



# COUNTY OF SONOMA

575 ADMINISTRATION  
DRIVE, ROOM 102A  
SANTA ROSA, CA 95403

## SUMMARY REPORT

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**Agenda Date:** 10/15/2024

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**To:** Board of Supervisors

**Department or Agency Name(s):** Permit Sonoma

**Staff Name and Phone Number:** Tennis Wick, AICP, (707) 565-1925; Jacob A. Sedgley, (707) 565-1931

**Vote Requirement:** Majority

**Supervisorial District(s):** Fifth

**Title:**

File No. CPH24-0014 California Department of Transportation (Caltrans) Request for Coastal Permit Consolidation by the California Coastal Commission, located at 2000 Estero Lane, Bodega Bay; APN 100-160-002.

**Recommended Action:**

Adopt a Resolution authorizing the California Coastal Commission to consolidate the Coastal Permit approvals required for the Estero Americano Coastal Preserve Compensatory Mitigation project into a single Coastal Development Permit to be processed by the California Coastal Commission.

**Executive Summary:**

The California Department of Transportation (Caltrans; Applicant) has received permits from several public agencies, including Permit Sonoma, for several projects that require compensatory mitigation including the Marin State Route 1 Capital Preventive Maintenance Project (1J960), the Sonoma State Route 1 Drainage System Restoration Project (1K750), and the Sonoma State Route 1 Culvert Rehabilitation Project (1K730). In late December 2015, through the combined efforts of Sonoma Land Trust and other funding partners (State Coastal Conservancy, Sonoma County Agricultural Preservation and Open Space District, and Gordon and Betty Moore Foundation), The Wildlands Conservancy acquired the 547-acre Estero Ranch. On July 24, 2024, Permit Sonoma received an application from Caltrans for a Coastal Permit with Hearing for the Estero Americano Coastal Preserve Compensatory Mitigation Project (Project) which proposes to utilize some of the 547-acre Estero Ranch property for the required compensatory mitigation described in detail below. On May 14, 2024, a separate consolidation request was approved by the Sonoma County Board of Supervisors (see CPH23-0011) which proposed a public access plan to establish a trail network at the 547-acre Estero Ranch site. This consolidation request is solely for the creation of compensatory wetlands and is a separate project. The request does not include any additional proposed public access to the site.

Many development projects within the California Coastal Zone require permits from both the local government agency (e.g., city or county) and the California Coastal Commission (Coastal Commission). The Coastal Commission has determined that the proposal is subject to the permit requirements of both jurisdictions and requires two Coastal Development Permits, one issued by Sonoma County, and another issued by the Coastal Commission. Under the Consolidated Permit Process, applicants have the option to integrate the local permit application process with the Coastal Commission's permit review process. This integration allows the Coastal Commission to consider the local permit application concurrently with its own review, avoiding duplication of efforts and expediting the overall permitting timeline.

The Applicant has requested consolidation. The Coastal Act permits this consolidation. Staff recommends approval of the request, authorizing the Coastal Commission to consolidate approvals required for this into a single Coastal Development Permit to be processed by the Coastal Commission.

**Discussion:**

The Coastal Act allows for the consolidation of Coastal Commission and County permits in certain circumstances. Caltrans seeks to consolidate approvals required for the mitigation project proposed by Caltrans into a single Coastal Development Permit to be processed by the Coastal Commission. The project proposes to construct improvements for off-site compensatory mitigation to address temporary and permanent loss of wetlands and riparian habitat, including impacts to state waters, associated with several projects as part of the Estero Americano Coastal Preserve Compensatory Mitigation Project at the 547-acre Estero Ranch site. Zoning for the parcel is Coastal Land Extensive Agriculture - 160 acres per dwelling unit and a 640-acre minimum lot size (LEA CC B6 160/640 (Ac/DU)/Ac MIN), with Biotic Habitat (BH), Floodway (F2), Geologic Hazard Area (G), Riparian Corridor (RC100/50), and Scenic Resources (SR) Combining Districts.

Project Summary

The proposed project includes a total of 0.97-acres of creation of waters of the United States and State, and creation of 1.97-acres of riparian habitat. The table below summarizes the total offsite mitigations at the Estero Americano Coastal Preserve for the Marin State Route 1 Capital Preventive Maintenance Project (1J960), the Sonoma State Route 1 Drainage System Restoration Project (1K750), and the Sonoma State Route 1 Culvert Rehabilitation Project (1K730).

