agricultural products grown on site. *No storage or processing of imported products shall be permitted.*”

## Page 15 3.6 Aquaculture

**Goal C-AR-7: Provide for the raising, harvesting and production of fish in the same manner as the harvesting and production of agricultural products.**

**Objective C-AR-7.1:** Allow aquaculture and its related facilities and activities in agricultural areas.

**Objective C-AR-7.2:** Provide opportunities for development of support facilities for the fishing industry on appropriate lands.

**Objective C-AR-7.3:** Promote products of the fishing industry in the same manner as agricultural products.

**Cannot have any impact to coastal waters or ESHA areas. Hageman has a fish trout farm inland as example. Nothing in our bay or coastline. This has to be put in.**

## LCP Water Element Notes

Page 4: section 2.3 Some groundwater naturally contains dissolved substances that can cause health problems, depending on the concentrations and combinations of the substances present. **According to the State Water Resources Control Board (State Board), groundwater is also often polluted by human activities that generate contaminants such as microorganisms, gasoline and diesel fuels, solvents, nitrates, pesticides, pharmaceuticals, and metals.** The underground flow and concentration of these contaminants, as well as the intrusion of ocean saltwater into groundwater, can be influenced by the extraction of groundwater and changes in levels of groundwater and surface water.

**Policy: Water quality is primary goal therefore, county shall set policy that protects water quality from contaminates such as pesticides, nitrates and fossil fuels. Please adopt the Malibu Ordinance prohibiting synthetic chemicals.**

Page 5: section 2.3 In fractured rock aquifers, groundwater is stored in the fractures, joints, bedding planes, and cavities of the rock mass. **The Franciscan Complex is generally considered to be non-water bearing; water availability largely depends on the nature of the fractures and their interconnection. Groundwater is derived from local rainfall that has percolated down into the rock, existing in small fractures in the zone of saturated rock below the water table.**

**Policy: The County shall not approve any water draw project that effects neighboring properties and shall only use water study and water reports that have been conducted within the last 2 years.**

**Page 6 Section 2.4** An appropriative right is a use-based right dependent upon physical control and beneficial use of the water, rather than any special relationship between land and water. **Since 1914, all new appropriations of surface water require a permit from the State.**

**Policy: Unpermitted draws along the Russian River have led to missing 39,000AF of water missing on the Russian River. This has been well documented by Russian Riverkeepers, Bohemian and journalists. The County shall take action to register the illegal water draws from the Russian River and require water monitoring. In such times of drought, no water shall be drawn to preserve native fish and other wildlife. Fines for continued use will be assessed at \$1,000 a day.**

**Page 6 2.5 Biotic Resources and Water Trees and other vegetation need and use water but also help maintain year-round water levels in streams and groundwater.** In the fall, many trees stop absorbing water. Trees in exposed foggy areas reportedly increase precipitation. Trees in any location provide shade that cools the ground surface and reduces evaporation. Plants add moisture to the air through transpiration of water from their leaves.

**Policy: The County shall require a 1:5 ratio for mitigation of any trees removed on the coastal areas. Coastal trees require years to mature compared to inland trees. As coastal trees provide quality and water recharge, priority to keep in place as many trees as possible.**

**Policy: The County shall use their authority for lead agency to review all logging that currently has been relegated to CalFire for transparency, climate change impacts, public input and accountability.**

**Page 7, section 2.6** Regulatory Framework

Paragraph 3: The Local Coastal Program is the standard of review for the Coastal Act Development Permits, issued by Sonoma County, including appeals to the Coastal Commission of Coastal Development Permits issued by Sonoma County.

**What's up here? According to the draft document once SoCO adopts and approves the LCP no APPEALS to the Ca CC can be made. Can someone clarify this?**

**Page 9, section 3.1** Minimize Water Pollution from Runoff and Other Sources GOAL C-WR-1: Protect, restore and enhance the quality of surface and groundwater resources to meet the needs of all reasonable beneficial uses.

