



Sonoma Coast Municipal Advisory Council

Scott Farmer, Chair

2021 Members

Bodega/Valley Ford

Che Casul

Alternate: Beth Bruzzone

Timber Cove

Scott Farmer, Chair

Alternate: Annie

Cresswell

Sea Ranch/Annapolis

Marti Campbell, Vice

Chair

Paul Plakos

Alternate: Ann Yager

Kashia Band/Pomo

Indians

Abreanna Gomes

Fort Ross

Wanda Swenson

Alternate: Open

Jenner

Elizabeth Gallagher

Bodega Bay

Brooks Rooney

Cathy Beck

Alternate: Brian Leubitz

Clerk: Cindy Culcasi

Staff: Elise Weiland, Leo

Chyi, Jason Wilson.

In accordance with Executive Order N-25-20 and N-29-20 regarding the Brown Act for public meetings during the public health emergency, the meeting will be held virtually on Zoom and on Facebook live. After the event, videos are available both on Facebook and on the Sonoma County 5th District Youtube channel. Please click the link below to join the webinar:

<https://sonomacounty.zoom.us/j/98143449464?pwd=eDlaZk11VnpML09PYWQzcXFzYlBkUT09>

Passcode: 087119 Or One tap mobile :

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September 15, 2021 5:30 – 7:30 pm

Meeting Agenda

Pledge of Allegiance

Roll Call – Clerk Cindy Culcasi

- A. **Approval of Agenda**
- B. **Statement(s) of conflict of interest:** if any, from Council members
- C. **Correspondence**
- D. **Consent Calendar**

Approval of July meeting minutes

E. **Public Comment**

Comment from the public regarding matters of general interest not on the agenda, but related to the Sonoma Coast MAC business. Pursuant to the Brown Act, the Sonoma Coast MAC cannot consider issues or take action on any requests during this comment period. Due to time constraints, comments will be limited at the discretion of the Chair.

F. **Regular Calendar Items**

- a. Supervisor Lynda Hopkins opening comments including :
 - Redistricting
 - COVID update
- b. Commissioner Eric Koenigshofer, Fifth District Planning Commissioner.
- c. Gary Helfrich, Permit Sonoma Planner: Vacation Rental Ordinance Update. This is a County-wide ordinance update with Listening Sessions scheduled throughout the County.
- d. Dave Horvitz, GMRS (General Mobile Radio Service) for emergency communications

G. **Ad Hoc/ Staff/Council Reports**

- a. Ad Hoc reports : Land Use Standing Committee
- b. Staff report
- c. Council reports

H. Call for new Agenda Items and Adjournment

Sonoma Coast Municipal Advisory Council
Scott Farmer, Chair
July 21, 2021, 5:30 p.m. – 7:30 p.m.
Online Zoom/Facebook Meeting

Meeting Called to Order at 5:31 p.m.

Cindy Culcasi

Pledge of Allegiance

All

Roll Call – Present

Scott Farmer – Chair

Marti Campbell – Vice Chair

Che Casul

Paul Plakos

Wanda Swenson

Brooks Rooney

Abreanna Gomes

Elizabeth Gallagher

Brian Leubitz

Approval of Agenda

Wanda Swenson moved to approve the agenda. The motion was seconded by Che Casul. The motion carried 9-0 with two amendments.

Item G on the agenda was updated to read: AdHoc and Standing Committee Reports

Item G (a) Land Use Standing Committee

Statements of Conflict of Interest: if any, from Council Members

None

Correspondence

There was one piece of correspondence included in the packet from Bodega Bay Fire Protection District regarding the LCP (Local Coastal Plan).

Consent Calendar

Brooks Rooney moved to approve the May Minutes. Marti Campbell seconded the motion. The motion carried 9-0 with the corrections below.

Page 14, Tom and Trudy Tucker was corrected to Tom and Prudy Tucker

Page 15, Josh Perucchi is not a member of Bodega Bay Fire, and the reference was updated to Bodega Volunteer Fire Department.

Public Comment on Matters not Listed on the Agenda

There were no public comments.

Regular Calendar Items

Lynda Hopkins opening comments and swearing in of Beth Bruzzone (Bodega Bay).

Supervisor Hopkins began by swearing in Ms. Bruzzone. At the conclusion, she welcomed and thanked Ms. Bruzzone for becoming part of the Council.

Supervisor Hopkins shared information about fire funding. Yesterday, the Board of Supervisors unanimously approved fire funding for the Bodega Bay Fire District which includes \$1,000,000 a year for two years for emergency stabilization. The funding will transition to \$3,000,000 a year to support consolidation of the Bodega Fire District and Sonoma County Fire District. This also allocated millions of dollars to support consolidation of the CSA 40's. ((CSA) #40 was established to provide structural fire protection services to the unincorporated areas of Sonoma County that were not within a Fire Protection District, Community Services District, or a city municipality.) It also looks at the joining of North Bay Fire with Gold Ridge with a funding allocation for \$2.9 million (approximate) for Gold Ridge and \$1.2 million for North County Zone 6 and consolidation.

Supervisor Hopkins wanted to acknowledge:

- This is the start and not the end.
- There are concerns regarding the North Coast Agencies. Supervisor Hopkins wants to work with everyone. If your area is stable now, but you are not where you want to be, she noted that we look to next year's sales tax measure to meet the needs of the agencies. She is looking to solicit input from both MACs (Lower Russian River and Coast) in regard to the North Coast and the future sales tax measure. We need to get the measure across the finish line and at least authorize that staff get funds out the door

Supervisor Hopkins also spoke to a coastal counties' collaboration. Elise Weiland and Supervisor Hopkins spoke to Supervisor Dennis Rodoni, Western Marin County, and Supervisor Ted Williams, Western Mendocino County. Supervisor Rodoni did a great job putting together a resolution that he would like all three counties to adopt. This is a three-county strategy designed to reduce litter along our coast. It is a regional approach that will hopefully augment the existing non-profits currently supporting this effort and send the message to visitors that when they come to the coast that they will take care of the coast and leave it better than they found it. It is important to focus on the clean up litter along the roads and beaches. This will bring renewed attention to these issues. At some point, Supervisor Hopkins would like to bring this in front of the MAC for a support position. Sonoma County might be the hub of the effort, with Regional Parks holding the staff piece. Marin and Mendocino County would contribute funds to help fund the staff person. The three counties would coordinate cleanup efforts and messaging. They may consider safety messages in the future regarding roads and the ocean.

Regional Parks Update

- All coastal parks are currently implementing drought measures including limiting showers.

- Doran Park is working on solar panel installation and backup power options.
- The Bodega Bay Trail, Bell Tower to Bay Flats segment, permits are in process and the earliest construction on the trail will be in summer of 2022.
- The Bodega Bay Trail, Birdwalk to Smith Brothers Road segment, is being worked on by Caltrans and Sonoma County Public Works before engaging the stake holder engagement and inviting public discourse.
- Carrington Ranch – More access park preview dates will be added. They hope to have public engagement in the planning process this fall. Supervisor Hopkins wants to hear from the MAC also.
- Gleason Beach and Sodie Creek - This is a Caltrans Project, and they are working with Permit Sonoma and the Coastal Commission to finalize agreement for access to the area.
- Stewarts Point and the Kashia Preserve Access Trails – We are working on a draft mitigated negative declaration to be released later this summer.
- Wright Hill Ranch Open Space Preserve – We are anticipating the transfer from Open Space to Regional Parks will happen in August. Initial access will be from the Pomo Trail. State Parks and Regional Parks are still working out the details.

Comments/Questions - MAC

- **Che Casul (Bodega/Valley Ford)** - Mr. Casul thanked Supervisor Hopkins for putting together funding for Bodega Bay Fire as they move forward and become consolidated with Sonoma County Fire. He asked if there was funding as things move forward and if it is a concern. **Supervisor Hopkins** – The funding to consolidate is after the emergency funding. They could have consolidated before that, so all the one-time funds aren't necessarily needed. It will be \$3 million on going to support the consolidation with Sonoma County Fire. Also, North Bay Fire is looking to consolidate with Gold Ridge.
- **Brooks Rooney (Bodega Bay)** –
 - What is going on with Merideth Wharf? **Supervisor Hopkins** - We are in the process of looking at the public art. She will check on the status and get back to Ms. Rooney.
 - Ms. Rooney suggested a guard rail for the area on Hwy 1 where the burned-out house was located. She is concerned a car will miss the turn and go over the cliff. **Supervisor Hopkins** - Ms. Hopkins thanked Ms. Rooney for the suggestion. She will ask Johannes Hovertsz (Public Works) to reach out to Caltrans to discuss the issue. **Gary Helfrich** – The guard rail is in process. General Services will install the guard rail. Permit Sonoma has applied for the permit from the Coastal Commission.
 - How has the bus shuttle worked for the lower Russian River? - **Supervisor Hopkins** – It may be too early since the shuttle just launched, but she is hearing people are impressed with the affordability of the shuttle. It seems to be taking the stress off of some of the lots. They are thinking of adding some additional stops. This is the pilot program. They have talked about possibly shifting the Guerneville Park and Ride to a Parks Parking Lot to help the Guerneville downtown businesses. This will serve as a model for the coast.
- **Liz Gallagher (Jenner)** - Ms. Gallagher asked about the shuttle stops after it leaves Santa Rosa. She also suggested a stop near Monti Rio School since there is more room for parking and a turnaround for the bus. Also, Duncans Mills might be a good location. **Supervisor Hopkins** - The

two main stops of the shuttle are Sunset Beach and Steelhead Beach. It goes along the Hwy 101 corridor and then directly to the Russian River area. It does not go to Jenner. The goal was to get it started and then look at expanding. Ms. Hopkins agreed that the Monte Rio School and Duncans Mills would be good stopping points. She will follow up with the Regional Parks. There is a free bus and a bus that goes all the way up the coast from Santa Rosa.

