

Local Coastal Plan Update

Public Review Draft Comments

December 2019 to February 2020



**Local Coastal Program
Permit Sonoma**

Comment from Denny and John Tibbetts

5 January 2020

Dear Ms. Condon

Thank you for providing the opportunity to comment on the Permit Sonoma Local Coastal Plan Update. I attended the December 14, 2019 public workshop at the Bodega Bay Fire Station. My first comments are about the meeting itself. I believe perhaps the county underestimated the community's concerns about the plan.

Every seat as well as floor space was occupied. There were many people who either left or were outside the building out of earshot of the speakers. I am not sure all received the opportunity to have their concerns addressed. I would also like to support two of the public who spoke at the meeting:

1. Steve Herzog from the Bodega Bay Fire Department and a resident of our community spoke about the budgetary constraints of the fire department to meet the needs and obligations of its coastal district. It is an aging population and most of the accidents and situations they deal with arise from tourists and people from out of the area. The County Sheriff's Office did not have a representative in attendance --- they may be operating under the same restraints as well. In your listed purpose of the Local Coastal Plan Update, you state that the intent is NOT to encourage new or increased development, but when you look at the public access component of the plan, it shows a different story. This is a concern for the public and safety agencies that support the area.
2. Nichola Spalleta, a rancher from Marin County also spoke. She informed us that the Marin County LCP does NOT allow development on the Estero Americano. Her concern is that Sonoma County may allow development in the future to the detriment of the preservation of the Estero and private property rights. It is counterintuitive that the two counties, which straddle the same estuary a stone's throw away, should have not the same policy protecting it. It is all part of the same marine protected area.

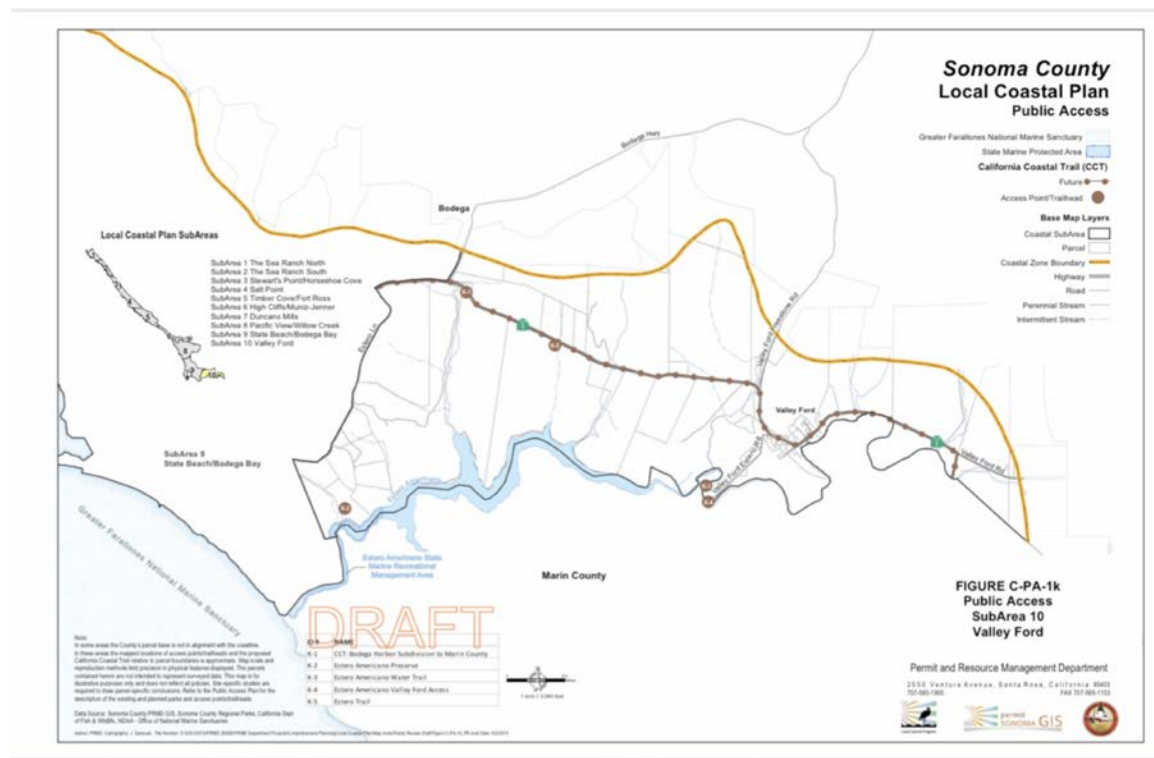
The Sonoma County Open Space District has a big role in what happens in Sonoma County and should be considered in the Local Coastal Plan. I believe that the Open Space District has taken a departure from its historical roots of protecting agricultural land with open space, prompted by the need to appeal to voters to retain the tax advantage – the carrot being public access. The expenditure plan is a machine – Acquire, Acquire, Acquire! Worry how to take care of things later – with limited funds available for maintenance – less than 10% being in the budget for this use. Existing infrastructure should be taken care of first before new acquisitions are acquired. When the economy slumps, existing regional parks/Sonoma State beaches – park facilities are closed due to budgetary restraints. An example of this is when the Bordessa conservation/trail easement was purchased by the Open Space district, the Salmon Creek parking lot and rest room facilities were closed, as were many other regional parks in the county due to lack of funding. Several of our

supervisors agreed with this position, to no avail. An additional concern with the Open Space expenditure plan is that the overall tax base is shrinking and how that affects the service agencies that protect our community.

There needs to be more oversight when using public funds to acquire properties, especially in regards to respecting and adhering to the intent of easement language, assessment of value and private property issues.

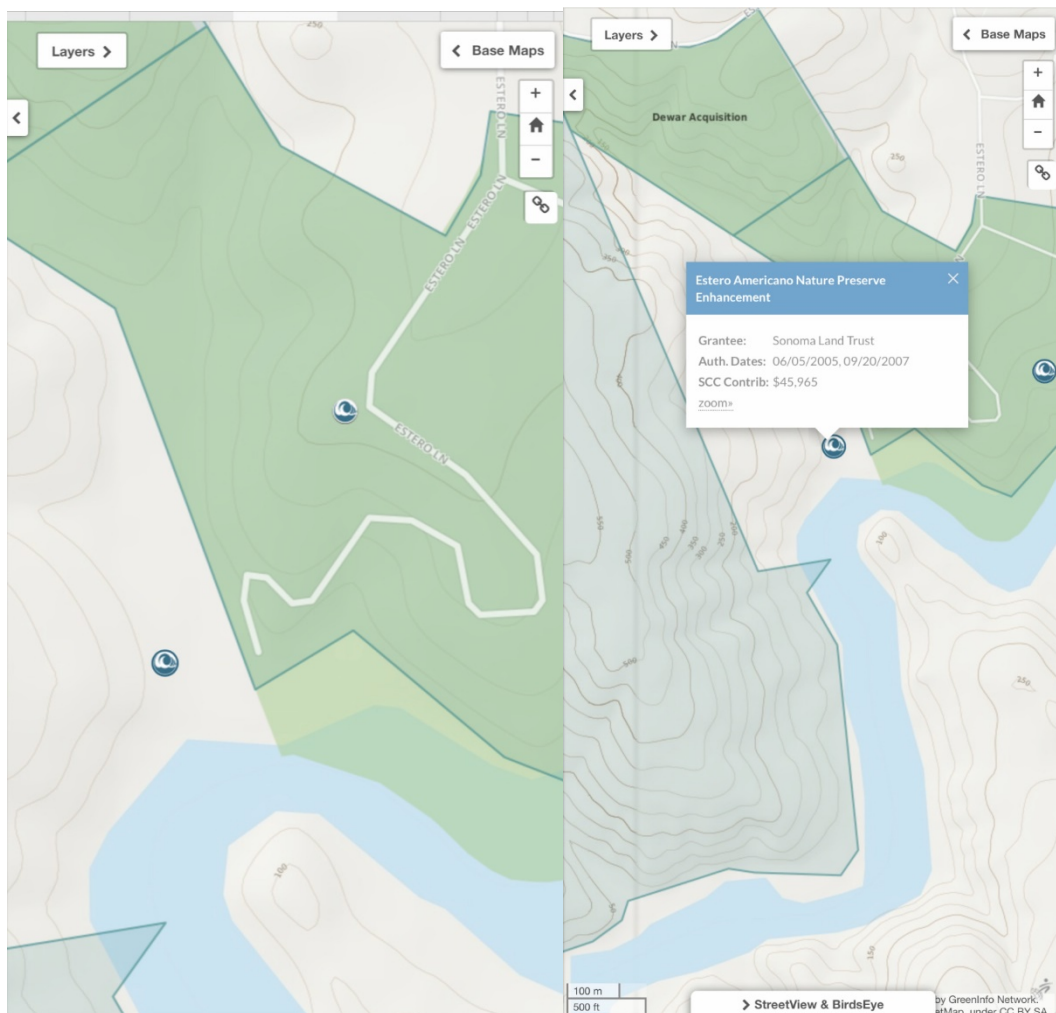
There have been maps produced by different public agencies that are incorrect and misleading. It is irresponsible for public agencies to publish maps that potentially could lead the public to trespass on private property.