**Objective C-WR-1.1: Protect and, where feasible, restore the quality of coastal waters. Coastal waters include the ocean, rivers, streams, wetlands, estuaries, lakes, and groundwater.**

**Objective C-WR-1.1A County shall prohibit all synthetic pesticides in the coastal zone to minimize water pollution, protect water quality, support native fish, native coastal plants and coastal wildlife including marine species.**

**Page 10-11 Section 3.1 Policy C-WR-1d:** Avoid construction of new storm water outfalls and direct storm water to existing facilities with appropriate treatment and filtration, **where feasible**. Where new outfalls cannot be avoided, plan, site, and design outfalls to minimize adverse impacts to coastal resources from outfall discharges, including consolidation of existing and new outfalls where appropriate. **(New) (Model LCP)**

**Eliminate “feasible from above language entirely. Page 11, section 3.1: Policy C-WR-1e:** Some developments have a greater potential for adverse impacts to water quality and hydrology due to the extent of impervious surface area, type of land use, or proximity to coastal waters or tributaries. **As determined by Permit Sonoma, on a case-by-case basis, such developments may require Treatment Control Best Management Practices (BMPs) for post-construction treatment of storm water runoff. Applicants for these types of developments shall do the following:**

**Policy: All permits that impact water quality at development sites shall be sent to the North Coast Regional Water Quality Board for review before a permit is issued.**

Page 12 **Policy C-WR-1h:** All projects which involve construction of new storm drain inlets or maintenance of existing inlets shall be required to **add a sign or stencil** to each inlet with the equivalent of this language: “No dumping, drains into creek/ocean.”  
**(New)**

**This sets precedent to get signs for dogs on leash fines (set fines high), dune protection from driftwood sculptures that are becoming problems. Funding?**

Page 14, section **3.2 Groundwater, paragraph 2** Using information on geology and water yields, the County uses a four tier classification system to indicate general areas of groundwater availability. Class 1 are Major Groundwater Basins, Class 2 are Major Natural Recharge Areas, Class 3 are Marginal Groundwater Availability Areas, and Class 4 are Areas with Low or Highly Variable Water Yield. In addition to County mapping, the State regularly updates the maps of groundwater basins and prioritizes groundwater basins for sustainable management in the County

**Policy: Class 4 water areas shall not allow development without water catchment to supplement or shall deny any development that will draw down water from current development. Seasonal water assessments studies shall be made during both wet and dry seasons before any consideration of water development is allowed. Property owners in the affected areas shall be contacted for input.**

**Page 15 Objective C-WR-2.1:** Conserve, enhance, and manage groundwater resources on a **sustainable** basis that assures sufficient amounts of clean water required for future generations, the uses allowed by the Local Coastal Plan, and the natural environment.

**“Sustainable” wording shall be replaced with resilient.**

**Page 15, Objective C-WR-2.4:** Increase institutional capacity and expertise within the County to competently review hydrogeologic reports and data for critical indicators and criteria.

**Policy: Reports and data shall include current and seasonal studies that include wet and dry seasons. Page 16, Policy C-WR-2e:** Encourage public water suppliers to monitor and report groundwater levels, yields, and other information on groundwater conditions. **(GP2020 Revised)**

**Policy: Public water suppliers shall be required to monitor and publicly report groundwater levels, yields, and other information on groundwater conditions.**

**Public Water Systems: not qualified to review**

**Page 19, section 3.4 GOAL C-WR-4: Increase the role of water conservation and safe, beneficial water re-use in meeting water supply needs of both urban and rural users.**

**Objective C-WR-4.1:** Increase the use of recycled water where it meets appropriate standards of quality and quantity for the intended use.

**Objective C-WR-4.2:** Promote and encourage the efficient use of water by all water users.

**Objective C-WR-4.3:** Conserve and recognize stormwater as a valuable resource.

**Policy: New construction must include water catchment to supplement scarce water supplies.**

Page 21, section 3.5 Water Importing and Exporting

For many years, Sonoma County has relied to some degree upon importation of water from sources outside of the County borders. Since 1908, water has been diverted from the Eel River watershed in Mendocino County through a hydroelectric power plant into the Russian River watershed. This water has increased dry season flows in the Russian River and supplemented water supplies for downstream users.