- **Wanda Swenson (Fort Ross)** - Ms. Swenson asked for Supervisor Hopkins to speak more about the new relationship between Gold Ridge and North Bay Fire and how that affects the CSA's. **Supervisor Hopkins - Currently** Gold Ridge is serving as the administrator for a function that was previously performed by Sonoma County Fire Services. Ms. Hopkins added that it was done too expensively and not necessarily very well. Gold Ridge shouldn't have been in this business of fire services since it isn't really what County services do. There was a contract granted for Gold Ridge to perform the administrative services. The County is hoping to change this into a long-term relationship through annexation and a tax transfer with Gold Ridge. Although there will be funding, there will be costs that aren't yet funded by the County. Additional revenues will be looked at as part of the fire tax measure.

Chair Farmer asked Supervisor Hopkins if she had any more comments. She thanked everyone for serving on the MAC.

Public Comment

There were no public comments.

2021 Fire Season Outlook – Fire Chief Marshall Turbeville

Presentation on You Tube <https://www.youtube.com/watch?v=k-aqHxJnTbs> starts at 27:18 minutes.

Highlights

- The video is of Upper Mill Creek Road during the Walbridge Fire.
- Fire Season Potential: fuels, weather, and topography
- The deciduous trees are very dry this year. The fire season is 4 to 6 weeks ahead of schedule when it comes to dry trees and bushes. The trends are not in our favor. Once the fire gets into the treetops, embers are dropped that start additional fires
- When the smoke is thick and you can't see your feet or 50 feet ahead of you, that should be your criteria to leave.
- Fires create their own weather.
- 2020 Year in Review
 - August: LNU Lightning Complex
 - Walbridge
 - Meyers (burned down to the ocean)
 - September
 - Glass Fire
- Generally, there is a fire weather watch, and within 48 hours, there is a red flag warning
 - When this happens, be prepared with your go bag
- Red Flag Warnings
 - There were 6 Red Flag Warnings in October 2020 – a record was set

- Less likely to see fog in September
- We need to learn to live with fire by managing vegetation, how we build our houses, and learn to get out of harm's way
- Most worried about West Sonoma County for fires because of the condition of the forests. It is easier to fight a fire on the ground than in the treetops
- Wildfire Stats – There have been significantly more acres burned in 2021 vs. 2020
- If everyone reduces emissions, they will be doing their part to help prevent fires.

Comments/Questions (MAC)

- **Paul Plakos (Sea Ranch/Annapolis)** - Mr. Plakos asked Supervisor Hopkins and Chief Turbeville about reducing emissions. PG&E has Public Safety Power Shutoff (PSPS) and Mr. Plakos asked if PG&E is ready and willing to use PSPS? **Supervisor Hopkins** - Ms. Hopkins stated that PG&E briefed the supervisors at yesterday's board meeting. A judge ruled that PG&E has to expand the criteria for PSPS to include trees that could fall on transmission lines (overstrike trees), This does not include distribution lines. The result is that PSPS incidents will double, areas of West County that were not impacted in the past will be included, and PG&E has proposed that bills will increase by 20%. There will be maps on the PG&E website showing the areas that will be impacted.
- **Beth Bruzzone (Bodega alternate)** - Ms. Bruzzone thank Chief Turbeville for his presentation and asked if it was possible to get a copy of his presentation. She also asked about defensible space for saving the lives of the firefighters. **Chief Turbeville** - The Chief will share the slides (not the video) Defensible space is under State Public Resources 4291 and County Ordinance Chapter 13A. This was written to protect the house. If residents manage their defensible space, it does provide protection for firefighters. It not only saves your house, but it also gives a place for firefighters to safely be. The first thing on a firefighter's mind is "can I safely be here?" Defensible space is good for the house and the firefighters. If the firefighters can be there, they will be there for you.

Chair Farmer thanked Chief Turbeville for his presentation. There were no questions from the public.

Additional Council Representative Comments on May Meeting presentations from Sonoma County Tourism and the Economic Development Board - Chair Farmer

Several participants at the May meeting expressed they would like to add more comments.

- **Che Casul (Bodega/Valley Ford)** - To have the SCT and EDB on the same line as the Bodega Bay Fire Fighters and discuss how we can't keep them afloat was interesting to have them set up right before the discussion regarding Bodega Bay Fire. He thanked the Board of Supervisors for funding Bodega Bay Fire. Mr. Casul thanked the SCT for their donation to Bodega Bay Fire, but it was a sad amount compared to what we would have gotten to save our Fire Department and local schools.
- **Liz Gallagher (Jenner)** - Ms. Gallagher doesn't see the benefit of the SCT for someone that lives here. It is ok for the businesses, but it seems like way too much since they are pushing and trying to draw as many people as they can when there isn't any room. She added that Jenner is

overrun with visitors as it is. She appreciates that people should have access to the coast and parks, but it seems overwhelming as it is and a bit over the top.

Council and Public Comment on the Current LCP (Local Coastal Plan) draft. Chair Scott Farmer. Gary Helfrich of Permit Sonoma was available to respond. This is an opportunity to comment on the current draft and ask questions of Permit Sonoma. The document was reviewed section by section. An appendix with a description of the Elements is located at the end of these minutes.

Link to LCP Draft and description of all Elements:

<https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Local-Coastal-Program/Public-Review-Draft/>

Brief Preamble Regarding LCP - Marti Campbell (Sea Ranch/Annapolis)

Ms. Campbell has been involved in updating the LCP for the last 6 years. The plan is hundreds of pages long. She appreciates the magnitude of the process to revise the LCP more than once. Reading the LCP gave Ms. Campbell a better understanding of the coast, the Coastal Act, and part of the Act surprised her. It's been the good fortune of the Sea Ranch area to have 6 people who have been consistently involved in the update for the past 6 years. This has given the Sea Ranch group a leg up in understanding the LCP and the various parts of it. She knows that a number of people up and down the coast have devoted hours over the past 6 years to evaluate and comment on the plan. The Public Officials in this meeting will hear more comments at the Planning Commission Meeting and the Board of Supervisors Meetings coming up.

Thanks aside, Ms. Campbell thinks it is unfortunate that in this 11th hour, the calendar is not on the side of the public. The draft was made available 30 days prior to the Planning Commission meeting this next Monday; however, the document was not made available as a red line document, so people had to do a side-by-side comparison in order to see the changes from one version to the next. This made the review tedious and time consuming. Ms. Campbell has not completed her review yet, however, it was helpful that the Sea Ranch Team divided up the review in sections with each person reviewing their own section.

A number of the substantive appendices to the LCP were unavailable until this past weekend. As of last night, the links were still not available to all of the appendices on the County LCP webpage. The links were only available on the July 26 Planning Commission Agenda. These links were discovered by accident by one of the Sea Ranch Reviewing Team who had been requesting the appendices from the County for the previous 2 weeks.

The lateness of availability for the documents has been persistent throughout the process. Many of the comments of the Sea Ranch Team are not in the current version of the draft. Chair Scott Farmer is going to ask people in this meeting to share their changes from the last version to the current version of the document. We are less focused on keeping score on Permit Sonoma on changes made and not made, but more on the most important issues that we still see in the draft document as it stands today. Ms. Campbell will be reading from the formal letter that Sea Ranch sent to the County, but her comments should not be construed as all inclusive.

Ms. Campbell, as a MAC Member and a member of the public who has followed this process for the past 6 years, asked the Board of Supervisors and Permit Sonoma be understanding if they continue to receive comments from the public through the end of August when the draft will be submitted to the Board of Supervisors. Ms. Campbell stated she believes it is a disservice to the public to not have more time to do a complete analysis of this very comprehensive plan after so many years.

Scott Farmer said this effort will not present the LCP in detail but give the public an opportunity to comment on the current draft and ask questions of Permit Sonoma. Each element will be discussed one at a time. Gary Helfrich (Permit Sonoma) will comment and answer questions. The objective of this discussion is to create a public record of the LCP.