One specific example of this is a map featured in the public access component of this proposed Local Coastal Plan. In FIGURE C---PA---1k Public Access SubArea 10 Valley Ford Map, it displays K---2 in the Estero Americano Preserve as an Access Point/Trailhead.



The Estero Americano preserve is a 3 parcel, 127 acre preserve surrounded by 5 other privately owned parcels (approximately 220 acres) that share a private road and water easement. There is very limited access, by permission only. This map, which is produced for the public, potentially will confuse the public. There have been serious incidents in the past where trespassing, theft of boats and destruction of gates have occurred.

I have also included an additional map which is not displayed in the Coastal Plan update, but is on the Coastal Conservancy website, so is worth noting. This map is part of a greater map that illustrates all the places in California where the CCC has contributed funds. It displays a parcel that is not owned by the Estero Americano Preserve. The previous owners and I, who currently own it, have no knowledge of why the money was given to them on behalf of this parcel. This map, which is also produced for the public, could potentially confuse the public concerning rights of access.



Finally, one more very important point needs to be made and upheld concerning your public access component. The public access to the Estero Ranch is from the west ONLY. There is no vehicular public access to the Estero Americano Coastal Preserve. At the time of purchase, there was no existing road easement across private property.

Thank you for your consideration.

Denny and John Tibbetts Bodega Bay, CA

January 7 Monte Rio LCP Public Workshop Comments

Comment 1: Larry Hanson

It is obvious that there is a need for reorganizing the document so that it is complete, logical order, clear language, searchable, approachable by the general public with a clear intent for the highest and best protection for this narrow band of coastal land. I, for one, want the priority of this document to protect the ecology – development and tourism will do fine on its own. * Need index, table of content, better glossary and introduction to each appendix.

Comment 2: Denny Rosatti

* I do not want more development in the coastal zone – leave it alone!

* I support existing ag uses in the coastal zone: but strongly oppose conversion of coastal forests/scrublands to vineyards.

* Many here tonight (1/7/20 Monte Rio outreach meeting) are expressing concerns with the “principally permitted uses” concept and framework. People want more specific language to prevent development and things like tasting rooms.

* I support more parks and public access and trails in the coastal zone- that type of development is ok- including more/ additional campgrounds.

* I support limiting and regulating vacation rentals in the coastal zone

* Many concerns were expressed to speakers Re: the total carrying capacity of the coastal zone, and the ecological and community, stress that is already being experienced by the people that live on the coast. We need to stop funding tourism advertising for the coast- we’ve been plenty discovered.

* I support keeping any potential affordable housing to urban service areas and that these USA’s have set boundaries that cannot be expanded, similar to Urban Growth Boundaries.

* It’s important that we allow for vegetation management for fire safe communities, without need for lengthy or difficult process for permitting etc.

Comment 3: Sabrina Braham

We need more public input, tighter language in the document, more protection of sensitive environment.

Comment 4: David Rosen

Would it be helpful to focus on a small number of the most “hot” heartfelt issues (ie Vineyards, Hemp+?) and choose to very deliberately “un-planese” the language to be more focused, more specific, more simplified – to ideally help make these parts of language more specific and defined... I’d suggest that given the tone and resources available that this be done with only a few, very powerful/ sensitive topics, rather than attempting to do it globally throughout the entire document.

* Important: who, how, when are these decisions made?

Comment 5: Vernon Vale

Be prepared to accommodate increased single family dwelling densities if legislation allowing additional dwelling units on R-1 lots is approved!

Comment from Chris Poehlmann

Hi Cecily,

I would like to add this new science to the LCP comments as a resource to how we must codify how we now approach our forest resources on the coast.

Thank you for your efforts on the LCP.

The need for public access to the Gualala River is also of concern as I expressed in the Sea Ranch meeting. The recent acquisition of the large estuary parcel on the Gualala is an important first step for a larger river park.

I look forward to a full addressing of forestry issues in the LCP formulation.

Climate change and its consequences are arguably the biggest existential threat to mankind and life on earth. Any foreseeable levels of reductions in greenhouse gas emissions will not be enough to meet the conservative maximum target (2.0°C and under) that climate scientists say is needed. We need to additionally increase carbon sequestration in existing forests, wetlands and soils. This study (link below) points to conserving the existing bigger trees in existing healthy forests as a best method to meet the needed target reductions. The term to describe this approach is "Proforestation." The principal author has been a lead author of five Intergovernmental Panel on Climate Change (IPCC) Reports.

<https://www.frontiersin.org/articles/10.3389/ffgc.2019.00027/full>

The temperate, mixed conifer/redwood forests of our region are the world's best at capturing and storing the maximum amount of atmospheric carbon. This new science points to increasing the effort by forest advocates to protect watersheds from being managed as "tree farms" and more to being managed as diverse, mature, healthy, ecosystems that are vital to the global effort needed to counter climate change.

Best,

Chris Poehlmann

Annapolis, CA

707-888-4252

Comment from Ellen S. Meuse

Dear Cecily:

Please correct the spellings of Harbour and Harbor in the document. Harbour refers to the 720

parcel development in Bodega Harbor. It is confusing and misleading if the two not carefully delineated.

Thanks and best regards, Ellen
Ellen S. Meuse
President, BHHA board of directors

Comment from Kimberly Burr

Hello Cecily:

Thanks for explaining the draft last week in Monte Rio.

I was wondering if you could explain to me the difference to between LIA and LEA. I thought you said LIA was not in the coastal zone anymore. I may have misunderstood.

Anyway, what is the difference between the two? What would the difference be on the ground?

Also, how far off the coast does the County's jurisdiction/duties reach?

Do any actions outside the Coastal Zone - and that might impact the CZ, fall into the LCP process?

Also, may I get the contact for the person(s) at the state coastal commission who is assisting Sonoma County? Thx.

Thanks for your time.

Kimberly

"Balance - When we are urged to weigh the environmental impacts against the interests of developers, consider this...."We've lost nearly two-thirds of the world's wildlife since the first Earth Day 48 years ago."

—The Nature Conservancy

Comment from Bix Swain

To Whom It May Concern:

I appreciate the hard work that has gone into helping to preserve and maintain the wildlife habitats and at the same time allow the residents of California access to experience the beauty of the Sonoma County Coast.

I offer the following perspectives as an owner of two vacation rentals in Bodega Bay for the past 20 or so years-allowing roughly 5,100 person-stays, and as President of a small water company north of Bodega Bay for the past 15 years.

The arbitrary, harsh Sonoma County Three-Strikes Penalty should not be applied to the long-running, well-established vacation rental management company model in use along the Sonoma County coast. Unlike the recent "AirBnB craze," the Vacation Rental Management Companies (VRMC) in both the Bodega Bay area and Sea Ranch began operations in the late 1970's. As evidenced from the disastrous passage of South Lake Tahoe's measure T, which includes a Three- Strikes rule, the effect has been to harm the local economy and the real estate market as well as pit opposing sides against each other in fierce, costly court battles, see flyer below that I presented to the Bodega Harbour Homeowners Association Board. The Sonoma County Three-Strikes Penalty is arbitrary in the sense that a one-time bad renter could violate 3 or more rules, see Three-Strikes Penalty below, which would result in the removal of the vacation rental from the small stock of vacation rentals along the coast and unfairly harm not only the vacation rental owner but prospective renters and the local economy. As a compromise to the Three-Strikes Penalty, require that all vacation rental owners be under contract with a licensed VRMC. As an added fiscal benefit to Sonoma County, because VRMC are businesses, they already contribute 2% of the vacation rental proceeds in addition to the 12% TOT to the coffers of Sonoma County.