**Policy: All unpermitted draws from the Russian River shall be put on notice that permits must be required, and no dry season draws will be allowed to support biotic resources.**

**Page 21, Policy C-WR-5b:** Full assessment of the environmental impacts shall be required for any proposals to import additional water into Sonoma County. **(GP2020)**

**Policy: A full EIR shall be required to assess environmental impacts for any**

**proposals to import additional water into Sonoma County. Climate change impacts shall be included with current science.**

**Page 22, section 3.6 Watershed Management**

Watershed management is a holistic approach to managing water resources and other watershed functions such as fish and wildlife, riparian functions, and ecological services. Watershed management allows for an integrated approach to surface water, groundwater, and water supply management taking into account effects on stream flow, groundwater levels, water quality and habitat conditions. **GOAL C-WR-6: Improve the understanding, valuation, and sound management of the water resources in the diverse watersheds of the Sonoma County coast.**

**Goal: County shall identify aquifer recharge areas in the coastal zone and protect those areas from development that will encroach on aquifer recharge for the benefit of coastal residents.**

**Page 23, Program C-WR-3:** Consider developing guidelines for development in Rural Communities that would provide for retention of the site's pre-development rate of groundwater recharge. **(GP2020 Revised)**

**Above, eliminate as recharge areas will be identified and protected. Page 23, Program C-WR-6:** In order to assess groundwater resources, review well permit data, monitoring data and identify special study areas where additional groundwater studies are needed. In each such special study area that is approved by the Board, develop a comprehensive groundwater assessment that includes the following:

**To be added: All water studies shall be current within the last 2 years and include both wet and dry season water studies.**

**Page 24, Program C-WR-9:** Use water effectively and reduce water demand by developing programs to:

(1) Increase water conserving design and equipment in new construction, including the use of design and technologies based on green building principles; (2) Educate water users on water conserving landscaping and other conservation measures;

(3) Encourage retrofitting with water conserving devices;

(4) Design wastewater collection systems to minimize inflow and infiltration; and

(5) Reduce impervious surfaces to minimize runoff and increase groundwater recharge. **(GP2020)**

**(6) Any additions or new construction shall require water catchment offsets.**

**(7) Graywater systems plans shall be required for new or additions.**

**Page 25, 4.2 Other Initiatives: Other Initiative C-WR-3:** Continue to cooperate with Mendocino County, the Regional Water Board, and CalFire to reduce water quality impacts of timber harvest in the Gualala River watershed. **(New)**

**Policy: County shall take lead agency authority from CalFire on coastal timber harvests to ensure public transparency and liability for environmental protection will be sole responsibility of the county.**

**Page 26, Other Initiative C-WR-9:** Request technical assistance and water resource data from public water suppliers and share available water resource information with them and the public. **(GP2020)**

**Policy: Due to climate change impacts, water resource data from public water suppliers shall be required and available to the public.**

Notes on LCP Open Space

**Page 11, Bodega Bay paragraph: Bodega Bay.** The small scale of its bay oriented development, historical significance, and importance to recreation and the fishing industry qualify Bodega Bay as a special coastal community worthy of protection. To maintain and protect the fishing village character of Bodega Bay and to provide needed affordable housing, **new residential development adjacent** to the original town is proposed to be similar in scale and design to that in the core area of Bodega Bay.

New development planned?

**Page 15, 1<sup>st</sup> paragraph:** However, the planting of non-native species can detract from the natural coastline landscape, and the planting of certain tree varieties west of State Highway 1 may block views to the coastline.

So no vineyards?