Land Use Element (a brief description of the elements is available in the appendix)

- **Eric Koenigshofer (Planning Commission)** – Mr. Koenigshofer is a recent appointment to the Planning Commission for District 5. He made it a point to attend and wanted attendees to know he was present during the meeting. He asked Supervisor Hopkins for contact information for each of the Commissioners, so he could reach out and have follow up discussions. He is attending so he can become better informed. He also agreed with much of what Marti Campbell said regarding the complexity and challenge of this document while commending the staff on the continuing efforts.
- **Marti Campbell (Sea Ranch/Annapolis)** - The Sea Ranch Association has already sent in comments. She will read selected comments into the record.
 - There are several areas of the LCP where the special responsibilities of Sea Ranch are pointed out in the Land Use Element section because of the Bane Bill (Enacted October 1, 1980, California Legislature). This was the settlement between the Sea Ranch Association and the Coastal Commission when they were suing each other. There are several places in the document that are contradictory to the Sea Ranch’s rights which are outlined in a letter from the Sea Ranch Community Manager, Jennifer Marchant, to Dennis Wick, dated July 20th. She would appreciate Permit Sonoma and other authorities to closely read the interpretations and make an effort to resolve this with help from The Sea Ranch. This issue comes up in the everyday management of the community. It is disturbing and causes problems in the community. Ms. Merchant also pointed out some issues related to housing and land use areas.
 - Pages 3 and 4 - Issues related to housing and land use areas: “This high-level look at the land use areas caused unresolved conflicts that are evident in other sections. Recreation and commercial are listed as high priorities, while affordable housing is listed as a low priority. TSRA would like to point out a couple of concerns about this illogical ranking.”
 - Pages 27 and 2 - “Comments adequately and appropriately address both affordable and work force housing, but not middle-income housing and its role in supporting the desired focus on coast dependent commercial activity. It also notes the impact of long commutes on environmental sustainability. TSRA is pointing out an issue that has come up frequently in the MAC meetings over the past 2 years regarding inadequate housing along the coast to support the people who provide the services to tourists coming to our area. This issue permeates the LCP. If one reads the sections in the LCP that deal with sewage

and septic, it is forbidden to build congregate housing in the coastal areas with septic and sewer facilities which makes it impossible to build any housing except for the most low-income people. It's a conflict that doesn't make sense and isn't really addressed in the LCP and TSRA would like to see the issue addressed.

- **Paul Plakos (Sea Ranch/Annapolis)** - Mr. Plakos added that not only are workers needed for the tourism industry, people to work in the medical field are also needed. The largest employer on the Mendonoma Coast and Gualala is Redwood Coast Medical Services. They are having a difficult time hiring middle income employees since there is a shortage of housing.
- **Margaret Grahame (Public)** - Ms. Grahame lives and works within the Timber Cove Region and, although there are many differences along the coast, she completely supports what Marti Campbell said. She sees the same problem in Timber Cove.
- **Gary Helfrich (Permit Sonoma Response)**
 - Mr. Helfrich noted this is great input. He was involved with the LCP even prior to the update in 2013. There is a conflict between the Coastal Act and what needs to be done today in 2021. The table about land use has been in the LCP since 2001. The provisions of the table are set by the Coastal Act (written in 1972) and the Commission realizes that this set of priorities may not fit in 2021. The information is what the Coastal Act says, not the County Policy. Permit Sonoma will try to be as flexible as possible.
 - Regarding septic systems - Permit Sonoma will investigate this issue further. The Regional Quality Control Board sets the policies on septic systems. Although a Coastal Permit is required to install a septic system, the standards are set by the Regional Quality Control Board. Permit Sonoma will look into getting more flexibility within the regulatory framework provided.

Agricultural Resource Element (Agricultural land use designation)

- **Paul Plakos (Sea Ranch/Annapolis)** – Mr. Plakos asked; What is farmland of local importance? He noticed that Sea Ranch has 700 acres of such designated land. Additionally, are there ramifications to the land being this type of soil?
- **Margaret Grahame (Public)** - Ms. Grahame has the same question as Paul Plakos. Within the Timber Cove HOA, there is land designated as farmland of local importance.
- **Gary Helfrich (Permit Sonoma Response)**
 - Farmlands of local importance are established by the State and based upon soil science and ground water availability (similar to the definition of wetlands). The LCP isn't establishing the land as farmland, but simply stating the soil meets the criteria of the definition. It is a scientific definition. There isn't soil that meets the definition of the criteria for agricultural land along the coastal zone.
 - The ramification of this definition is that someone could request the zoning be changed from residential to agriculture if the soil supported the agricultural land criteria so that would be a reason to support the request. Beyond that, it is not considered part of the LCP process.

Open Space and Resource Conservation

- **Marti Campbell (Sea Ranch/Annapolis)** - Ms. Campbell noted that some of her comments are specific to Sea Ranch and others pertain to other areas of the coast. The comments are about

environmentally sensitive habitat areas (ESHA). TSRA continues to be concerned about ESHAs and the ability to develop the remaining residential sites and undertake remodels and additions as stated in the 1982 Precise Development Plan. TSRA appreciates Coast Policies 5B10 and CLU4 that attempt to address these concerns and are intended to resolve ESHA impacts that could constitute a taking (legal term). CLU4 proposes to develop a manual that guides project review process roles, responsibilities, and steps. The result of these policies will be largely dependent on implementation, including careful consideration of costs of mitigation or costs of limitations imposed and also the process that a solution would be developed. Community Manager Merchant encourages working with TSRA and other stakeholders in defining the processes and working on the manual that would resolve the practical implications of ESHAs and how they are defined. Ms. Campbell added that none of the comments submitted by TSRA for this section, except for a few minor comments, were included.

- **Beth Bruzzone (Bodega Bay Alternate)** - Ms. Bruzzone asked about the completeness of the ESHA maps. She stated they are a moving target and asked if they are complete. **Gary Helfrich response** - The ESHA Map is a dynamic map. The habitat areas and wildlife don't stay in the same locations. ESHA is defined by two things; The mapping is generalized and larger than Permit Sonoma knows occurrences to be, and there is also a set of definitions in the Open Space Element. This establishes the criteria. If you are in a marked ESHA area you have to consider the impact to the ESHA and evaluate the site. If the site has nothing on it, there is zero effect. If you do find something, that is the part of the criteria driven ESHA Policy. These are natural resources, not property lines and they are going to move a lot with climate change. The map is not the end, it is the beginning point. Protecting natural resources on the coast is the highest priority of the Coastal Commission.
- **Chair Scott Farmer** - Air resources and wildfire pollutants are controlled by fuel management and suppression. Chair Farmer emphasized the need to create fuels management exemptions for fuels management and parallel the CalFire exemptions next door to the coastal zone. They maintain a fuels management process without requiring permits. It is defined by CalFire and allows the owner to maintain and create a safe space. Chair Farmer emphasized we need this process. **Gary Helfrich response** – Permit Sonoma spent a lot of time working on this with the Coastal Commission and the CalFire Board of Forestry to identify a program that would create a programmatic program so once the program is developed, you don't need a Coastal Development Permit to do any fire fuel management as long as what you are doing is consistent with the plan. Santa Cruz, Monterey, and Ventura County have these plans. It is called the Forest Health and Fire Resilience Public Works Plan. Permit Sonoma is recommending ORSC-7 (in the Planning Commission packet) be revised and the County will work with the Board of Forestry to make a plan which does not required a permit when managing fuels, noncommercial timber land, and defensible space of an existing structure. This is the goal of the revised plan. This plan is consistent with Coastal Act 30605. Mr. Helfrich noted this is a major change to the existing program. He apologized for the short review time. He added Permit Sonoma recognizes the shortcomings and thus the revision of this program.
- **Paul Plakos (Sea Ranch/Annapolis)** - Mr. Plakos urged Matt Greene to bring up his comments from Zoom in the next review of the LCP.

- **Kristen Haring (Public)** – Ms. Haring is concerned that some of the provisions in the Open Space and Resource Conservation Element conflict with the goal of promoting coastal access. She will email her comments to the LCP after the meeting.
 - Policy 5B1 states that “areas that contribute to the vitality of plants and animal species for which there is compelling evidence of rarity” are environmentally sensitive habitats. The phrase “compelling evidence of rarity” is a subjective standard that will spawn disputes regarding the evidence.
 - Policy 5E3 states “public access to offshore rocks and onshore nesting/rookery areas used by sea birds to breed or nest, or which provide habitat for seals and sea lions shall be prohibited.” By addressing bird nesting and seal rookery areas “that provide habitat for seals”, this provision prohibits human access along the entire coast even when birds aren’t nesting, and seals aren’t pupping.
 - Policy 5E5 states “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”. Because there is not a definition of disturbance or of passive recreation, this provision could be construed to prohibit human activity near a haul out ground.
 - Policy 5E6 encourages a State department to develop a plan for managing marine mammal haul-out grounds. This provision should acknowledge that there are many suitable haul out grounds. Ms. Haring’s fear is that the LCPs provision regarding seals and birds may eclipse the very goal of accessible coastline.
- **Susan Rudy (Public)** - Ms. Rudy lives at Still Water Ranch on the coast. She commented on her observation that so much of the directions for open space have to do with protection of specimen trees, views, view sheds, vegetation. As people know, that between Fort Ross and Salt Point, all the trees are dying. With global warming, our trees are going away and our viewsheds will look very different in the future. She doesn’t believe the LCP is dealing with this issue appropriately. She doesn’t think this issue has been thought of.
- **Margaret Grahame (Public)** - Ms. Grahame spoke to CLU6a – 26n (visitors serving development). This specifies and targets particular private businesses and puts into policy whether these businesses can expand or contract. In the case of Timber Cove Resort (previously Timber Cove Inn), the policy has limited expansions. The Resort has had discussion with the County about why this policy was put in place back in the 1990s. This was a result of a disgruntled community member who did not like the way the Inn was managed. Since then, there is a policy limiting the expansion of the Timber Cove Resort. Ocean Cove is also covered by this policy. All other areas support the visitors serving development of businesses. Ms. Grahame doesn’t believe there is a right to decide which private businesses can expand or not. Any development of businesses should conform to the statute of limitations. **Gary Helfrich response** - Mr. Helfrich believes that the Ocean Cove restrictions have been removed. Mr. Helfrich requested the policy number for the Timber Cove Inn. He believes that wasn’t left in, but if it was, he and Cecily Condon will definitely take a look at the policy. Margaret Grahame responded that that the policy number is CLU-6L (page 23 Land Use). This will be brought up to the Planning Commission for their final recommendation.