Flyer Presented to the Bodega Harbour Home Owners Association on 4/20/18

VACATION RENTAL (VR) ISSUE AT THE HARBOUR
LET'S LEARN FROM SOUTH LAKE TAHOE (SLT)
by Bix Swain, Parcel 47, 4/20/018

The VR Issue for SLT

Bad renters in SLT -- those who partied noisily late into the night, parked too many cars, and left garbage out that attracted animals -- made life miserable for nearby residents. VR owners or management companies did not always intervene when their renters misbehaved.

Overreaction by SLT Board

SLT adopted very punitive regulations for VR renters and owners in December, 2017: A cap of 1,400 VR rentals was instituted, which was the total number of VR at the time Hefty penalties for violation of rules were enforced, including but not limited to:

\$1,000 fines for both the renters and owners for too many parked cars

3-strikes-you're-out rule: for 3 violations of any of the rules within 24 months resulted in a permanent ban for that owner from renting a VR

Unintended Result

Real estate sales dropped since 70% of prospective buyers are those who want a second home with the option to turn their property into a VR once their children were grown

Renters stopped coming since they learned that renters had been fined \$1,000 for having too many parked cars

Local businesses suffered from the loss of vacation renters: tourists who would have otherwise visited their stores and restaurants

The community became divisive, with permanent residents pitted against VR owners, 2nd home owners, and the business community, including real estate companies, restaurants, and retail shops

What Lessons Were Learned

Reasonable rules were needed that are not excessively punitive but represented a compromise among all parties that would address the precipitating issues

Enforcement of these rules are necessary when renters continue to pose a problem

The VR industry needs to be recognized as an important part of a healthy community that helps the economy as well as real estate sales and home values

Vacation rentals are an important part of public access to the coast

Suggested Remedies

Continue the requirement for owners to maintain their VR license

Renters currently pay a Transient Occupancy Tax (TOT) of 14%. Could some of these funds be used toward maintaining the adopted rules?

Require a one-time inspection of each VR to ensure safety (e.g., smoke and carbon dioxide detectors, handrails, etc.)

Encourage VR owners to let prospective renters know in the very first communication that nuisances such as noise, over parking, and misbehavior are prohibited; and, that renters are expected to learn and follow the Harbour rules for their safety and the safety of the community members.

Thoughts and More Information

A rough calculation of total annual TOT revenue from Bodega Harbour VR homes to Sonoma County: 14% tax rate for 150 VR homes amounts to \$630,000 per year.

Three Strikes Penalty currently enforced in Sonoma County East of the Sonoma Coast

1. Three Strikes Penalty. Upon receipt of any combination of three administrative citations, verified violations, or hearing officer determinations of violation of any of the permit requirements or performance standards issued to the owner or occupants at the property within a two year period, the vacation rental zoning permit is summarily revoked, subject to prior notice and to appeal, if requested within 10 days. Should such a revocation occur, an application to reestablish a vacation rental at the subject property shall not be accepted for a minimum period of two years.

2. Violation of Performance Standards – Administrative Citations.

In addition to all other legal remedies, criminal or civil, which may be pursued by the County to address any violation of the County Code, this subsection provides for Administrative Citations.

a. Use of Administrative Citations shall be at the sole discretion of the County.

b. This subsection is adopted pursuant to the authority conferred by the Government Code, including Section 53069.4.

c. Violations of the following permit requirements and performance standards may be deemed infractions for the purposes of this subsection, and are subject to administrative citation:

1. Conduct of a cultural event, special event, party, wedding or other similar activity exceeding the allowable maximum occupancy;
2. Exceeding the maximum permitted occupancy, not including children under 3 years of age;
3. Noise violations, as set forth in (f), above, including the use of outdoor amplified sound;
4. Violations of quiet hours (10:00 PM – 7:00 AM);
5. Exceeding maximum number of vehicles;
6. Exceeding fire limits, including lighting fires during bans;
7. Unsecured pets and/or nuisance barking;
8. Operation of a vacation rental without a certified property manager;
9. Failure of the property owner to include the specified limits in rental agreements and online listings or advertisements;
10. Failure to include the individual property's Transient Occupancy Tax Certificate number in all contracts, advertising and online listings;
11. Failure of the property owner to maintain current Transient Occupancy Tax status.

Comment from Jason Wells

RE: LCP Revisions on Timberland Environmental Impacts

Dear Ms. Condon,

Thank you for the opportunity to provide public comment during the January 30th Local Coastal Plan (LCP) Workshop. As a follow up to those comments at the request of the Board I have provided a summary of my concerns with the current LCP herein.

Timberland Environmental Impacts are discussed in the LCP under Item 6, Section 4: Open Space and Resource Conservation Element. This discussion only considers commercial timber/timberlands and associated commercial forest management activities; it does not consider non-commercial forest management, or the lack thereof, and its impact to the timberland resources listed in section 6.1.1 of wildlife habitat, watershed protection, scenic views, and recreation.

The plan should discuss the impacts to visual/aesthetic, biological, and culturally significant timber resources that are anticipated from the effects of climate change. The plan should also discuss the impacts of historic forest practices on today's forest conditions, including the most common strategy in recent decades of no-management, and the anticipated impact expected from a lack of proper forest management. Pertinent examples of poor forest conditions requiring intervention include: the current pitch canker disease epidemic which is killing stands of Bishop pine on the coast, creating falling tree and fuels hazards; the Balsam Woolly Adelgid, a relatively new to the area invasive insect that is wreaking havoc on native grand fir in coastal Sonoma and Mendocino counties; and Sudden Oak Death, the effects of which are obviously troubling for our native tanoak and live oak trees in the region. The plan should encourage active non-commercial management of our forest lands to maintain their resiliency to natural competition, and potentially stand replacing events that can lead to forest conversion. Preemptively thinning trees in these stands can increase the vigor of the remaining trees, and help limit the damage from biotic and abiotic stressors, such as fire and disease. Encouraging the growth of fewer and larger trees is a well-known strategy for promoting forest resilience, and land managers should have all the tools available to them to promote this kind of management, including prescribed fire and mechanical treatments.

Sonoma RCD recommends that a goal of the Open Space and Resource Conservation element should be to minimize the potential impacts of climate change on forest resiliency, as well as economic, conservation, recreation, and aesthetic values of forests. We recommend that in order to meet the rising need for this type of non-commercial management, given the often cost prohibitory nature of acquiring coastal development permits, that coastal development permits need not be required for noncommercial forestry activities; so long as the activities are designed to increase forest resilience to biotic and abiotic stressors, and ultimately reduce the risk of forest conversion, as long as those recommendations have been made by a Registered

Professional Forester in a management plan approved by the California Department of Forestry and Fire Protection (CALFIRE). One plausible avenue to achieve this goal may be to amend Categorical Exclusion Order E-81-5 II (e) to include programs administered by the California Department of Forestry and Fire Protection, which would allow for work conducted under Cal Fire grants to be allowed under the exemption. Thank you for your consideration, please feel free to contact me with any comments or for technical assistance related to the subject of this letter.

Sincerely,

Jason Wells
Registered Professional Forester #3014
Sonoma Resource Conservation District
Jwells@sonomarc.org
(707)569-1448 x-107

Comment from Alison Trujillo

Dear PRMD, Ms. Black and Ms. Condon,

Thank you all for the opportunity to review and provide input on the LCP Update for our coast. I'd like to share my input regarding one issue that is not clearly referenced in the plan. I live in Coastal Zone Sub Area 5: Timber Cove/Fort Ross. I've been a full-time resident here for approximately three years, and love where I live.