Page 16 **Policy C-OSRC-4a:** Design review shall be required for all new development outside of Urban Service Areas and Rural Community Boundaries. The Director of Permit Sonoma may waive this requirement on parcels not visible from and east of State Highway 1. **(Existing LCP Revised)**

**This type of discretionary permitting leads to corruption. Public should be allowed a hearing at closest possible location to the project.**

**Page 20, last paragraph:** Coastal prairie and grassland support a rich assemblage of native plants on coastal terraces and bluffs in Sonoma County. **More than 90 percent**

**of coastal prairie habitat has been lost**, but it is still found sporadically along the Pacific coast of California, including Sonoma County (see **Figures C-OSRC-2e and 2h**). Due to the drastic habitat loss and great diversity of these grasslands, coastal prairies are considered sensitive habitats. Following conversion from native bunch-grass and herb dominated communities to vegetation dominated by non-native grasses and herbs, much of Sonoma County's historic coastal grasslands are now considered non-native annual grasslands after undergoing substantial conversion. Many of these grasslands are managed by grazing, which reduces the leaf litter caused by the larger and more aggressive non-native vegetation. Coastal prairies that are not grazed, or have been undisturbed from fire for long periods of time, often develop into coastal scrub habitat dominated by native shrubs such as bush lupine and coyote bush. Coastal prairie and scrub habitat occurs mostly on protected lands including Wright Hill Ranch, Salt Point State Park, Jenner Headlands Preserve, and Sonoma Coast State Park.

Figure C-OSRC-2e through 2-h (way too small of an area)

## Page 21: **3.2 Biotic Resource Protections**

**The following policies shall be used to achieve these objectives:**

**Policy C-OSRC-5a(1): Permit applications for development which could have an impact on biological resources shall be accompanied by a biological resources assessment**, as required under **Policy C-OSRC-5b(3)**. Biological resources include, but are not limited to, special status plant or animal species and their habitats, coastal dunes, beaches, tidepools, wetlands, estuaries, lagoons, streams and creeks, riparian habitat, oak and other native tree woodlands, and native grasslands. **(New)**

**(how extensive is s biological resource assessment? Shouldn't an EIR be REQUIRED? Cumulative impacts need to be addressed)**

**Page 22 Policy C-OSRC-5a(7):** A Restoration and Monitoring Plan shall be required for any project involving habitat mitigation or restoration. The Restoration and Monitoring Plan shall consist of a stand-alone document that specifies performance standards, success criteria, adaptive management, and monitoring requirements as described in **Appendix E-1. (GP2020 Revised/New)**

**No \$ for this just document. What is timeline for review? Biannual, annual, where is the timeline. Ex. In past county has asked contractors to replant trees a lot have died and no follow up. Where is the \$ to monitor?**

## Page 22: **3.3 Environmentally Sensitive Habitat**

Environmentally Sensitive Habitat Area (ESHA) are areas in which plant or animal life or their habitats are either rare or especially valuable because of their specific nature or role in an ecosystem, and which could be easily disturbed or degraded by human activities and developments. Potential ESHAs are presented on **Figures C-OSRC-2a**



through 2k. These figures are not an exhaustive compilation of the habitat areas that may meet the ESHA definition. Any area not identified as a potential ESHA on **Figures**

**County admits not all are included to meet ESHA definition. We want them all listed.**

**Page 23: C-OSRC-2a** through 2k but that meets the ESHA criteria is ESHA, and shall be accorded all the protection provided for ESHAs in the Local Coastal Program. The Local Coastal Plan's ESHA policies will generally not apply to marine habitats which are protected separately. Under the Coastal Act, ESHAs are governed by Section 30240, while marine resources are governed by Section 30230 and 30231.

Don't understand language in protected separately, who determines?

Page 24: **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.

**Policy C-OSRC-5b(8)**: If proposed development is a permissible use and there is no feasible alternative, including the no project alternative, that can avoid significant impacts to ESHA, then the alternative that would result in the fewest or least significant impacts shall be selected. Residual adverse impacts to ESHA shall be fully mitigated,

“feasible alternative”? Who decides it is okay to reduce buffer zone? Permit Sonoma?