- **Questions/Comments posted to Zoom**

- **Matt Greene** - C-OSRC-7 and C-OSRC-9a - The current language within the LCP states that an exemption may be developed to do fuels reduction within the CZ. This is unnecessary as the exemptions already exist under Cal Fire and the Board of Forestry. We need the language to be changed within the LCP to remove the term Timber Harvest Plan and more broadly allow landowners to utilize all Cal Fire exemptions (THP doesn't equal Cal Fire exemptions in state law). In addition, there should be allowances for any landowners implementing Cal Fire fuels reduction grants, NRCS grants, RCD grants to work within the CZ under an exemption. Otherwise, we have no mechanism outside of a full THP (which costs upwards of \$50,000 or more) or a Coastal Development Permit. Both of these options are massively expensive and prohibitive.
- **Rue** - She thanked the LCP for extending the review time. It is a large document and because of the length, we need to go back to the beginning. You know how long some of us have been engaged so we want to provide a thorough review and comments.
- **Matt Greene** - 150 Foot Fire Exemptions, 300 Foot Fire Exemptions and Forest Fuels Fire Exemption are some of the existing exemptions that some would use and already exist. The Public Work Process is different and relies on the Cal VTP process only. This is only for Public Projects. **Gary Helfrich response** – There is a registered forester on staff who determines this issue. Mr. Helfrich is happy to have a conversation with him regarding this issue since he doesn't have the background to discuss the issue in the meeting.

Public Access Element

- **Beth Bruzzone (Bodega Bay Alternate)** - Ms. Bruzzone referred to the public access map, particularly sub area 10, it shows access point trail heads that don't exist. Two are on private property with no access to the public. This has caused problems. K-1 is someone's driveway. People assume they can get to the Estero, but this is a driveway on Hwy 1. K-5 is a potential Bordessa access, but it is indicated as an access. K-3 and K-4 appear to be in Marin County. They don't appear to be Sonoma County access points. K-2 is a concern since people would have to trespass across private property. **Gary Helfrich response** – It is true that K-4 is in Marin. This has always been in our plan, but we have been in conversation with Marin, and this will stay in the Marin Plan but will be removed from our LCP. K-3 is located in Sonoma County. Regional Parks controls the recommendations, but the Planning Commission can say to take them off the map. K-5 is the Bordessa access point. There will be notations adding to the LCP that these are not access points to the public. In some cases, such as Scotty Creek, it was advantageous to the property owner when Caltrans moved the road because it gave compensation to the property owner. Ms. Bruzzone is correct that the map should make it clear that these access points aren't open to the public and that there is not public access. **Beth Bruzzone responded** – She is representing the property owners. Do the property owners need to take this to the Planning Commission? She doesn't think that making a note on the map will help since they are already dealing with people trespassing and using this access to get to the Estero that doesn't exist. **Gary Helfrich responded** - This is the first time that the LCP has gotten to a public hearing in all the years he has been working on it. The reason this is vetted with the public is to bring these issues out. If it is determined the access points shouldn't be on the map,

they won't be on the map. If the Coastal Commission believes the access points should be on the map, they will be on the map. It is important to attend the Coastal Commission hearings and advocate for your position. Staff's role is neutral and to provide an analysis to the Planning Commission so they can make informed decisions. There are 3 steps (decision points) to finalizing the LCP:

- The Planning Commission recommends a version of the LCP to go to the Supervisors. It is the Planning Commission's prerogative to change it and provide a recommended version to the Supervisors.
 - The Board of Supervisors adopts the LCP, but they can also change what the Planning Commission recommended.
 - The final review is by the Coastal Commission who certifies the LCP. The Coastal Commission is the final recommending body.
- **Margaret Grahame (Public)** - Ms. Grahame followed Beth Bruzzone comments with reference to C-PA-1E, points A9 – A11. These access points are on private property and there has been no conversation with the property owners about placing these access points on their property.
 - **Eric Koenigshofer (Planning Commission)** - Mr. Koenigshofer has a question for Gary Helfrich. Regarding the Regional Parks' role, Regional Parks gives your department the access questions? Has Mr. Helfrich seen the actual criteria and the analytical process that Regional Parks went through to come up with the access points? What consideration was given to previous properties that had access requirements associated with the project approval as mitigation to the access point? Was any of this information looked at by the Regional Parks? **Gary Helfrich response** - Yes, that is accurate, and we have passed on the landowners' concerns and Permit Sonoma's analysis why some of these access points should be removed. At the end of the day, Regional Parks makes that recommendation. Regarding the criteria, Mr. Helfrich doesn't want to speak for another department. Some access was required for approval of coastal development so that access point remains. Regarding the criteria for other access points, Mr. Koenigshofer would need to talk to Bert Whitaker and his staff. He will encourage Mr. Whitaker and his staff to attend the Monday Planning Commission Meeting. Mr. Koenigshofer had some questions from property owners who already satisfied a previous requirement for access, if additional requirements would apply, if they had already satisfied previous access requirements. He will follow up with Gary Helfrich.
 - **Paul Plakos (Sea Ranch/Annapolis)** - Mr. Plakos had a question about the process. If the staff is the messenger, and they are receiving the message from Parks, but someone comes along and says this is erroneous, rather than send it on through, why wouldn't they go back to check it first before sending it along for further approval? **Gary Helfrich response** – He would like Parks to answer this question because each one of the access point issues has different sets of moving parts to it. Access points are particularly complicated because it involves open space easements and a lot of things. Others are simple such as the Marin access point since Sonoma County received a letter from the Marin Planning Department to withdraw it. Some access points are not as clear. The point of a public hearing is to have the Parks think it is clear and the property owners to think it's clear and work that out. Mr. Helfrich told people to feel free to contact him. His contact information is on the public notice and he's available all the coming week or after the hearing.

Water Resources Element

- There were no comments from the MAC or participants. Chair Farmer asked if Gary Helfrich had any comments.
- **Gary Helfrich (Permit Sonoma)** - Mr. Helfrich stated that they felt the Water Resources Element was a very important piece of the LCP. Water Resources needed special consideration. He thanked everyone for validating their policy. We really do need to manage ground water.

Public Safety Element

- There were no comments by the MAC
- **Margaret Grahame (Public)** – Policy C-PS-4 (page 18) introduces a minimum setback from the bluff. Currently there is no minimum setback, but it requires a comprehensive geo- technical report to entertain climate change and the impact along the bluff for a particular parcel. The geo-technical nature along the coast varies greatly so having a one size fits all 100-foot minimum rather than listening to a geo-tech report means that there will be many private parcels along the coast that will be deemed unbuildable. **Gary Helfrich response** - Our experience has been that most often the geo-technical reports allow development and put people at risk, and things fail. Climate change and sea level rise are changing the nature of construction at the interface of the Pacific Ocean and Sonoma County. Mr. Helfrich referred to the policy directly and stated, if it can be reasonably sure about the economic useful life of the development you can do it, it is ok. They are trying to avoid another Gleason Beach on the Sonoma Coast. The policy doesn't prohibit it but does prohibit development in a spot where there can't be a finding made that the bluff on that particular parcel is retreating where it would create a problem within the economic useful life of the development. If the bluff is retreating faster than that, that leads to coastal reinforcement for wetments. We've never seen on our coast any shoreline armory/reinforcement being effective at all. You create a scenario where you are deteriorating a coastal resource and putting people at risk on the beach because the debris will end up down on the beach and the development isn't in a place where it should be, but if an engineering analysis makes a determination that a particular bluff doesn't require a 100-foot setback, this policy would still allow you to develop it. It won't let you develop where a bluff is retreating quickly. **Margaret Grahame followed up** - Ms. Grahame stated that Mr. Helfrich is confirming that a geo-technical report which conforms to a geo-technical report (under the updated LCP) sent out by the Coastal Commission recommends a setback of less than 100 feet, then development would be allowed and that the updated LCP doesn't have a hard 100 foot minimum for a bluff setback? **Gary Helfrich** said yes, but there is a hard timeline of 100 years. The geo-tech must sign and put their license on the line that the bluff will not threaten the building for 100 years. **Ms. Grahame** asked for confirmation that there is no hard 100-foot setback under the LCP update. **Mr. Helfrich** said there is a 100-foot setback, but there is a provision that if a geo-technical report determines that if a particular site can be developed safely, and that the structure will not be affected by the ocean for a period of 100 years, that the distance can be reduced consistent with the report.
- **Zoom – Questions/Comments**
 - **Rue** – Data collection and analysis is going to be critical to provide a sustainable water supply. Thanks for adding this element.