I'd like to provide input about potential future cannabis cultivation in our county's coastal zone. While small, individual growers have indeed grown cannabis in this area for a long time, the potential for larger-scale agriculture of this type is inappropriate. Similar to other crops, we know that (even when the best of intentions are followed) large-scale cannabis cultivation can negatively affect water and soil quality, as well as quality of life for nearby residents due to noise, traffic and light pollution. Cannabis crops, in particular, often require the use of floodlights and cameras for security reasons. After reading a recent article about the group of growers and businesspeople who have pushed to establish AVAs for cannabis marketing and tourism-related reasons, I grew increasingly concerned: <https://www.sonomacountygazette.com/sonoma-county-news/cannabis-appellations-the-small-cannabis-farmers-elyon-cannabis>

As stated on page 6 of the "Agricultural Resources Element," in the LCP Update, "the economic benefits of agricultural tourism must be balanced against existing constraints

such as limited public services, water supply and sensitive resource areas and the potential impacts of increased traffic on public safety." However, on page 2 of Appendix C, "Right to Farm Ordinance," the following is stated: "It is intended that, through mandatory disclosures, owners, purchasers, residents, and users will better understand the impact of living or working near agricultural operations and be prepared to accept attendant conditions from properly conducted agricultural operations as a normal and necessary aspect of living in a county with a strong rural character and an active agricultural sector."

I do not agree that if a large cannabis grow was to be set up near my residence (which does not currently have any large-scale cannabis grows nearby), I simply must endure the noise, potential pollution, and increased traffic from this type of operation. When I purchased my home, large-scale cannabis and cannabis-related tourism were not a part of our area. I do not agree that residents must simply accept such an operation as part of "living in a county with strong rural character."

While I am supportive of our state's passage of legal marijuana, it was clear to me from the start that most citizens did not fully understand all the ramifications of the decision. Due to the concerns I have mentioned, of both environmental and human impact, it is my hope that we continue to keep large-scale cannabis cultivation out of our coastal zone.

A hard copy of this letter will be mailed to the PRMD office. I welcome any comments.

Respectfully,
Alison Trujillo Timber Cove, CA (707) 847-3970

Comment from Megan Kaun

Dear Cecily and members of the Planning Commission,

I want to thank you for openly listening to me and other members of the public yesterday at the Local Coastal Plan hearing. I have included some additional information on the suggestion I made to incorporate a ban on synthetic pesticides (herbicides, insecticides, fungicides, and lethal rodenticides) as part of this updated document.

Last month, the City of Malibu included a ban on pesticides in their LCP with an exception for herbicide use for invasive species control (wording from Santa Monica's

approved LCP attached). Los Angeles County had earlier provided precedent to do this in their LCP for Santa Monica Mountains (SMM LCP Land Use Plan and SMM LCP Local Implementation Program).

In June of last year, the County made a commitment to stop using synthetic pesticides (again, with some exceptions for invasive species management). Our LCP has the authority to incorporate this type of policy throughout the entire Coastal Zone.

I have included below some suggested policy language based on the Malibu and LA Local Coastal Plans. Please feel free to contact me directly if you would like to discuss this further.

Best regards, Megan Kaun

Board Member, Sonoma County Conservation Action 773-677-1639 (cell)

Suggested language for pesticide ban in Sonoma County LCP

One of the main objectives of the Coastal Act is the preservation, protection, and enhancement of coastal resources, including land and marine habitats, and water quality. Chapter 3 of the Coastal Act states that environmentally sensitive habitat areas shall be protected against disruption of habitat values and that development should be designed to prevent impacts and be compatible with the continuance of those habitats. The use of synthetic pesticides, including insecticides, herbicides, fungicides, and lethal rodenticides, can have a negative effect on habitat values by directly impacting the health native species and habitats. Preserving and enhancing native species and habitats will help ensure Environmentally Sensitive Habitat Areas are protected and enhanced.

The use of synthetic pesticides, including insecticides, herbicides, fungicides, and lethal rodenticides or any toxic chemical substance that has the potential to significantly degrade biological resources in the Sonoma County Coastal Zone shall be prohibited, except where necessary to address invasive plant species. The eradication of invasive plant species shall consider first the use of non-chemical methods for prevention and management such as physical, mechanical, cultural, and biological controls. Herbicide application shall be restricted to the least toxic product and method, and to the maximum extent feasible, shall be biodegradable, derived from natural sources, and used for a limited time in order to minimize adverse impacts to wildlife and the potential for introduction of herbicide into the aquatic environment or onto adjacent non-targeted vegetation. Application of herbicides shall not take place during the winter season or

when rain is predicted within one (1) week of application. In no instance shall herbicide application occur if wind speeds onsite are greater than five miles per hour.

Megan Kaun

Comments from Peter Warner

Dear Ms. Condon:

Thank you for the opportunity to participate in the public component of the LCP revision process, for the series of public meetings, and to submit my comments and recommendations towards the development of the LCP.

I've provided below my comments spoken during the January 31, 2020 LCP public meeting. As well, I've attached further documents with specific comments about the public review draft of the LCP, with an emphasis on Chapter 4: Open Space and Resource Conservation Element, and Appendix E: Natural Resources.

Sincerely, Peter Warner

Comments delivered orally during LCP portion of Sonoma County Planning Commission meeting, Jan. 30, 2020.

Personal background

Botanist and plant ecologist, naturalist, and educator

Resident of northern California for 43 years, 32 in Sonoma County

Consultant for land managers on about 20 properties along the Sonoma- Mendocino Coast since 2008

Formerly worked for California State Parks, National Parks and the Parks Conservancy, the Bodega Marine Laboratory

Thousands of hours as a volunteer on public and private coastal lands in San Francisco, Marin, Sonoma, and Mendocino Counties

LCP Revision Comments and Recommendations

Comprehensive inclusion of the rights of citizens to challenge land use decisions within the Sonoma County coastal zone

Establishment of public oversight commissions, comprised of private citizens, professional scientists, indigenous cultural representatives, regulatory agencies, and other stakeholders to review and amend permitting and other land use decisions

rendered by Permit Sonoma

Establishment of an educational program for all citizens, schools, and Sonoma coast visitors about its cultural and natural history and the critical importance of maintaining intact, resilient ecosystems

The retention of the right to appeal Permit Sonoma decisions and policies to the California Coastal Commission

No new residential, agricultural, or commercial development outside existing areas already zoned for such development

Adoption of a program to update and maintain a complete inventory of coastal natural resources (ecological assets) that constitute the foundation for human and biotic health and welfare

Requirement for all public and private lands in agriculture, aquaculture, recreation, timber harvest, and infrastructure to adopt monitoring and management programs with a fundamental goal to retain ecosystem constituencies, processes, and functions

Extension of environmentally sensitive habitat areas to include coastal stream headwaters, springs, seeps, and other upland wetlands, in addition to seasonal and perennial wetlands and riparian corridors, as well as ecologically functional habitat for wildlife, native plants, and sensitive vegetation – the existing criteria are much too exclusive and limited to effect comprehensive protection of coastal ecosystems

Adoption of progressive policies towards addressing climate change: reductions in coastal vehicular use, no new parking facilities, no new roads, and eventual establishment of locally produced and distributed energy

Assumption and retention of Sonoma County's authority to review timber harvest proposals and to render permits for the purposes of timber extraction

Adoption of a formal inclusion within all coastal zone documents, regulations, and policies of an ecological precautionary principle – always opting for doing no further harm to ecosystems already compromised by short-sighted and destructive economically based decisions and activities.

LCP Appendix E: Natural Resources Critique

Peter Warner

1. Restoration and Monitoring Requirements

Consistent with the California Environmental Quality and Coastal Acts, any proposed projects must demonstrate a compelling need (financial gain at expense of lost habitat shall be insufficient for this purpose) and must demonstrate that avoidance of impacts (the essential first mitigation option listed in the CEQA Guidelines) is impossible, in which case the proposal should be re-evaluated with respect to its "compelling" need.

Independent arbitration and review of permit applications proposing any loss of intact land, water, soil, or vegetation surface shall be conducted; such review shall be by a committee or panel comprised of an equitably represented cross-section of scientists, residents, concerned citizens, and regulatory agencies.

Requirement for a Restoration and Monitoring Plan should be applied to all new and ongoing projects, including current or proposed agricultural uses, including and not limited to grazing, wine grape production, cannabis cultivation, timber extraction, introduction of exotic plants or animals, tilling, water impoundments or diversions, drilling for any purpose (including new water wells), or development of any kind (e.g., housing, commercial structures, roads, parking areas, et al.).