Page 25: with priority given to on-site habitat mitigation. **Off-site habitat mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on-site or where off-site habitat mitigation is more protective, as documented in a biological resource assessment prepared by a qualified biologist and approved by Permit Sonoma staff.** Any determination that it is infeasible to mitigate impacts onsite should be supported by written findings. **Mitigation may not be used as a substitute for implementation of the project alternative that would avoid impacts to ESHA. Mitigation for impacts to ESHAs other than marine habitats shall be provided at a minimum ratio of 2:1.** The more specific mitigation requirements as required by regulatory agencies or the County shall control over the more general mitigation requirements of this Local Coastal Plan. **(New)**

**What are examples of these impacts that permit Sonoma has control of?**

**Page 25: 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. In such a case, mitigation for impacts on ESHA shall be required in accordance with applicable Local Coastal Plan policies. Mitigation may not be used as a substitute for implementation of a feasible project alternative that would avoid adverse impacts to ESHAs. (New)**

**RED FLAG!!!! Looks like a huge loophole....to allow development.**

**Page 26: Policy C-OSRC-5c(3):** Channelization, dams, or other substantial alterations of rivers and streams shall be prohibited except for: **(1) necessary water supply projects**, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat. Any channelization or stream alteration permitted for one of these three purposes shall minimize impacts to coastal resources, including the depletion of groundwater, and shall include measures sufficient to mitigate unavoidable impacts. Alternatives that incorporate a biotechnical component to river or stream bank stabilization (e.g., pocket planting and joint planting, vegetated crib walls, vegetated slope gratings, etc.) shall be encouraged over alternatives that employ strictly hard solutions (e.g., concrete wall or riprap banks). Where there is conflict the more specific permissible use provisions of this policy shall control over the more general use provisions for other types of ESHA identified in **Policy C-OSRC-5b(7). (New)**

**New ponds okay for vineyards?**

**Page 28: Policy C-OSRC-5d(6):** In wetlands, the following uses and activities shall be prohibited:

Agricultural activities, including grazing.

**No aquafarming?**

**Page 29: Policy C-OSRC-5d(8):** Where wetlands fill or development impacts are permitted in conformity with the Coastal Act and any applicable Local Coastal Plan policies, require mitigation measures to compensate for the temporal and functional loss of affected wetlands and associated habitat. Mitigation must meet the criteria in the Habitat Protection Guidelines....

Need stronger wording here. In Intro it declares 90% of wetlands gone.

Page 32: **Policy C-OSRC-5f(6)**: The identification through site assessment, preservation, and protection of native trees and woodlands shall be required. To the maximum extent practicable, the removal of native trees and fragmentation of woodlands shall be minimized; any trees removed shall be replaced, preferably on the site at a greater than 1:1 ratio (and at a greater than 3:1 ratio for riparian trees); and permanent protection of other existing woodlands shall be provided where replacement planting does not provide adequate mitigation. **(GP2020 Revised)**

**Coastal trees take many more years to reach maturity than inland areas. This needs to be at least 5:1 ratio if any removal at all.**

**Page 33: Policy C-OSRC-5f(10)**: At, around, and near osprey nest sites, the following shall be prohibited:

- (1) Removal of osprey nests.
- (2) Removal of snags and dead tops of live trees.
- (3) Development of new structures and roads.

Recreational activities shall be limited to low-intensity passive recreation, these areas are particularly vulnerable during the period of egg incubation in May to July and activities should be further limited.

Osprey nest sites located adjacent to Willow Creek, Freezeout Creek, and Russian River shall be protected from disturbance by timber harvesting activities. **(Existing LCP Revised)**

**Nothing really spelled out here on enforcement, fines, who responsible?  
Example: fine for off dog leash at beaches several hundred dollars.**

**Policy C-OSCR-5f(11)**: For development in locations known, or determined by environmental review, to potentially have breeding or nesting sensitive bird species, two weeks prior to any scheduled development, a qualified biological monitor shall conduct a preconstruction survey of the site and within 500 feet of the project site. For purposes of this provision, sensitive bird species are those species designated threatened or endangered by state or federal agencies, California Species of Special Concern, California Fully Protected Species, raptors, and large wading birds. In addition, surveys must be conducted every two weeks for sensitive nesting birds during the breeding season. If nesting sensitive birds are detected at any time during the breeding season, the California Department of Fish and Wildlife shall be notified and an appropriate disturbance set-back will be determined and imposed until the young-of-the-year are no longer reliant upon the nest. In no cases shall the buffer be less than 100 feet. **(New)**

**No way to buffer or mitigate nesting birds. Noise, disturbance will cause them to abandon nests/hatchlings. Should be written as no building during the nesting season.**

**Page 36: 4.1.4 Oil Exploration and Development.....**See the Outer Continental Shelf Development Policy section of the Land Use Element for information and policy on oil exploration and development on the Sonoma County coast.