Circulation and Transit Element

- **Chair Scott Farmer (MAC)** - Chair Farmer wanted to stress the importance of developing the opportunity for tele-commuting. It may be what saves our local community going forward. **Gary Helfrich responded** - The LCP was revised to be consistent with Senate Bill 743 which looks at the distance that people have to travel. The metric is vehicle miles people have to travel and not level of service. Essentially the same thing is accomplished, but the idea is we need to look at the distance that people have to travel or are obligated to travel. This issue is solving congestion through providing ways locally that allow people to walk to the Post Office instead of having to drive because is so dangerous; encouraging shuttle transit in the summer out to the coast so people are not obligated to drive. This aligns with the current CEQA guidelines and the State's guidance on evaluated traffic impacts.
- There were no comments by the public.

Public Facilities and Service Element

- **Brian Leubitz (Bodega Bay)** - Gary Helfrich and Mr. Leubitz spoke a couple of weeks ago about the Bodega Bay Fire situation and there was a letter going back and forth between them. Mr. Leubitz wanted to thank Mr. Helfrich for the revisions he made in the draft. Everyone in Bodega Bay was appreciative of the revisions with respect to the Bodega Bay Fire Protection Services.
- **Chair Scott Farmer** - Chair Farmer had a comment regarding Policy CPF-5-D. The policy is about identifying funding opportunities that will require visitors serving uses to provide support to emergency services providers that is proportional to the demand created. Chair Farmer is hoping, and it should include Regional and State Parks that are impacted heavily by users, e.g., Timber Cove Fire which is heavily impacted by the Park's visiting traffic. It isn't clear if participating in funding is included or not. This is important in order to support our services that are so heavily impacted. **Gary Helfrich response** - Mr. Helfrich clarified Policy CPF -5-D. This was a response to leveraging the TOT (transient occupancy tax) to provide emergency services to the coast. Staff saw this as a more relatively robust resource than the amount of money that State and Regional Parks have at their disposal. The reason for including this was to ensure that the hospitality industry is contributing their fair share to emergency services.
- **Paul Plakos (Sea Ranch/Annapolis)** - On page 13, there is a paragraph that starts that "fire protection services are highly dependent". The last sentence states that "Bodega Bay Fire Protection District and Sea Ranch Fire, staffed by Calfire personnel, funded by CSA40, are the only Fire Protection Services with full time staff on the Sonoma County Coast". North Sonoma Coast Fire District is not funded by CSA40. **Gary Helfrich** said he is making a note to correct. **Marti Campbell (Sea Ranch/Annapolis)** also added that the correct name of North Sonoma Coast Fire was previously submitted by the Sea Ranch Team to correct errors. There are a couple of places where the name is noted incorrectly.
- There were no public comments.

Cultural and Historic Resources

- **Beth Bruzzone (Bodega Bay)** - Ms. Bruzzone said there had been in the previous version of the LCP, a section of historically significant buildings. She does not see that in this version of the LCP and doubts if the section will go away, but there were many mistakes in the table. **Gary Helfrich response** - The list always was in the appendices and is still included in the appendices.
 - How are the significant buildings established? **Gary Helfrich response** - These are established by the Landmarks Commission and, to correct, the Landmarks Commission must be petitioned. Mr. Helfrich told Beth Bruzzone to send him the list. The list has not been touched by the county and has been in the LCP for decades.
 - Is the historical significance of the buildings on the property owners or the County to make that designation? **Gary Helfrich response** – see answer to the question above.
- **Zoom Comments/Questions**
 - **Rue** – Tribes should be included in this section.

Overview Comments of the LCP - Chair Farmer asked if there were more comments speaking to the broader LCP.

- **Marti Campbell (Sea Ranch/Annapolis)** - Ms. Campbell had a question for Gary Helfrich.
 - Is there any hope of changing this document now? Should we be in despair? Ms. Campbell was referring to the coming meetings with the Planning Commission, Board of Supervisors, and the Coastal Commission in the fall. **Gary Helfrich response** - Absolutely not. This is just the beginning. It is a public process, and this is how it works. You are not looking at the end point, but the beginning. This is not on an airline time schedule and the Planning Commission can take as long as it wants to take. If it results in the rest of the process being pushed back, so be it. The public process is important. He and Cecily Condon need some dates to shoot for. If the Planning Commission pushes things back, this will not result in the process being cut short. Mr. Helfrich clarified that the original date for the Coastal Commission Meeting was set because the Coastal Commission meets up and down the coast and the North Coast meeting is scheduled for November. They didn't want the meeting to be in San Diego for the North Coast. They still allow Zoom, but an in-person meeting (in Santa Rosa, the Marine Lab, or larger facility) would allow stakeholders to show up.
- **Chair Scott Farmer (Timber Cove)** - Chair Farmer said we want to be good hosts and as we design things for more visitors, there needs to be a recognition and reality for resource support for services. Whether it is housing, our fire fighters, or EMTs, we need a joining of the resources to make this work.
- **Susan Rudy (Public)** - Ms. Rudy noted we didn't discuss the noise element at all, and it is important to her. The noise element isn't very comprehensive for our area and seems to be cut and pasted for other things. They are based on noise tests that were done in 2002 and she believes everyone would recognize that the noise level has gone up, particularly with more tourism. The highway is used as a recreational corridor and there is a lot of noise. This has a detrimental effect to the residents and the visitors coming here for peace and quiet. Rather than consider this as noise, we should think about soundscapes. We think about viewsheds and night skies. This is more of a soundscape issue and an important issue that we consider more seriously. **Gary Helfrich response** – The noise element was actually cut and pasted from the

general plan; it wasn't just like the General Plan. This goes back to before 2013 when the concept was the LCP should be a miniature General Plan. Staff at the time took the General Plan elements and edited them slightly to make the Coastal Plan. The Noise Element was weird because it wasn't addressed in the Coastal Act at its most basic level. There are a lot of standards; for example, how you design a septic tank is not a Coastal Act issue, but a Water Board issue so it doesn't have to be included in the LCP because another agency regulates it. The General Plan Noise Element applies to everywhere in the County. If Lucas Wharf gets a Use Permit, they don't need a Coastal Permit because they still need to follow all the noise standards in the General Plan.

- There were a lot of comments about how confusing and dis-organized the first version of this LCP was, and part of the problem was the document was not structured as a Coastal Plan, but we structured it like a General Plan, and we took things out of it that didn't fit the coast which was the wrong approach. We did a complete rewrite and replaced the noise element since that added pages that didn't relate to the coast and there are already regulations that apply in the General Plan. They are replacing it in the Open Space Element since there is another flaw because the noise element only considers social and public health impact but doesn't consider the General Plan elements. The recommendation to the Planning Commission is that the noise element be replaced with a short one paragraph policy in the Open Space Element that states noise elements should not exceed the requirement in the General Plan. Additionally, if project noise (construction or operational) is having an adverse impact on biological resources, noise emissions shall be reduced so no adverse noise effect on adjacent users occurs. For example, the General Plan Noise Element would not protect birds from excess noise if there were a heron rookery next to a construction site. The LCP Policy takes resource protection into account which the General Plan does not. Sonoma County has not followed the practice of other counties by looking at the LCP as a living document and updating it every couple of years and the Coastal Commission staff has pointed this out to Sonoma County. Most other jurisdictions make amendments and updates to the document every couple of years and don't wait for the 20-year timeline, e.g. changes made are a result of social conditions, climate change etc. Mr. Helfrich noted it is important going forward to follow other counties that update their LCP every couple of years. People shouldn't feel that once the Coastal Commission certifies the LCP that they are stuck with the document for the next 20 years.
- **Eric Koenigshofer (Planning Commission) -** Since the question of the schedule was asked of Gary Helfrich and Mr. Koenigshofer, he wanted to weigh in on it. He was heartened by Mr. Helfrich's response, the schedule and the critical role of the public process, public review, and public engagement. For those not aware, Mr. Koenigshofer referred to the introductory section of the LCP document which refers to 1978, 1980 era when the LCP was first put together and adopted. He was on the Board of Supervisors at that time for District 5 and chaired the North Central Coastal Commission, which was Sonoma, Marin, and San Francisco Counties. He brings that background and experience to this meeting. Earlier today, Mr. Koenigshofer had a 2 hour Zoom meeting on advocating environmental policy along the coast. There is a huge amount of material and detail to go through and requires a deep dive. He is happy that Gary Helfrich is working on this since he has lots of roots in the policies as well. The Planning Commission goes line by line and once they take action, that goes to the Board of Supervisors. Then that is

worked up with scheduled hearings before it is submitted to the Coastal Commission. It appears unlikely the draft will be ready for the Coastal Commission in November. Mr. Koenigshofer welcomes any of you to contact him if you want to have further policy discussions regarding the document.

- **Margaret Grahame (Public)** - Ms. Grahame wanted to make a final general comment pulling from the Coastal Act. She believes the Coastal Plan generally lacks attention to the economic and social wellbeing of the people of the State and specially to working persons employed in the coastal zone. She is talking about people who live here and are dependent upon work here; who travel long distances to seek medical help; who go to school here. This plan, as stated in the introduction, is for a 20-year period. These community wellbeing issues such as schooling and travel time is not addressed. There is a lot of variation in the communities along the coast. One policy does not fit all. She believes there has been a lack of curiosity in our communities that live here on the coast and are dependent upon the coast in this LCP. This should be clearly stated in the LCPs going forward. She appreciates the efforts of what everyone is doing and appreciates listening.
- **Zoom Questions/Comments**
 - **Rue (Public) - Rue** noted the noise element should be included in another element if it isn't included as its own element.