No net loss of intact ecosystems (land, vegetation, water, soils, and representative constituent species) or shall be permitted.

Proposed mitigation measures shall prioritize ecological rehabilitation of public or private lands according to general ecological condition (i.e., high priority to sites of ecologically poor integrity or function), potential for success, potential for breadth of ecological impact (higher priority for greater number of habitat types or species benefitted), or potential to restore lost or non-functional ecosystems or types thereof.

Projects that fail to achieve objectives shall be subject to an extended period in which to implement mitigation, at project proponent expense, and other permit requirements adjusted accordingly.

Key Components

Weed eradication plans shall specify specific methods and techniques to be implemented for each species proposed for eradication; use of synthetic chemicals or biocides of any type shall be of lowest management priority, and must be specified prior to plan implementation and subject to scientific, regulatory, public review;

Planting Plans shall prioritize both geography and ecology for the purpose of introducing propagules, that is, local seed and plant sources shall be used or enhanced (e.g., through removal of invasive plants), and a propagule acquisition plan accompany the planting plan for the purpose of specifying “as local as possible” sources for seeds, cuttings, divisions, or entire plants; the use of any ecologically non-native plants shall be accorded minimal priority, and these must be demonstrated to have no potential for

deleterious ecological impacts (invasiveness, toxic to wildlife, directly competitive with native plants, etc.) – the concept of “non-native” shall be operative in a strict sense, such that proposed plant introductions must be consistent with local ecological conditions and floristic composition (for example, introduction of plants native to California (such as bush anemone, Matilja poppy, cacti, palms) but not native to the Sonoma County coastal region shall be considered “non-native”).

Irrigation Plans shall avoid introduction of plastics, metals, or other foreign materials or substances into areas proposed for mitigation or rehabilitation, other than as temporarily necessary to reduce herbivory (e.g., gopher or deer-resistant enclosures); in all circumstances, selection of ecologically and climatically appropriate plant species for the site shall be accorded high priority, i.e, plant species evolved within extant ecosystems and climatic conditions that have reduced requirements for dry season watering shall be prioritized.

Add “key components”:

(Plans and mitigation actions shall be proposed and implemented for a period of no less than 10 years, or until such time that independent review has established “success” to include a measure of “resiliency,” or the relative ability of the mitigated area to retain ecological functions and species composition without human intervention; failure to achieve “resiliency” shall require the County of Sonoma and the California Coastal Commission to document such failure, for future reference with regard to permitting and mitigation requirements, and to initiate renewed rehabilitation of the site, with fees or penalties to fund such work at the discretion of the County or the Coastal Commission.

As a component of permitting for ecologically impactful project proposals and subsequent implementation of mitigation or ecological rehabilitation plans, the County or the Coastal Commission shall provide for a public education program, including site tours, field courses on local ecology and habitat rehabilitation, and volunteer participation in mitigation or rehabilitation work, including plant propagule collections and planting, site maintenance, and data compilation, under the guidance and direction of the restoration manager or others hired specifically to fulfill education and volunteer coordination roles.

2. Biological Resource Assessment Requirements

Biological Resources

All project proposals, in order to be consistent with Policy C-OSRC-5b(3), shall require completion of a complete biotic inventory for all primary organismal groups: plants, animals, and fungi (e.g., vascular and non-vascular plants, birds, reptiles, mammals, amphibians, insects, lichens, mushrooms); see <https://wildlife.ca.gov/Conservation/Survey-Protocols>.

With the participation of local indigenous cultural representatives, species and habitats of significant cultural value shall be accorded recognition and conservation consistent with that accorded currently listed sensitive or rare species of plants or animals, and the Sonoma County PRMD and the California Coastal Commission shall maintain an inventory of site-specific plant lists and other data and references of these plants and habitats of significant cultural value.

Plant inventories and sensitive species surveys shall be conducted strictly in accordance with the California Native Plant Society “Field Protocols and Guidelines” https://cnps.org/wp-content/uploads/2018/03/cnps_survey_guidelines.pdf and the California Department of Fish and Wildlife “Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities” <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>.

Annually multiple (no less than 2), seasonally appropriate plant surveys shall be required for all proposed project sites; discard allowances for “constraints” on accuracy or comprehensive nature of surveys – require a waiting period for permits sufficient for the completion of comprehensive, protocol-consistent biotic surveys for all projects.

All accrued data from surveys shall be provided to appropriate regulatory agencies, and rare plant data submitted to the California Natural Diversity Database according to DFW and CNPS protocols.

Sonoma County PRMD shall retain the services of no less than five (5) biologists for the specific purpose of peer review: assessing the results of biotic surveys for project with the potential to affect intact ecosystems or wildlife habitat. These biologists shall include, at minimum one biologist, two additional scientists (from physical or earth sciences), one archaeologist, anthropologist, or cultural historian, one indigenous tribal representative each who specialize in 1) plant life and vegetation (e.g., botany, plant ecology), 2) wildlife species and habitats (e.g., wildlife biology, zoology), 3) geomorphology and hydrology, 4) geology and soils (including soil or fungal ecology), or 5) indigenous cultural and historical habitat management.

3. Criteria for Establishing Buffer Areas

No comments

4. Technical Criteria for Identifying and Mapping Wetlands and Other Wet Environmentally Sensitive Habitat Areas

4.3 Wetland/Riparian Area Distinction

Resolve “difficulty” of distinguishing wetland types (riparian, marsh, et al.) from one another, and specify inclusion in [append] Section 30121 of the California Coastal Act, with provision for consideration of all sites of nominal dimension (e.g., >10 m²) that support currently specified wetland plant species as jurisdictional or regulated wetlands, seasonal hydrology, or hydric soils, thus including upland “seeps, springs, sag ponds, or other headwaters or waters flowing into downslope riparian zones” or contiguous with “subterranean aquifers.”

Such upland wetland types are abundant within the Sonoma County coastal zone, and as sources of downstream surface and sub-surface water, as well as on-site or downslope plant and wildlife habitat, they should be accorded similar protection with regard to establishment of ESHAs.

4.4 Vernal Pools

Unless substantiated information can be provided to the contrary, vernal pools do not exist within the Sonoma County coastal zone, and removal of this section from the draft LCP seems reasonable.

Sag ponds, springs, seeps, and other upland water bodies and wetlands should be added (as noted above in 4.3), with representative plants for these types appended, as noted below in 4.5.

4.5 Representative Plant Species in Wetlands and Riparian Habitat Areas

Review and revise all wetland and riparian type “representative” plant lists for greater inclusivity, as well as specificity for documented plant species occurrence in the Sonoma County coastal zone – the existing lists are incomplete, and include species not documented from the Sonoma coast.

Correct and revise to current nomenclature all lists of plant, animal, and other organismal species, and correct misspellings.

Strike E. Vernal Pools from these lists, as noted above for Section 4.4 (but not necessarily all the vernal pool species, as some occur in other wetland types in the Sonoma County coastal zone and can be re-assigned to the lists for those types).

5. Habitat Protection Guidelines

All habitat protection guidelines and subsequent applications of these guidelines shall be reviewed, assessed, and re-constructed through the appointment of an independent citizens' panel to include scientists, regulatory agencies, and private citizens and Sonoma County residents.

The findings of this (and other such appointed independent panels or commissions) shall be made and retained as publicly available documents, and subject to ongoing review and revision, and subject to approval of the Sonoma County Board of Supervisors.

5.1 Streamside Conservation Area or Riparian Corridor

Timber Harvest: All timber harvest plans, commercial (THP), or Non-Industrial timber management plans (NTMP), proposed for sites wholly or partially within the Sonoma County coastal zone, shall be under the jurisdiction of the Sonoma County PRMD and the Sonoma County Board of Supervisors, subject to a program of public disclosure and review.

Similar constraints and provisions shall be applied for all listed (or other pertinent circumstances) "allowable uses and development" within riparian zones that propose any alterations to vegetation, individual plants, wildlife habitat, stream channels (including impoundments, diversions, points of public access, or fill of any type; all such proposed impacts or alterations shall be disclosed publicly and subject to permitting requirements.