Must be voter approved...

Page 44: DREDGING: Are we going to dredge BB harbor? If yes, why?

## **PAGE 50-51 Forestry/Timber**

### **6.1.3 Timberland Environmental Impacts**

Pressures on timberland include rural development, agricultural conversions, and increased public scrutiny regarding the potential impacts associated with logging operations, particularly near streams. These issues can affect both the economic feasibility of the timber industry and/or the long term availability of timber resources.

Since State law gives primary regulatory responsibility for timber operations to CalFire, the County's land use authority is limited.

WHOLE SECTION IS TERRIBLE. YOU CAN'T ADDRESS CLIMATE CHANGE AND ALLOW CLEARCUTTING. Sonoma County MUST take lead agency on all timber/harvest plans for transparency, oversight and public input. County has the authority not the will.

The County can take a greater role in protecting the timbered areas but chooses not to and allows CALFIRE with minimum fines to control. We want more accountability, transparency and reflection of our values.

**PAGE 52: Policy C-OSRC-10a:** Consider areas zoned Mineral Resources (MR) or areas designated by the State Mining and Geology Board as regionally significant for construction grade aggregate as priority sites for aggregate production and mineral extraction. Within the Coastal Zone, these areas presently include sandstone deposits located in Cheney Gulch, approximately 2.5 miles east of Bodega Bay in western Sonoma County.<sup>2</sup> Review requests for additional designations for conformity with the Local Coastal Plan and the Aggregate Resources Management (ARM) Plan. **(GP2020)**

**Is there a mineral resource map? Cheney Gulch right by coastal walk and bird zone.**

**Page 64: Program C-OSRC-2:** Consider requesting official State Scenic Highway designation for State Highway 1.

Push this to be done

Page 65: **Program C-OSRC-7:** In cooperation with the Coastal Commission, State Parks, and Cal Fire Board of Forestry, develop forestry guidelines including best practices to improve habitat health and reduce the risk of wildland fire without restricting public access to the coast. **Establish a coastal permit exemption, other exemption process, or master plan for forestry maintenance activities consistent with such guidelines.**

Opportunity to permit more logging? See below:

Page 66: **Other Initiative C-OSRC-2:** Support voluntary programs for habitat restoration and enhancement, **hazardous fuel management**, removal and control of invasive exotics, native plant revegetation, treatment of **woodlands affected by sudden oak death**, use of fencerows and hedgerows, and management of biotic habitat. **(GP2020)**

**Page 67: Other Initiative C-OSRC-10:** Request that the State Board of Forestry consider developing and enforcing Special Treatment Area stocking and **clear-cutting standards on all forest lands** in the Coastal Zone. **(Existing LCP Revised)**

**Are not oaks coming back from Sudden Oak? Not all die and more are regenerating. California CNPS should be asked to make a comment.**

**In summary, we find multiple issues that need to be addressed and request that a group of scientists and local interests form an action group that actually has some say in how our coast will be treated for the next 20 years. Once that work is submitted a proper document with up to date science reflecting the values of our county's citizens. Thank you for your time. We are watching this draft closely.**

Sincerely,

Wine & Water Watch Board

Pamela Singer, Judith Jonville, Janus Matthes, Merrily Joyce, Dr. Shepherd Bliss, Charlotte Williams, Deb Preston

cc:

Supervisor Lynda Hopkins, County of Sonoma

Ms. Stephanie Rexing, California Coastal Commission

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**To:** Gary Helfrich <[Gary.Helfrich@sonoma-county.org](mailto:Gary.Helfrich@sonoma-county.org)>

**Subject:** Fwd: LCP Public Access Maps/Natural Resources - Public Comment Letter Feb 18, 2022 not included in public comment table