Chair Farmer thanked everyone and hoped this discussion was productive for the Planners and Board of Supervisors. He thanked Gary Helfrich and Eric Koenigshofer.

AdHoc and Standing Council Representative Reports

Land Use Standing Committee - Chair Farmer

The Committee met last week with the Lower Russian River Committee to coordinate their policies and it is coming together. The Committee will glean the permits as they come through and create a selection list of permits to review.

In the May Meeting two different versions of the procedures were shared with the Committee. The earlier version was correct, and the packet included the older version, which was voted upon incorrectly (also without a motion). Chair Farmer suggested that the MAC take this up, explain in more detail, and vote on this in the next meeting.

Meeting AdHoc Report - Marti Campbell

Ms. Campbell did not call a meeting of the Meeting in Person AdHoc. She talked with Elise Weiland and the County is still working on the technology to create a portable hybrid arrangement. The Committee will rely on the County technical people. She has spoken with Ms. Weiland and the Committee will meet prior to the next MAC Meeting.

Council Member Comments - Chair Farmer

- **Che Casul (Bodega/Valley Ford)** - Mr. Casul sits on the board to Safer West County and they are looking for committee members for Bodega Bay. They are adding town by town as they move

from Occidental to Bodega. If anyone is interested in a more resilient West County (from fire, flood, earthquake), please let Mr. Casul know.

- **Chair Farmer** – The 12-year effort to get the Salt Point Cell Tower operative with Elise Weiland’s efforts to get it turned on, went live last night. He drove from Salt Point Ranch to Sea Ranch and had a cell the entire way.

Staff Reports

- **Elise Weiland - Ms.** Weiland introduced Mary Agneberg. She is new to the Team and will be the Clerk for the Standing Committee for Land Use. Cindy Culcasi will remain as the Clerk for the Coast MAC and Mary will assist Ms. Weiland with posting, newsletters, and other items.
 - **Mary Agneberg** introduced herself. She has lived in the Lower Russian River since 1995. She was a paralegal, a property manager, and in the vacation rental business for 12 years. Most recently she worked with a Chamber of Commerce, and just changed her job to work at the Humane Society. Everyone welcomed Ms. Agneberg.

Call for Agenda Items – Scott Farmer

Chair Farmer added this includes the public and anyone can reach out at any time with agenda items to Supervisor Hopkyn’s office or anyone on the Council. When the agenda is created, these items are used to create future agendas.

Adjournment - Cindy Culcasi

Cindy Culcasi asked for a motion to adjourn the meeting. Che Casel made a motion to adjourn, and Brooks Rooney seconded. The motion carried 9-0 and the meeting was adjourned at 8:18 p.m.

Respectfully submitted,

Cindy Culcasi,
Clerk

Appendix

Descriptions Of Elements for Discussion Purposes:

Land Use Element – Establishes allowed land use and densities and presents policies specific to the coast or particular sub-areas. Policies address outer continental shelf development, residential and commercial development, affordable housing, and visitor serving commercial uses

Agricultural Resources Element - guidelines and policies that apply to land with an agricultural land use designation.

Open Space and Resource Conservation Element – Judges scenic resources designated: biotic resources, soil and timber resources, mineral resources, energy resources, air quality and commercial fishing support facilities. This element also identifies designated environmentally sensitive habitat areas.

Public Access Element - Describes in general the public and private parks, trails, and other recreational facilities on the Sonoma County Coast. The element describes the types of facilities in the coastal zone, the method, and priorities for acquisition of facilities, public access plans, and allowable uses of public access facilities

Water Resources Element – This is a new element developed in recognition of the importance of water to the environment, economic stability, agricultural protection, and the overall quality of life along the Sonoma Coast residents. Policies address subjects such as surface water, ground water, water conservation and reuse, public water systems, and water quality.

Public Safety Element – Establishes special limitations and procedures for review of development projects located in areas subject to natural hazards, including bluff erosion, flooding, seismic and other geologic hazards, landslides and erosion, unstable slopes, beach erosion, tsunami, and wildfire.

Circulation and Transit Element - Presents plans for the Sonoma County Coast Route future highway and transit systems

Public Facilities and Services Element – The various public services that may affect the future development of land on the Sonoma Coast are described in this element including water, wastewater treatment, disposals, park and recreation, fire protection, law enforcement, and solid waste management.

Cultural and Historic Resources – This new element was introduced with the revised public review draft 2021 and is intended to implement California Coastal Commission guidance on protection of tribal cultural resources and the importance of an effective tribal consultation process protecting these resources. This element provides policies for protection of the California historic resources within the Coastal Zone.



Special Meeting

Land Use Committees of the

Lower Russian River and Sonoma Coast Municipal Advisory Councils (MACs)

August 18th, 2021

5:30-7:00pm

Call to order MAC Clerk/Mary Agneberg

Pledge of allegiance Group

Roll call

Land Use members Present: Kyra Wink, Mike Nicholls, Beth Bruzzone, Scott Farmer, Brian Lubitz

Staff liaison: Elise Weiland

Absent: Nic Pereira

Kyra Wink Chair of the Land Use Standing Committee for the Lower Russian River MAC and chairing this special meeting today. This meeting was scheduled to give Land Use committee feedback and public feedback to 5th District Supervisor Lynda Hopkins to bring forward to the Board of Supervisors for their meeting with Permit Sonoma at the end of this month to discuss land use permits/special event permits.

The agenda is a one item agenda- it's to talk about the permit process.

A. Approval of Agenda – Chair, Land Use Standing Committee for the Lower Russian River MAC Kyra Wink called for a roll call vote on the agenda.

Kyra Wink – yes, Mike Nicholls – Yes, Brian Lubitz – Yes, Beth Bruzzone – yes, Scott Farmer – Yes. The agenda was approved with a vote of 5-0-0.

Agenda Item:

Event Permit recommendations for the Board of Supervisors

- Chair Kyra Wink overview of the three points that went out in the published agenda: She first talked about this special meeting of the land use committee for the Sonoma Coast and Lower Russian River MACs which are advisory councils for Supervisor Hopkins. All authority for permits still resides with the agency overseeing that particular permit in this case Permit Sonoma. The MAC's role is to provide an additional local source of information and input so that residents can better be informed and more engaged in this process. This meeting is not to make any binding decisions on land use policy. It is to inform the community on the process and to gather ideas and suggestions that would be provided to the events permit team and Supervisor Hopkins in preparation for a workshop with permit Sonoma on updating the events permit process. At this time the workshop is scheduled for August 31st at the Board of Supervisors meeting.
- The second point talks about event permits as ministerial in nature meaning that any application that meets the guidelines in the application are automatically granted with little room for input on events that may have a significant community impact. It is highly unlikely that the Board of Supervisors will change the ministerial nature of this event permit process, there was an opportunity through participation in the land use committee meeting, in the Board of Supervisors meeting or direct comments to Permit Sonoma to suggest guidelines to be added to the application that can help reduce the risk to help in the safety of these events in our communities
- The third point references current event encroachment permits for events affecting roads (attached for reference). Zoning permit information is available at the link to Permit Sonoma

B. Conflict of Interest- none

C. Correspondence- none

No changes to the agenda were offered during Committee Comment or Public Comment.

Land Use committee member comments:

Scott Farmer - Our interest is in when the public is impacted significantly, and when highways are impacted because that's how we get in and out, and there's only one way to get in and out.

CalTrans has jurisdiction over highways, and the county rubberstamps that process when there's an event permit that only involves county roads.

- Adjustments on Permit Sonoma application form.
 - Change the mailing address to add a physical address with the CalTrans application. Only 501(c)3 and government agencies in the county and cities and 501(c)3s that had offices within the county are eligible to apply for these permits.
 - The county permit form should if applicant is a 501(c)3 or not and indicate on the county application that a CalTrans and encroachment permit is required, to show

if highways are being used or just county roads. And list state routes or highways that are involved specifically.

- Another portion of this county application form requires certain notifications. For fire services and local fire districts the notification goes to a central county office and my experience is that the notification to the local agency sometimes is not as timely as would be desired.

Beth Bruzzone- We have some remarkable habitat and we need to really think about the impact on our remarkable environment.

- I also great concern about local notification as did Scott. I think it should be go straight to local authorities and I think it should be no less than 90 days to vet whatever these events are to make sure there's not going to be a negative impact to see a plan as to how everything is going to be coordinated.
- I also have great concerns of the conflict between ministerial and discretionary. I believe that this permit is a special type of permit because of our Coastal Commission and we can't treat these kind of permits on the coast the same way would anywhere else in Sonoma County. What constitutes an event? For example, bike clubs avoid filing permits for practice rides by spacing the groups of riders going out as they do their practices. So what constitutes an event? How would this apply to some of our parks and conservation easements that that might get sticky with some events? We need to know every possible detail so if there is conflict, we can make sure that we all come together as a community look at this the proper way to make sure there's no conflict about it going forward.

