

Issues of Concern on the LCP from Coastal MAC Representatives.
Prepared for the July 21, 2022 Sonoma Coast MAC meeting

Scott Farmer (Timber Cove):

Program C-OSRC-11-P1: I wish to underscore the importance that this program indeed establish a coastal permit exemption defining and allowing best practices to reduce woodland fire risk. Make it easy to do the right thing. Time is of the essence.

Staff Response: Thank you for your comment. This is a high priority program.

The passage about High Schools incorrectly states that coast high schoolers from Fort Ross south attend El Molino. El Molino no longer serves high schoolers.

Staff Response: This reference has been updated to reflect the consolidation of El Molino and Analy high schools.

Program C-PF-5-P2: I fully support this addition to the LCP.

Staff Response: Thank you for your comment.

Beth Bruzzone

Bodega/Valley Ford CMAC:

South Sonoma Coast constituents have many concerns with the LCP. Most important on the list is that as a whole, Supervisor Hopkins constituents feel frustrated and unheard, that their voices do not matter, that NGO's, public-private organizations, parks department and outside influences carry more weight, are more favored than the voting public. I want to lead with this concern because it is something I hear from a wide variety of folks in District 5 on a wide variety of issues. Please note that I am not intending to be inflammatory, I am reporting back to D5 what I am hearing from constituents. This first paragraph directly relates to the last paragraph.

Staff Response: We appreciate your comment and ensure that the constituents of South Sonoma Coast's comments have been reviewed by staff and included in the public record that will be made available to the Board of Supervisors for their review.

Public Access is more important than personal property rights and impact on our residents and our environment. Trespassing is an issue on the ranches and many of our residential communities. I am hearing this from people that live in Valley Ford, Bodega, Bodega Harbour Homeowners Association, Bay Flat/Westside Area and Old Town mostly, but many in the greater Bodega Bay Area have voiced this concern. Public access is ruining our environment. Sensitive habitats are being trampled and eroded. For the first time in anyone's memory graffiti and tagging is occurring. Wildlife is being stalked and disturbed by visitors and their off leash dogs without any concept of repercussions or safety. Not much hope for the new tri county campaign to take your trash with you, many see it as moneys that could have gone to something more realistic.....people

either have manners and a conscious or they don't. Signage and marketing won't change the behavior of bad actors. In short, the LCP needs to effectively balance local needs with visitor's needs, not give visitors the majority of the consideration. Many people have brought up to me that the Coastal Act specifically mentions that personal property rights and the environment shall not be infringed.

Staff Response: The Public Access Element protects and defends the public's constitutionally guaranteed rights of access to and along the Sonoma Coast while upholding the requirements of the Coastal Act. The Public Access Element establishes policies to protect existing access areas and identifies future public access areas. Your comment has been reviewed by staff, and we will ensure that public access areas will be protected, and that local needs shall be taking into serious consideration.

3. Lack of consideration of topography and natural limitations on roadways and coastal access regarding carrying capacity. Too many people on the roads at the same time is a really big complaint. In general, the option of a shuttle without a reservation system and visitor parking restrictions is not well received, that the needs and expectations of the visitors to the coast are not the same as visitors to the river. Many people have mentioned Muirwoods as a model of what could be done, within the LCP, to deal with the overwhelming number of people that come to Bodega Bay and surrounding areas, on popular weekends.

Staff Response: Circulation and Transit Element Policy C-CT-2d, Program C-CT-2-P1 and Initiative C-CT-2-I1 and Public Access Program C-PA-4-P3 support development of public transit options.

4. The greater Bodega Bay Area is a cash cow for the county coffers via TOT dollars. This concern is in lock step with vacation rental concerns. Too many vacation rentals tax all of our limited resources and are ruining our sense of community. The LCP needs to address this issue and reign in rentals and create meaningful consequences for bad behavior (for all, including property owners and residents) Water use comes up in this part of the conversation as well, many have suggested water monitoring for visitors/renters. It's not uncommon to witness visitors washing their boats and vehicles or letting their children play in sprinklers or with the hose, unconcerned about water shortages.