Agricultural Activities: The County PRMD shall append stated provisions under this section to include requirement for mitigation and monitoring of any agricultural or related activities, to include but not limited to grazing, forage or feed introductions, crop production, grading, soil tillage, introduction of ecologically non-native plant materials, fill materials (e.g., gravel), construction of roads or bridges, et al. Such provisions are

essential in order to protect or enhance downslope water quality and plant and animal habitat, to reduce erosion potential – past and current agricultural activities in the Sonoma County coastal zone have, in part, resulted in severely compromised ecosystems, affecting species composition, rare plant and animal populations, soil health and stability, water quality, and other facets of ecological function.

LCP Open Space/Resource Conservation Critique
Peter Warner

Chapter 3. Biotic Resources Policy

3.1 Background

Define the context of the word “resources” – if protection and conservation are truly objectives within the Plan, recommend substitution of the term “ecological assets.”

Wildlife species don’t “use” the coastline, they live, feed, nest, mate, reproduce, rear offspring, etc. “Use” demonstrates a contrived-for-convenience anthropocentric bias.

This section does little towards a “general inventory” of the life forms and diversity of the Sonoma Coast. (The appendices are incomplete and inapplicable for current inclusion in the Draft LCP.)

All organisms are sensitive to “disturbance,” yet no text in this document addresses the ecological nature of disturbance vs. human-induced disturbance, and distinguishes the negative from positive implications of disturbance from an ecological perspective.

What is meant and intended by the term “community preference”?

3.1.1 California Coastal Act

Deference to the current CCA language is questionable in consideration of the sustenance of ecologically deleterious human activities on the Sonoma Coast since passage of the Act.

The CCA itself provides for allowance of human activities that, from an ecological perspective, are questionable, at best.

Despite any “best” intentions of the CCA, coastal ecosystems have been substantially

degraded (albeit, in part, due to ecological impacts of more extensive geographical scope).

3.1.2 Biotic Resources of the Coastal Zone

The four “main” biotic resources categories do not reflect the critically important distinctions within each of the very broad categories, and these distinctions are necessary to articulate in order to develop policies within those types, e.g., grouping forests and the myriad grassland and scrub vegetation types into a single terrestrial habitat group. Are seasonally saturated grasslands “wetlands” or “terrestrial”?

No mention is made of nature of historical ecosystem management and related influences on existing terrestrial, wetlands, and riparian types – for instance, both the prehistoric ecological practices of indigenous residents along the coast and those of European-Americans following, such as livestock-based agriculture, timber extraction, and fire suppression, had effects on ecosystems as they are comprised today.

The very separation of “biotic resources” into such broad categories represents an inherent bias towards compartmentalizing integrated ecosystems, when all these systems influence and are contiguous and mutually interdependent with the others, as well as those further inland and further seaward.

Such bias leads to the promotion of some habitats and species as more important, and consequently more subject to conservation, when all ecosystems play an integral role in regional and global ecological health and functioning.

3.1.3 Streams and Riparian Corridors

No consideration appears to be provided for upslope impacts on stream hydrology, water quality, and habitat connectivity, including those related to timber extraction and agriculture, including livestock ranching.

Consistent with the final point articulated above for 3.1.2, why are not all streams, beyond those identified as “critical habitat,” not included within broader watershed- and region-wide inventories of critical habitat – to include near-shore marine ecosystems – since all that water flows into existing “potential habitat”? Upstream effects and quality matter to all resident species, and likely to those not resident.

3.1.4 Wetlands

The statement that “much of the wetland habitat found along the coast occurs near Bodega Bay” is misleading. While a fair portion of salt and brackish marshes are located in this vicinity (Estero Americano, confluence of Brooks, Mantua, and Cheney Gulches at Doran Beach, San Andreas Rift Zone and Bodega Head, mouth of Salmon Creek), numerous areas along the Sonoma Coast support the hydrology and vegetation of freshwater wetlands (as defined both by USACE and CCA). These include coastal terrace grassland and scrub from Estero Americano north to Russian Gulch, in the vicinity of Fort Ross, then north to the mouth of the Gualala River. As well, most streams that empty directly into the Pacific Ocean support salt or brackish marshes of some dimension, critical habitat to the organisms that rely on those assets. Again, the risk of generalizing includes the potential for continuing or allowing new human-abetted impacts on ecosystems that would likely have deleterious impacts on numerous ecological elements, including species’ habitats, water quality, and near-shore marine ecosystem function.

All wetlands are “important” habitat, not just salt and brackish marshes.

Sea level rise “provides” a challenge – well, it is arguably an ongoing reality and the challenge is to provide for the geographical shifts in ecosystems that will occur, such as by prohibiting development (including roads and bridges) in areas likely to be partially or wholly inundated over the next century, if not beyond.

With sea level rise already in process, any provisions within the revised LCP for development within this zone should be eliminated, including more roads or other facilities for fossil fuel-powered transportation.

3.1.5 Marine Habitats

Offshore rocks (those portions above mean high tide, e.g., summit plateau of Goat Rock, et al.) and sandy beaches are not marine habitats, but should be included within terrestrial habitats.

- This sentence: “Management challenges to marine habitats . . .” is poorly written. A possible start at a re-draft: “Challenges for ecologically informed management, protection, conservation, and rehabilitation of marine ecosystems include overfishing (define), water quality concerns, recreation, and other deleterious human activities, including the ongoing and eventual implications of climate change.” Yes, it’s wordy, but attention to detail and clarity are essential in order to communicate effectively and to

reduce the potential for interpretive liberties likely to be exploited by developers, industry, their lawyers, and others with financially based interests.

Last paragraph, p. 20: Steller sea lions (not “stellar”)

3.1.6 Terrestrial Habitats

Near-shore sea stack summits and beaches and rocky outcrops above mean high-tide should be incorporated into this category.

Some wetland types (e.g., pond edges, seasonally unundated grasslands and scrub wetlands), as well as the contiguous upslope portions of riparian habitats, should be included here as well, minimally to address the continuity between marine, open water (permanently inundated), and in-stream aquatic habitats and upland habitats.

The treatment of individual terrestrial habitats in this section is too general to provide a foundation for effective protection, management, and rehabilitation.

The second paragraph includes contradictory language, and is generally very poorly written – the second and third paragraphs pp. 20-21 especially so:

Coastal dunes do not “frame” beaches (I don’t know what is meant by this choice of words), and they don’t “frame” “many” beaches: the primary coastal dune ecosystems in Sonoma County are north of Bodega Head (inland the Salmon Creek outlet south to Mussel Point), at Goat Rock adjacent to the Russian River outlet, and at Gualala Point; a small dune system is extant at Wright’s Beach.

Only the Bodega Head dune system supports native shrubs (primarily mock heather, Chamisso bush lupine, and coyote brush – yellow bush lupine not considered native N of the Golden Gate).

The distinction should be made that these dune systems are currently supporting extensive populations of iceplant and European beach grass, as well as annual grasses, and also retain elements of native annual and perennial herbs and graminoids, and a few shrubs.

For the purpose of legal and regulatory protection of sensitive habitat remnants, as well as micro-sites supporting extant populations of rare plants, designating “Sonoma County’s historic coastal grasslands” as “non-native annual grasslands” is completely

misleading and detrimental towards protecting these habitats from further ecological destruction – these areas, within State Parks, on The Wildlands Conservancy properties, in regional parks, and on privately owned ranches and pasture lands, should all be included within the designation of Environmentally Sensitive Habitat Areas.

The Estero (Bottarini) Ranch supports no fewer than 5 plants of California rare plant rank 1B, and no fewer than 3 others of rank 4; in consideration of the dispersed occurrences of rare plants there, most of the property (including its wetlands) should be designated as an ESHA.

In addition to coastal terrace prairie and California perennial grassland ecosystems, additional terrestrial habitats in close proximity include coastal scrub, coastal bluff scrub, slough sedge marshes, and dune scrub.

The more invasive constituents of coastal terrace prairie include several non- native annual grasses (such as ripgut brome, large quaking grass), as well as numerous non- native perennial grasses (e.g., purple velvet grass, Harding grass, sweet vernal grass) and numerous non-native herbs (e.g., English plantain, rough cat's-ear, sheep sorrel, Italian, narrow-flowered, and bull thistles, sow-thistle, short-pod mustard)

Some areas within these coastal ecosystems have also been invaded by trees, including Monterey pine (*Pinus radiata*), Monterey cypress (*Hesperocyparis macrocarpa*), Ngaio tree (*Myoporum laetum*), and shrubs, such as pride-of- Madeira (*Echium candicans*) and yellow bush lupine (*Lupinus arboreus*).