Mike Nicholls - The coast is under the auspices of the Coastal Commission, and that is an entirely different picture than what we face generally speaking inland in the river area where it's mostly county. The county has a responsibility rather than the state for oversight.

- Lead-time notification is extremely important. Applicants have applied as many as 120 days in advance of an event and we don't receive notification from Permit Sonoma until about a week before the event happens. It's vital to receive information on a timely basis.
- Regarding Scott's comments about CalTrans being only for nonprofits. I know that we have filming permits available for car commercials at Meyers Grade and so forth on Highway 1. Special events are different than filming events.

Brian Lubitz - We need to make sure the Land Use Committee is getting all these event permits so that we can vet them through our own purposes. From a county perspective, I think CalTrans should be doing more with the roads like Highway 1 where events are trapping people.

- Roads which with only way in and out should have a special check box so those folks who are going to be trapped will get some sort of greater notification. Whether that's a checkbox and them having to do that extra paperwork or some other process.

- People who want to get a permit on Hwy 1 where there's no other way in and out and they're shutting down for four or five hours should be directly contacting those folks.
- There are other sort of limiting forms that we could introduce that would help get these things to be more noticed by the local communities, if there are certain limitations on the road or anything like that. There are some other box that we should be introducing into the forms.

Scott Farmer - There is a requirement for submitting maps and possible detours in county roads. When you have just Highway 1 or just Highway 116 it's a different issue. Then it's CalTrans responsibility to address those issues.

Mike Nicholls - Good point about CalTrans... there are 14 different highway districts within the state of California and they operate completely differently. I think that the group up in Eureka has been more friendly to the folks of Mendocino County as far as events and so forth and working with him than the San Francisco division has been for our areas. We're the step sister if you will when you look at the big giants of San Francisco Contra Costa Alameda Marin and so forth and word we're the guys that they kind of forget about it times alright thank you

Kyra Wink - Monte Rio and Villa Grand recently had a filming event for a movie and it blocked off Bohemian Highway. Thanks to Mike, I was able to get notification out to a lot of people and of course I still had those that were upset that they were not notified. The film crew was able to film in 15 minute blocks to accommodate some flow of traffic.

Nobody in the community ever heard about the filming and the only way I heard about it was because Mike has a few connections.

- I'm hoping that Supervisor Hopkins can bring it forth as a suggestion that at least the MAC reps for their areas all receive information on any and all event permits and they can see which ones may affect them or their community members
- There needs to be some way to communicate more readily out to the communities that are affected.
- Moscow road is one of our evacuation routes. Shutting down an evacuation route really scared people.
- We need to give our communities a chance to have some input into this because what I might not think about as a MAC rep, there are other people that have great ideas. What about the school buses, local buses? Community input raised my awareness.

I will register in my comments through Permit Sonoma suggestions on their event form and I ask all of you to do the same. I think it's a good idea that we give them as much input as we can.

Scott Farmer - Bus routes and that type of thing are addressed in the applications. What we're doing here is designing it so that we do hear early, and we do get the word out. That will be a part of our job.

Mike Nicholls – Forms will come through with maybe eight events on a on a particular form, I'm addressing specifically bike events. I was mailed a copy of the application form and three of the events in form had already taken place. Folks were troubled by the fact that an event was going on and no one knew about it. They thought it was un-sanctioned and it turned out it was a sanctioned event by the county. So again, it gets right back down to communication. I think if they do a better job of communicating we can better inform our communities.

- Rather than having each of us submit our suggestions to Permit Sonoma I think we should probably run it through Kyra and then have one master form go forward that everyone approves.

Kyra Wink - I'd be happy to do that.

Beth Bruzzone - Kyra brought up a really important topic and that is safe evacuation. There are times years the time of the year when we shouldn't have any events or events so small that they are not going to be a significant impact.

Kyra Wink - Another suggestion from the filming event in Monte Rio, is making sure that when you're closing a road for filming or an event that they have the big digital signs that say road closed up ahead because several people got stuck behind the road closure and they said if they had known a mile ago they could have gone a different route and not been late for work.

Public Comment

Ceae - Supports the suggestion on improved notification. The Coastal Act and the local Coastal Plan specific to the coast determines that anything that impacts public resources or coastal resources and public access is considered development. You would need a coastal development permit in order to have that event and that has a very specific process and review.

It is not ministerial on the coast therefore combining these committees when you have different governing laws is somewhat worrisome although there are commonalities for example notification, times of year, things like that but I think you need to be really careful here because we don't want to undo what the Coastal Act and the Local Coastal Program already guarantees and already protects.

And we don't change any of the existing provisions that make an event like this discretionary on the coast rather than ministerial so my suggestion is that you do not combine on that level and also that you reach out to people to land use folks here coastal act folks here people who have a firm knowledge of the local coastal program as you're formulating any of these maybe general recommendations on notification or times of year

And so I'm very concerned about the joining of these two groups acting as if they are governed under the same law when they're not. I'm also very concerned about statements that events are ministerial on the coast.

Scott Farmer - I want to clarify we haven't joined these committees. We're going to go forward separately; we're only here to discuss a common interest of how this process is developed.

Norma - It very much concerned me when I saw the agenda item that said event permits are ministerial in nature. That's patently false with respect to the coast. We will not stand for any attempt to jam special events through as ministerial permitting. That undermines the entire California Coastal Act and Coastal Plan protections.

Also the idea to send in group comments. Two very different perspectives are being represented on your joint committee and that what is relevant to the inland is not necessarily relevant at the coast, although there are many in common, but there are very specific concerns with respect to the coast that have to be pointed out and adhered to ongoing.

Kyra Wink - It really is critical that we not interfere with the Coastal Plan and protections. The only reason why the Lower Russian River MAC Land Use committee and the Coastal MAC is meeting today on this agenda is we just wanted, before the 31st, to get our interests and our ideas out. We can separate them even though we may group them together we can separate it from lower Russian River to Coastal MACs so that we're not combining the two thank you for that point any other comments from the public

Eric Koenigshofer, 5th District Planning Commissioner - It's good that the two MACs are meeting. I can imagine a variety of situations where an event on the coast in the Coastal MAC domain could have huge impacts on everyone on Highway 116 getting to the coast.

The level of protection that the Coastal Act requires within the coastal zone is obviously a minimum level of protection and doesn't prevent the county from being more ambitious in any category so long as it doesn't conflict with the state law requirements.

As the Lower River MAC looks at this issue and you differentiate the two areas, not all of the Coastal MAC is in the coastal zone however most of it is. There may be aspects of what's required under the state law in the coastal zone that would appeal to you in the lower river portion. The county would not be permitted from stepping up its act relative to event regulation in the lower river area where appropriate to match it to the level of protections that are found in the coastal zone. You might want to actually look into that a little bit and see if there's anything there.

There was a lot of talk just now about the coastal zone and whether or not ministerial etc versus discretionary. If either or both of them MACs have opinions on whether or not the current arrangement about the reach of ministerial permits is OK, or potentially too great, and you want to pull that back a little bit and push more over into the *discretionary realm*. I would encourage you to weigh in on that issue.

Having followed the origins of both MACs and the intention of Supervisor Hopkins and the board when they were created, I think that kind of input is really important. I'm not saying you've already decided to accept the standard current state of affairs but if there is any reluctance or

timidity about weighing in on the issue of discretionary versus ministerial I would encourage you to be bold.

10 day appeal period is interesting because to make an appeal you have to pay a fee. The fee associated with an appeal can have a chilling effect on the ability of an individual or neighborhood to actually file an appeal. You might look at that and consider whether there any circumstances under which you think it's fair and in the community interest that an appeal could be filed and the permit fee could be waived or reduced.

When I look at this and look at the whole issue of events, most of these events aren't put on for the benefit of the people that live in the area. The merit of any event has to be weighed against that it's intrusive and has impacts. I'm inclined always to side more with the people that live here than the people that visit here.

What happens if you have multiple events or applications for events that are unrelated? Is it time of application filing that takes precedent? How does that get worked out?

If the county or CalTrans is looking at each application in isolation and you missed the potential that you could have very very significant impacts of conflicting events. Cumulative impact is an important issue.

You've touched on events in fire safety there's a question I think of limiting size, seasonality which I think Beth brought up earlier, and also the possibility that irrespective of an approval if there's a red flag warning an event could be cancelled. It's worth looking at especially in our recent several years of experience if this is the new normal- the idea of prohibiting events during fire season should be seriously looked at.

The CalTrans office we deal with is in Oakland and I only say that to point out that responsiveness or awareness and sensitivity to the nuanced interests of the community is affected. We wouldn't have a high level of expectation for CalTrans, and this I don't mean this in a pejorative personally critical way, but you know they're not here they don't understand the things as well.

The MACs should receive notification on the day that the application is received by permit Sonoma. End of discussion. It just defeats the purpose of the MAC if you're not in the mix from day one.

I would really look at two things, the ministerial versus discretionary, what are the criteria and thresholds for those for one versus the other. You can see where some much smaller event maybe the total hundred people or something like that I think about like the parade in Bodega which you know for it to last 30 minutes it has to go around the block two or three times, and people can move through during that time.