Mitigation Type	Mitigation Required for 1J960 (acres)	Mitigation Required for 1K730 (acres)	Mitigation Required for 1K750 (acres)	Total Mitigation Required (acres)	Total Habitat Creation at the Estero Americano Coastal Preserve (acre)
Wetlands (i.e., three parameter wetlands)	0.0516	0	0	0	-
Wetlands (i.e., one parameter wetlands)	0.0016	0	0.001	0.0026	-
Other waters	0.01	0.008	0.056	0.074	-

Total Waters Mitigation (coastal wetlands/waters of the U.S. and State)	0.0632	0.008	0.056	0.1272	0.97*
Total Riparian Habitat Mitigation	0.032	0	0.02	0.052	1.97

Notes: A mitigation ratio of 4:1 to satisfy California Coastal Commission requirements is included in the acreage presented in the table. Total Habitat Creation at the Estero Americano Coastal Preserve is inclusive of 1J960, 1K730, 1K750 and 20950. For further details on the 20950 offsite mitigation, see the Estero Americano Coastal Preserve Habitat Mitigation and Monitoring Plan (attachment 3). \* WRA HMMP identifies total waters as coastal wetlands/waters of the U.S. and State.

See Attachment 2 for the full project proposal prepared by the applicant, and Attachment 3 for the Estero Americano Coastal Preserve Habitat Mitigation and Monitoring Plan.

Permit Consolidation

On July 24, 2024, Permit Sonoma received an application from Caltrans to construct improvements associated with the Estero Americano Coastal Preserve Compensatory Mitigation Project at the 547-acre Estero Ranch site. These activities require a Coastal Permit with Hearing (CPH) pursuant to Sonoma County Code Section 26C-340. The project involves improvements located where California State Lands Commission (CSLC) identified the area as submerged land, tidelands (former), and/or potential public trust land based on historic data, where the Coastal Commission retains primary permitting authority. The project meets definition of development under Section 30106 of the Coastal Act and requires a Coastal Development Permit to be issued by the Coastal Commission.

If the County chooses to directly maintain local control, the project approval requires the County to process the local Coastal Permit. After the County process is complete, a separate Coastal Permit would be processed by the Coastal Commission for the portion of the project that is within their jurisdiction. When both a local permit and a Coastal Commission permit are required, the Consolidated Permit Process allows for the integration of these permits into a single comprehensive review process. Under Section 30601.3 of the Public Resources Code, the Coastal Commission may process and act upon a consolidate coastal development permit application if the following criteria are satisfied:

- 1) The proposed project requires a coastal development permit from both a local government with a certified local coastal program and the commission; and,
- 2) The applicant, the appropriate local government, and the commission, which may agree through its executive director, consent to the consolidated permit action, provided that public participation is not substantially impaired by that review consolidation.

During conversations including Permit Sonoma, Caltrans, and the Coastal Commission, Coastal Commission staff have indicated initial acceptance of the consolidation request. The California Department of

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Transportation has stated that the Coastal Development Permit required by the California Coastal Commission will be heard at the November 13-15 meeting of the California Coastal Commission at the Hyatt Regency San Francisco (5 Embarcadero Center, San Francisco, CA 94111), which is the most local hearing available as of the date of this report. Members of the public may participate in the Coastal Commission meeting by Zoom, phone, or in-person. For more information on how to participate, refer to the [California Coastal Commission Public Participation Procedures < https://documents.coastal.ca.gov/assets/virtual-hearing/VIRTUAL-HEARING-PROCEDURES.pdf >](https://documents.coastal.ca.gov/assets/virtual-hearing/VIRTUAL-HEARING-PROCEDURES.pdf). As such, staff does not believe that public participation will be substantially impaired by the consolidation of the permit applications.

Staff recommends adoption of the proposed resolution authorizing the California Coastal Commission to consolidate approvals required for this into a single Coastal Development Permit to be processed by the California Coastal Commission.

**Prior Board Actions:**

9/27/2016: Board of Directors of the Sonoma County Agricultural Preservation and Open Space District adopted Resolution No. 16-0365 determining that the Estero Ranch Mitigation Proposal was consistent with the Estero Ranch Conservation Easement

**FISCAL SUMMARY**

**Narrative Explanation of Fiscal Impacts:**

None. The applicant is responsible for the costs of processing the coastal permit application. No additional costs would be incurred by Permit Sonoma for the project.

**Narrative Explanation of Staffing Impacts (If Required):**

Not applicable.

**Attachments:**

- ATT 1 Draft Board of Supervisors Resolution
- ATT 2 Project Description and Site Plans Prepared by Caltrans
- ATT 3 Estero Americano Coastal Preserve Habitat Mitigation and Monitoring Plan
- ATT 4 Assessor's Parcel Maps

**Related Items "On File" with the Clerk of the Board:**

Not applicable.