No attention whatsoever is provided to the dozens of rare plants (those of California rare plant ranks 1B and 2, with consideration warranted, as well, for numerous rank 4 species growing in these grassland and scrub ecosystems of the Sonoma Coast.

The last sentence is misleading and inaccurate. Coastal prairie (historically or currently as coastal non-native annual or perennial grassland) and scrub habitats are extensive on private as well as on public lands within the coastal zone from Estero Americano north to Russian Gulch; historically grasslands and scrub likely occupied even a greater proportion of coastal ecosystems prior to the cessation of indigenous burning and the onset of fire suppression.

Despite “protection” as public land (State Parks, et al.), coastal terrace prairie and scrub types, and wetlands have borne the brunt of ecologically destructive management and inadequate rehabilitation over the past 175 years – in direct contrast to the conditions of

these ecosystems prior to the demise of indigenous management regimes. These ecosystems are, as noted, severely compromised ecologically, and beyond mere “protection” and conservation, and warrant sustained effort towards comprehensive rehabilitation, including the re- introduction of fire and intensive manual removals of non-native, invasive plant populations.

With most coastal ecosystems likely to support rare species of plants and animals (in addition to the fact that long-evolved ecological functions and processes are critically important for ecological sustainability and resilience into the future), current uses likely to have negative impacts on their populations, including livestock grazing, discing, and public recreation, should be subject to comprehensive biotic inventories, vegetation and habitat mapping and assessments, and development of long-term management programs and regular monitoring, in order to provide for adequate conservation and rehabilitation of these habitats – that is, if the California Coastal Act is authentic and dedicated to its stated goals and provisions.

GOAL C-OSRC-5

The prior point explicitly states the apparent intent of this goal: inventories, assessment, conservation measures, monitoring, and analysis are all necessary components in a program developed towards “protection and enhancement.”

All Objectives listed under this goal must include provision for comprehensive biotic inventories, mapping, and ecologically based assessments conducted by professional scientists, with review by peers as well as by indigenous cultural representatives who retain knowledge and ancestral wisdom for the prudent management of these ecosystems.

Objective C-OSRC-5.4: under what circumstance would lack of support for regulatory efforts by other agencies not be “appropriate”?

Objective C-OSRC-5.6: This provision needs to be completely eliminated. “Balance” is an accommodation for status quo exploitation of ecosystems, and the specific activities cited to “balance” with the preservation of biotic resources – agricultural production, development, timber and mining operations, and other land “uses” (more ambiguity) – have all amply demonstrated strong tendencies to completely suppress, overwhelm, defeat, and destroy “preservation.” HAS NOT THIS LAND SUSTAINED ENOUGH ABUSE? Where has the Coastal Act not already been too accommodating of exploitative interests? (The continued demise of coastal ecosystems over the past 40

years is ample evidence that the Coastal Act is just an initial small step towards the necessary and complete paradigmatic shift in human ecological attitudes and practices, and it hasn't been nearly sufficient to outweigh the myriad negative ecological impacts rendered over that time.) Moreover, when and where has the motivation to exploit and extract, gouge and level ecological wealth (and function) ever been voluntarily restrained by capital interests? Stop with the permissive and accommodating language, and explicitly require that all capital enterprises and human activities, including those listed in this objective, be suspended and abandoned UNLESS they can demonstrate, a priori, that no harm will result from the pursuit of the intended actions.

This requirement to implement an ecological precautionary principle must be explicitly stated in this section and regularly cited throughout the revised Local Coastal Plan, as follows:

When human activities may lead (or should be considered as possible consequences thereof) for actions that may damage or harm human or any organismal life and health through the neglect, damage, destruction, or elimination of individuals or populations, or their habitats and other physiological, behavioral, or ecological requirements, such actions shall be suspended until ample scientific and ethical evidence can demonstrate that no harm will result from the implementation of those actions, and permanently discarded should evidence demonstrate potential harm. In consideration of this principle, potential harm must be extended to future generations of all species that might be affected, and to those species that may be indirectly affected by such actions, regardless of the apparent physical disjunction of those species from the proposed activity.

The over-arching goal of this Local Coastal Plan should be a necessary first step towards the re-integration of humans with global ecology, with all due consideration for

The enormous volume of data and evidence that such a paradigmatic shift is essential – even if we humans don't survive our collectively egregious hubris and greed;

The demonstrated efficacy of such integration by myriad, historically thriving cultures, since decimated, for the purpose of capitalistic exploitation.

3.3 Environmentally Sensitive Habitat

Unless demonstration to the contrary can be produced, all intact, functional ecosystems, native vegetation, wetlands, and wildlife habitats should be considered for designation

as ESHAs – functional ecology within any habitat type shall not be at the discretion of any individual, development interest, or regulatory agency, but resolved through comprehensive description and functional analyses conducted by specialists and cultural practitioners in biology, ecology, ecological restoration, land management, soil science, hydrology, and other pertinent disciplines; such broader, more inclusive language would be appended to the list of areas (Policy C-OSRC-5b(1) and to the criteria (Policy C-OSRC-5b(2), with the specific areas and criteria listed below this broader provision in order to provide examples of each.

Policy C-OSRC-5b(3): A biological assessment and complete inventory shall be required for any project that could impact partially or constituted and functional ecosystems.

A list of all sensitive species and habitats within the Sonoma County coastal zone shall be maintained by PRMD, and available to interested citizens; these lists shall be revised at no longer than 1-year intervals, and shall include all pertinent criteria applicable for each biotic entity (e.g., some organisms are listed under multiple regulatory statutes) or qualify otherwise for consideration under multiple ESHA criteria.

A revised and complete map of all Sonoma Coast ESHAs shall be developed and maintained by PRMD.

The concept of ESHA shall be amended or appended, with pertinent criteria identifying the methods or criteria applied in support of such designation (e.g, rare plants, snowy plover nesting sites, rare vegetation types, salmonid habitat, public access properties) to include the following areas:

Estero Americano

Estero (Bottarini) Ranch

Short-tail and Pinnacle Gulches

All other Sonoma County Regional Parks lands within the coastal zone from Estero Americano to Gualala River

Cheney Gulch and slopes

All Doran Beach and Bodega Bay area wetlands, marshes, open water on public or

private land

Carrington Ranch

Wright Hill (Poff) Ranch

Private parcels with jurisdictional wetlands, riparian corridors, or special status species

Sonoma Coast State Beach and all other California State Parks lands within the coastal zone from Estero Americano to Gualala River

Salmon Creek riparian corridor and adjacent slopes and Salmon Creek estuary

Russian River riparian zones, estuarine habitats, marshes, and adjacent slopes (including coastal zone tributaries such as Willow Creek)

Jenner Headlands

Russian Gulch and adjacent slopes

All coastal zone slopes downslope or upslope from CA Hwy. 1 between Russian Gulch and Fort Ross State Park

All properties and conservation easements within the coastal zone under current ownership or management of the Sonoma County Agricultural and Open Space District, the Wildlands Conservancy, Sonoma Land Trust, Redwood Coast Land Conservancy, the Sea Ranch Association.

Chapters 5 through 10: Resources Policies

All government, private, or commercial activities existing or proposed that may have deleterious impacts on ecologically intact and functional areas, including individual species or habitats, native vegetation stands, water bodies, riparian zones, beaches, offshore rocks, estuaries, etc. shall be subject to a period of public review prior to continuation or initiation of permit approval by PRMD, the California Coastal Commission, and the Sonoma County Board of Supervisors – ultimate permit approval for the coastal zone must reside in the local agency and local Board, with a provision for appeal to the Coastal Commission if project proposals have not adequately disclosed potential impacts on ecological elements.

Chapter 11 Implementation Programs

Add a provision for a program to initiate ecological monitoring of all recreational or other public uses of undeveloped (open space) areas, to include assessments of human carrying capacity, deleterious impacts associated with human activities (e.g., erosion, soil compaction, loss of or damage to vegetation or wildlife habitat, noise or light pollution) etc.