An event of any size that would have CalTrans approval on Highway 1 is going to have impacts on county roads. I would think anytime there is an application for a Highway 1 permit from CalTrans

there would also have to be an application to the county for a secondary roads that are impacted by the disruption traffic flow on the state highway. That would apply also to Hwy 116.

I really want to be able to have a good flow of information from the MACs and the individuals on the MACs. Please don't hesitate to call me if there's anything on the agenda. Or anything that you want to talk about long term.

Elise Weiland – staff. Thank you for that information Eric, it was really helpful... I had a meeting with Permit Sonoma about this a couple of weeks ago and they did explain that because the non LCP permits are ministerial in nature they approve them. It's in order received and they don't wait to see if another one comes in. You may get a permit approved for a bike race on Saturday and then another one approved for Sunday morning and then another one approved for Sunday afternoon- as long as they're not at the same time on the same road they can do that.

That's one of the reasons why Leo and the Permit Sonoma gentleman with whom we were speaking said maybe we want to have some sort of recommendation that no road can be closed more than four hours in a three day period. Because they will not change that system of rolling acceptances. But if we create some sort of a framework that says we can only have roads closed for a certain period of time or for a certain amount of effect - that's a way to get around that problem.

Scott Farmer - We have the ministerial approach, and then there's discussion of whether we want to make it more discretionary believing that will be able to impact it as a community, and that is kind of a third way and that's just tossing it into the coastal development permit direction. How does throwing it to coastal development permit process flow? It's still through the county is it just changing the checkoff list or how would that practically happen?

Eric Koenigshofer - The question whether or not a coastal permit is required is just a question of state statutory construct. It's not optional. The county doesn't decide what requires a coastal permit. The county processes the coastal permits that are required by state law.

If we just assume that the area that's in the coastal zone is going to conform with the requirements of the Coastal Act relative to applications and review, I would be drawn toward a division between ministerial and discretionary that might be applicable in both areas- coastal zone and out of the coastal zone, and even in that portion of the coastal MACs it's not in the coastal zone out in the Bodega area.

If it's a small event the idea of ministerial versus discretionary is all about public review and public process and public input. If you're an applicant it's more tedious and it takes longer. For those of us who feel like the whole process should be duty bound to hear from neighborhoods to get that fine-tuned impact or input that comes from people that live there. If you look to impacts, which impacts are most often mostly connected to the size of events.

If you were setting up a brand new program right now what might you define as the cut off level for ministerial versus discretionary which would require higher level of notification in public review and public input in a public hearing?

Generally speaking the cut off is that something that's ministerial is so inconsequential that it's not going to stir up any significant community or environmental impacts. As the numbers in size or length of time increases then that changes. On the issue of ministerial versus discretionary- you might have the threshold for ministerial but if you do get five ministerial permit applications that are all recognizably small but they happen on the same Saturday and Sunday weekend there's no mechanism. If you create a mechanism that says multiple low level impact events clustered into a certain period of time becomes a *cumulative impact* that we want to have discretionary review of.

Elise Weiland - To your point and the other points around evacuation, the people that have been making these decisions are far away. CalTrans is in Oakland, the Permit Sonoma person that we were speaking with in Santa Rosa. Without local involvement, they don't understand the impact.

As you all pointed out, we have a longer fire season and when events impact people's ability to get to work it's another thing. So one of the points that we may want to make is simply educating the permit people, and educating that you have to include some local voice somewhere in the process because otherwise these nuances of how these things affect our community get completely lost.

Is there a way to take notice of whether an event follows the guidelines that they promised in the permit for when they come back the following year? I'm not quite sure Eric you would be able to advise on the legality of this? How would we able to have a review after an event if there are issues and report those to Permit Sonoma so that when they come back the following year for a permit that information that maybe they left trash or that they needed to have another Porta Potty, that there was signs left on the road. If these things were not attended to. I think that's something important to include as well.

Ceae - A coastal development permit requires notice and hearings opportunity for public comment. That's when you would truly look at the impacts to coastal resources and public access and then propose mitigations or possibly say that this event cannot occur. An applicant is always going to try to say oh this is ministerial. If the event will impact public resources or coastal resources or public access you're going to need a CDP and needing a CDP doesn't necessarily stop an event but it's enough to put the applicant on hold knowing that they would have to go through that whole review process so that's what's guaranteed through a discretionary coastal development permit on the coast.

I agree with Eric in saying how can you ensure more protections governed under the general plan for your ministerial permits for events because it is very true that many of these events especially the larger ones that occur inland impact the coast and ones on the coast would impact inland. Just wanted to clarify what exactly happens when you have a coastal development permit review

Brian Lubitz - In terms of how the coastal Commission process works, is there an automatic threshold that triggers when an event needs to go through a public hearings process? If there's a series of 15 bikers is that small enough that that doesn't impact it but if it's 150 that it does? Is there some sort of threshold?

Ceae - It has to do with impact to public access and coastal resources so each event is analyzed and it's the responsibility of the county receiving the application in the coastal zone to say you need to apply to the coastal Commission for coastal development permit. But often it's the public finding out about the event and insisting that they need a coastal development permit. The moment that application is received by Permit Sonoma that MAC members are notified so that we can start evaluating. Sometimes you need that local voice to say hey we want more review of this particular proposal.

Kyra Wink - Reading Vesta Copestake's question: If fire and flood seasons are part of the formula for when an event occurs or is blocked, how is that season defined?

I'm I don't know if it is defined at this point I think we're kind of trying to make the point that maybe we should say if it's during fire season generally. I would have said September, October, November, but it's starting earlier each year.

Mike Nicholls - Cal Fire defines fire season and they defined fire season this year in late April, 1st of May start and last year fire season extended until December 10th. So that basically is the definition of fire season in Sonoma County.

Elise Weiland - Well perhaps we could make it something a little bit less broad such as during any PSPS events, during any red flag events, maybe we could talk with the emergency services and fire and ask when would this be particularly dangerous. It doesn't seem fair to just take eight months out of the year or six months out of the year, but to have defined times that are particularly dangerous like high wind events, and dry lightning events. We could come up with a list that would be helpful.

Mike Nicholls - Many times an event would be scheduled say 2-4 weeks out and we have a two day notification that we've got dry lightning or that we've got a red flag and it would have to be then cancelled. We need to take a look at it.

Brian Lubitz - The point of examining at that late date if there is a public safety power shut off probably shouldn't be having major events then.

Beth Bruzzone - Eric how do we get ahold of you?

Eric Koenigshofer - Eric.Koenigshofer@sonoma-county.org and also my phone number is 707-874-2389 and I welcome your calls. The turnover at Permits Sonoma is so profound over the last four or five years that it's almost entirely brand new staff. We really do need to have a curriculum to intentionally introduce and tune people up on these communities.

Recently there was a hearing at the Landmarks Commission about a house in Bodega Bay but it was actually in Salmon Creek and I pointed out to the staff that I get what you did- the mailing address is Bodega Bay. But that's U.S. Postal service organizational convenience it has absolutely nothing to do with the communities on the coast. If you're going to publish the billing address you at least parenthetically have to say Salmon Creek or Carmet or Serena Del Mar and you know the same applies in the north part of the coast where everything is Jenner through to Sea Ranch.

The other thing is the scope of the fire risk prohibition period. If there's a red flag warning or a shut off or any of that you know that's like the light turned red. Yes, of course you're going to stop. I would really seriously ponder the question of what do you want to do in terms of when the yellow light comes on. Fairness for the promoters of an event versus safety of the people that live here.

Rue - The issues along the coast and the Russian River are different, and the southern coast and the northern coast of Sonoma County are really different so the impacts need I think to be analyzed site specifically.

Anything that happens needs to be addressed site specifically and somebody asked a question about the Coastal Commission and what the trigger is. The trigger is basically defined by the Coastal Commission and the new Local Coastal Plan draft, granting this is not in stone yet, actually allows for certain kinds of projects would avoid having to go to the Coastal Commission. That's of concern to me because of the complexity of our coast - we don't live in a homogenized area where everything is the same.

The public process which also came up a little while ago. The planning department has the capacity to notify jurisdictions and agencies that are responders. Anybody who is supposed to weigh in on a permit externally gets a notification. It is possible to ask for those notifications to be sent to organizations beyond the agencies and jurisdictions so that that notification becomes more of a public awareness? There's lots and lots of tools in the kit bag that we can as citizens asked to be included in any project application including public notification. You just have to ask to get that and as the representatives of the MAC you can certainly be put on that notification list.

Scott Farmer - Our impulse when we see ministerial as the process is to say, well what's our role, what's the public's role, and so we want discretion. But we want to recognize that for small events maybe ministerial works, and that the coastal development, the local coastal plan can define where that transition from ministerial to discretion is perhaps. Since it's in a draft form maybe it can be tightened up to actually guide us each from ministerial to discretion

Liz Gallagher - offered some observations about car commercials filmed at the coast modelling unsafe driving at the coast and with increased accidents and calls for emergency services. Does not think there is any local benefit from the filming.

Chair Kyra Wink concluded with an invitation to reach out with comments or to share your ideas regarding special permits directly with Permit Sonoma.

Meeting adjourned at 6:49pm following a motion to adjourn by Mike Nicholls seconded by Kyra Wink which passed unanimously.

DRAFT