**From:** Denny Tibbetts <[tibbsx4@comcast.net](mailto:tibbsx4@comcast.net)>

**Date:** February 18, 2022 at 10:48:02 AM PST

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

**Subject:** LCP Public Access Maps/Natural Resources - Public Comment Letter

Dear Commissioners,

We are extremely concerned about the LCP Public Access Map for Sub Area 10 Valley Ford. We have been writing letters and emails, making phone calls for over two years to Permit Sonoma and Regional Parks to address the map inaccuracies. There are multiple problems with the designations on this map. We are most familiar and concerned with the K-2 Access Point/Trailhead that is located on the Sonoma Land Trust Estero Americano Preserve. In the November 10, 2021 LCP hearing, it was confirmed by Gary Helfrich to the commission that the Regional Parks staff developed the public access maps and access plan. Commissioner Koenigshofer asked if the plan and maps were informed by the public safety plan - still to be determined. Other vital questions are: have the private property rights and lack of easement restraints been considered when creating these maps and access plan? Have concerns about the sensitive ecosystem and ESHA maps been considered when designating these access points? These questions need to be answered.

There is NO public access at the Estero Americano Preserve to access the K-2 designation point, the public would trespass over private property. There is no easement or neighbor permission that would allow such access. SLT website describes access at their preserve as occasional guided activities by SLT staff.

Sonoma Land Trust has told its adjacent neighbors there is no public access and they have no plan to change this policy. They also told neighbors they were not responsible for the designation, had no idea how it came to be, but did not believe it was their place to request its removal. We respectfully disagree. Permit Sonoma referred us to Regional Park to deal with this inaccurate access point. A public access point/trailhead in this location will confuse the public, invite trespassing and endanger natural resources. This trailhead is adjacent to critical habitat including special status species, eel grass beds and wetlands, as illustrated in the ESHA map for this sub group area.

Modern technology (instagram, Facebook, blogs, gps indicators, apps for hiking, fishing and hunting etc)has changed how the public pursues its outdoor recreation. Unfortunately, this involves trespassing on private property. Sonoma County public access maps need to be accurate.

The Estero Americano is the border between Marin and Sonoma County. Marin County has elected in their LCP to ensure NO development in or along the Estero Americano, only restoration and scientific research is permitted. It is counter intuitive that two counties would have such different policies for the preservation of the same body of water which in some parts is a mere few feet apart. Sonoma County seems to have significant inconsistencies with the protection of their natural resources.