A provision for ecological monitoring and a schedule of assessment and response to ongoing data accrual shall also be required for all extractive agricultural activities, specifically including crop production, wine grape production, grazing and livestock rearing and development, timber extraction, road construction, prescription fire (as much as this must be incorporated into regional vegetation management policy), or any other activity – past, current, future – with the potential to render impacts to ecosystem constitution or function.

Chapter 12 References

Compile, refer to, and maintain a much more extensive inventory of available resources for current and future planning and management purposes. The list shown is woefully inadequate. All studies, research, ecological assessments and inventories, mitigation and monitoring plans, indigenous cultural information, and many more resources pertinent to the Sonoma County coast should be listed over time.

Comment from Russell Wells

TO WHOM IT MAY CONCERN

My wife and I were unable to attend the last community meeting regarding the Coastal Plan Update, which is regrettable because we had received the enclosed announcement by e-mail.

I have looked on line at the plan, and it is so enormous that only someone who had been paid to take the time to read it, or someone already conversant with the various issues, could possibly grasp it. Therefore we look to others, who presumably are conversant with the issues; and what they say is what is printed in the attached announcement.

Assuming that what they say is correct, then the plan is hopelessly flawed and poorly advised. I am sure you will agree that the list deserves the most serious attention, and it is in this hope that I have written this to you. Any plan that lacks the features listed is quite unacceptable.

Thank you for your attention, and we look forward to your conscientious attention to these important issues.

Russell Wells

Our Local Coastal Plan is now in jeopardy and we need your help to speak up in favor of a more environmentally conscientious, culturally inclusive, and user friendly document

.

The newly proposed LCP is inadequate in that it contains:

No restrictions on the use of toxic synthetic pesticides, including herbicides, insecticides, fungicides, and lethal rodenticides

No prohibition of onshore support for offshore wind projects to support alternative energy while protecting Marine Sanctuaries

No climate change element

No social or environmental justice initiatives and inadequate consideration of tribal issues

No community engagement policy

No protection for forested areas, especially the redwoods in the floodplain of the Gualala River that are threatened with logging

No language to ban large-scale wineries and event centers on the coast. There is already more traffic on Highway 1 in the summer than it can handle, and tourists events out at the coast cause more greenhouse gas emissions than similar events near 101.

No mention of the 10 Marine Protected Areas, which appear to be making strides bringing back fish stock

No ban ocean aquaculture of salmon, which harbors disease and threatens wild salmon

Comments from Save the Sonoma Coast

We first wish to express our gratitude to Supervisor Hopkins for her dedication to Sonoma County, its people and environment, and particularly to the coastal zone.

Despite its length, we hope she has had an opportunity to read the Local Coastal Plan Update Revision for 2020.

After months of close reading and attempted analysis of the current LCP revised draft, in addition to attending all the public workshops on the subject held thus far, our group of approximately 50 Sonoma County coastal advocates has come to the conclusion that it is not reasonable to expect the average citizen to be able to read the revision comprehendingly and give meaningful comment.

The document is vague, self-contradictory, and so poorly organized that it does not serve as a viable basis for public contribution to the Local Coastal Plan. We strongly recommend that it be re-written.

More specifically, we find the Objectives, Goals and Policies:

- unclear in their own definitions;
- lacking in clarity with regard to how they interrelate;
- inaccessible for easy linkage to equivalent language and policies in the previous LCP (there is no clear way to track interim changes);
- ill-defined in their relationship to future zoning policy;
- confusing with regard to their relationship to Principally Permitted Uses, and how both Policy and PPU's are determined and prioritized;
- untraceable with regard to their relationship to the Administrative Manual.

Principally Permitted Uses, in turn, are inaccessible in their implications for average citizens wishing to comment, due to the fact that they are:

- not reasonably defined;
- lack specific, stated connection to implications for future project permit approvals;
- do not clearly explain what kind of future projects in the PPU category will be appealable to the Coastal Commission, and why or why not.

In addition to these draft deficiencies, we note that:

The Glossary and Table of Contents are inadequate and incomplete.

There are numerous exhibits and charts referenced that are not present in the draft.

The appendices are not introduced nor is it explained how they are connected to the Elements.

The draft requires constant cross-reference to different sections of itself.

The maps in the draft are fragmented, out-dated, confusing and inaccurate.

In other words, this is not a "primary document" which can be read through in logical sequence and understood by the average citizen.

In addition, inappropriate overlay of the General Plan 2020 in the document is in contradiction to the mandates of the California Coastal Act and will not be acceptable for approval by the California Coastal Commission.

These issues are mentioned apart from the inherent conflict of interest in allowing Permit Sonoma to write and administer the LCP, combined with the extraordinary degree of discretion delegated to Permit Sonoma staff by omission of language that is specific and enforceable with regard to future development.

There is also a striking lack of modern scientific information in the draft. There are no science-based specific recommendations for best forestry practices, optimal coastal land management, catchment or recharge of already scarce water¹ avoidance of siltation in the Gualala or Russian River watersheds (as well as the smaller ocean-draining creeks), pesticide application in the coastal zone, wildlife habitat or corridors, or carbon sequestration resources in the face of the climate emergency we now face.

Additionally, there is no specific addressing of the imbalance of vacation rentals (53% of existing coastal zone housing) vs affordable housing policy, except to imply the need for further construction; no road or other infrastructure policy; no firm policy to cover the unique emergency service and law enforcement needs already lacking for the coastal zone population that swells by orders of magnitude with seasonal tourism, nor any enforcement provisions. These critical omissions, combined with the points above, render the draft unsuitable for meaningful public comment as mandated by the California Coastal Act. These themes of deficiency have been repeated by unrelated concerned citizens at every LCP Update workshop held thus far.

Will you advocate for an LCP re-write in which local communities, long- established local nonprofits, local coastal advocates, all coastal governance entities and eminent local scientific bodies formally cooperate to create a meaningful and publicly-accessible draft?

Best wishes and thank you for your consideration, Representatives of Save the Sonoma Coast:

Richard Retecki, author of the first Sonoma County Local Coastal Plan
Cea Higgins, Executive Director Coastwalk California
Laura Morgan, MD, Occidental Area Health Center

Comments from Steve Birdlebough

To: County of Sonoma Topic: Local Coastal Plan Update Subject: Traffic & Parking

The problem with shortages of parking should be addressed by a parking permit system rather than by adding parking spaces for two reasons: more parking will cause more congestion, and the Air Resources Board says that there must be a steady reduction in driving.

Recently available information indicates that about 18% of drivers in Sonoma County are visitors.

The Muir Woods Shuttle, and the related parking permit system provide a model for limiting the number of automobiles. A report on the Muir Woods system is available at: https://marintransit.org/sites/default/files/inline-files/060519%202018%20Muir%20Woods%20Shuttle%20Report_1.pdf

Sender's Name: Steve Birdlebough

Comments from William McMaster

Re: LCP Update

I am a resident in the Coastal Zone, Sub Area 5: Timber Cove/Fort Ross.

At the last meeting of the Timber Cove Local Coastal Plan Workshop, we were informed that the County Parks had made all the new access proposals in our community. I feel this is very unfair and a conflict of interest as the parks are also interested in purchasing local property and easements from private property owners in our community, and the new requirements they are proposing could lower the value of the owners private property. Also, the local community should have more time to comment on any plans Parks have to develop their property.

It appeared unanimous at the last meeting that the local community wants to slow down any development that would increase tourism, summer automobile and bicycle traffic because of the danger of our narrow and winding Highway 1, and that the community wanted more time to study this very long complicated plan.

Another area that needs to be discussed is the maintenance of all property, both private and government to protect us from wildfires and good forest management practices and proposals. Many people in our Timber Cove Community have had the fire insurance on their homes cancelled because our area is in a wild fire area. During the last five years, thousands of trees in our area have died. People in our community are having a difficult time keeping their property fire safe. Most people in our community strongly support local Forester Matt Greene's recommendations in his letter to Supervisor Linda Hopkins regarding good forestry practices, and the outdated requirements to obtain permits to remove dead trees and brush. Coastal areas in other areas of the state have removed this requirement due to the increasing fire danger in our counties and state.

Our community has many small farms and ranches from 10 to 300 acres and the inclusion of private property rights should also be included in any new coastal plan as was required by Prop. 20.

W.A. McMaster
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