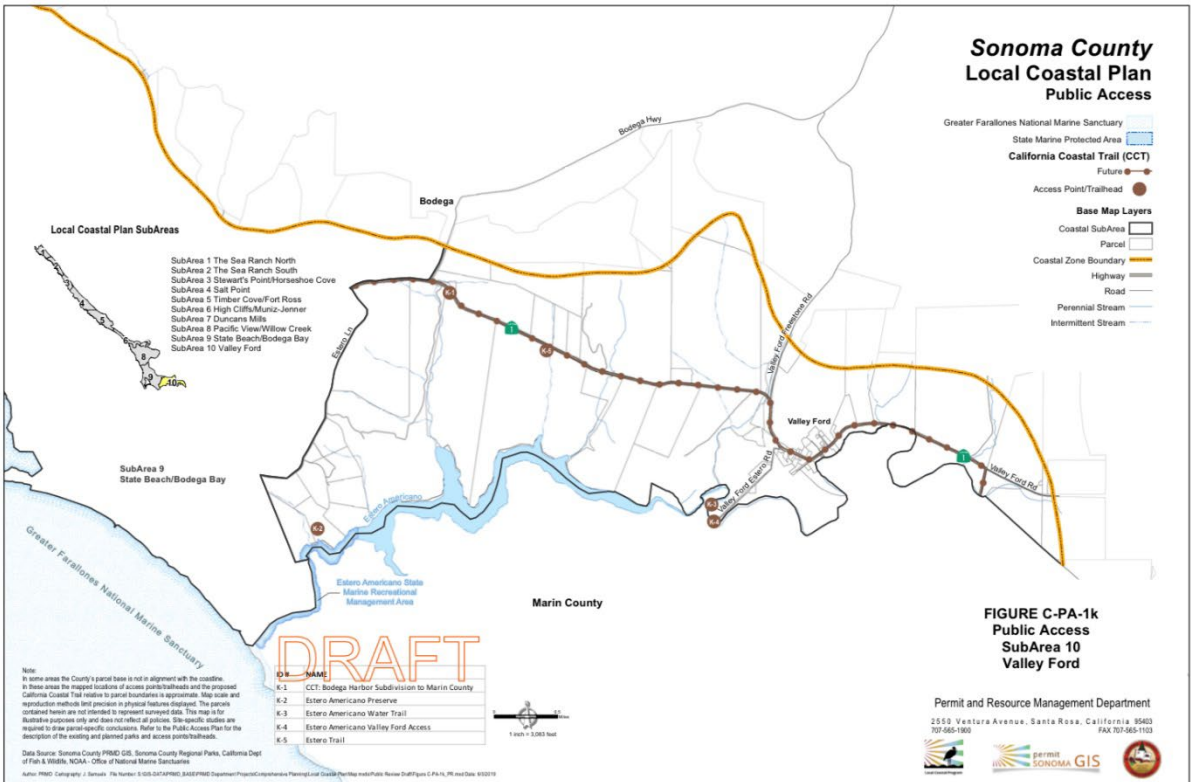
We believe the LCP Public Access Map for Sub Area 10 needs to be reviewed carefully and the K-2 marker removed. It is Your responsibility that these maps are accurate for public safety, conservation and and preserving private property rights. Unless this access point/trailhead designation is removed, there is great danger of those rights being trampled along with sensitive habitat of the Estero Americano and adjacent land.

Thank you,

Denny and John Tibbetts  
Bodega Bay



# Sonoma County Local Coastal Plan Public Access



### Local Coastal Plan SubAreas

- SubArea 1 The Sea Ranch North
- SubArea 2 The Sea Ranch South
- SubArea 3 Stewart's Point/Horseshoe Cove
- SubArea 4 Salt Point
- SubArea 5 Timber Cove/Fort Ross
- SubArea 6 High Cliff/Muniz-Jenner
- SubArea 7 Duncan Mills
- SubArea 8 Pacific View/Willow Creek
- SubArea 9 State Beach/Bodega Bay
- SubArea 10 Valley Ford

SubArea 9  
State Beach/Bodega Bay

Greater Farallones National Marine Sanctuary

**DRAFT**

Note:  
In some areas the County's parcel data is not in alignment with the coastline.  
In those areas the implied location of access points/trailheads and the proposed  
California Coastal Trail relative to parcel boundaries is approximate. Map scale and  
reproduction methods limit precision in physical feature placement. The parcels  
containing houses are not intended to represent surveyed data. This map is for  
illustrative purposes only and does not reflect all policies. Site-specific studies are  
required to make parcel-specific conclusions. Refer to the Public Access Plan for the  
description of the existing and planned parks and access points/trailheads.

Data Source: Sonoma County PRMG GIS; Sonoma County Regional Parks, California Dept  
of Parks & Wildlife, NOAA, Office of National Marine Sanctuaries  
Author: PRMG Cartography; J. Semelko; File Number: S:\GIS\DATA\PRMG\_BAS\PRMG Department\Figures\Cape Mendocino Planning\Local Coastal Plan\Public Access\Public Access Draft\GIS\_C-PA-1k\_P1.dwg Date: 6/15/2018

- Greater Farallones National Marine Sanctuary
- State Marine Protected Area
- California Coastal Trail (CCT)
- Future
- Access Point/Trialhead

- #### Base Map Layers
- Coastal SubArea
  - Parcel
  - Coastal Zone Boundary
  - Highway
  - Road
  - Perennial Stream
  - Intermittent Stream

**FIGURE C-PA-1k  
Public Access  
SubArea 10  
Valley Ford**

Permit and Resource Management Department  
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