Staff Response: Thank you for your comment. The County is currently reviewing an update to the countywide Vacation Rental Ordinance and regulations are proposed for the Coastal Zone. More information about that project may be found by visiting the [Vacation Rental Update](#) page. The Local Coastal Plan Public Facilities Element acknowledges that water supply is limited and developing new sources is unlikely.

5. Fire and natural disaster. Lack of capacity to deal with tourists when a disaster occurs, whether we are prevented from leaving due to road encumbrances, or emergency services are prevented from getting to us. Constituents brought up two very real concerns: Earthquake on a heavy use weekend and 900 full time residents need to feed and house 5000 to 10,000 visitors....or....a fast moving wildfire erupts and 5000 to 10,000 visitors are competing with the 900 residents, pets, ranchers and livestock, trying to evacuate or seek safe shelter.

Staff Response: The County will soon begin the process of evaluating evacuation routes and planning for evacuation routes as part of an update to the Public Safety Element of the General Plan 2020. Please look for more information about this project in the coming months by reviewing our [Proposed Long-Range Plans page](#).

Another equally important, common comment from constituents in my area is the lack of being able to read and digest the Planning Commission's recommendations draft of the LCP for the Board of Supervisors before it was voted on by the Planning Commissioners. PRMD publicly stated that there would be a 30 day complete draft review period prior to the vote. That did not happen. People understood that this massive document was an overwhelming undertaking, and it being late was not the main concern, but that adjustments should have been made to delay future meetings, so that the public had/has adequate time to do their due diligence on the new, revised document, and any further revisions the Board of Supervisors may make to the final draft prior to the Coastal Commission review.

Staff Response: Staff worked diligently to ensure that ample review time was provided prior to the final Planning Commission meeting to review the draft. Although staff was not able to meet the 30 day deadline for the complete draft, individual elements, maps, and appendices were available for review with additional elements made available as they were finalized. The draft documents to be reviewed by the Board will be made available for review at least 7 days prior to the meeting on 8/30/22.

Jill Lippett, Jenner MAC Representative:

Save the Sonoma Coast had done in-depth analysis of the LCP and presented innumerable comments, the bulk of which were adopted by the Planning Commission. These are the outstanding issues still of major concern.

—No stops on construction of onshore facilities you support offshore energy production (eg, wind turbines), Land Use Element, Policy 3LU 3b;

Staff Response: Policy C-LU-3b prohibits facilities that support offshore oil, gas, or energy production facilities within the Commercial Fishing land use category. A Local Coastal Plan policy prohibiting onshore support of off shore energy production can be directly amended by the California Coastal Commission under Section 30515 if the Commission finds that a public need of an area greater than that included within the certified local coastal program would be met by approval of the facility, that there is no feasible, less environmentally damaging alternative way to meet such need, and that the proposed amendment is in conformity with the policies of the Coastal Act.

Provisions for piping in water from inland to support coastal construction, Water Element, Policy C-WR-5b

Staff Response: Section 5.1 of the Water Resources Element Policy C-WR-5b requires full environmental assessment of any proposal to import water. Policy C-WR-5c requires tracking of trucked water.

-Lack of mapped ESHA, no accounting for future ESHA due to climate change, OSRC Element;

Staff Response: Individual Coastal Development permits are reviewed on a cases-by-case basis and development proposed by these permits is reviewed for impacts, including potential impacts to ESHA. The Environment maps are a helpful guide for locating known ESHA areas, however, each project location is reviewed on the basis of the definition of ESHA as defined by the text of the LCP and biological surveys are required to make the findings for no impacts to ESHA. Policy C-OSRC-8a states that "Mapping shown in Figures C-OSRC-2a through 2k is not a comprehensive inventory of all ESHA due to changing habitats, future improvements in identifying ESHA, regulatory changes, and scientific discovery." This policy and Policy C-OSRC-8b establish criteria for identifying ESHA at the project level. Policy C-OSRC-8c requires site specific biological resource assessments to identify ESHA on the project site and evaluate adverse impacts that may result from development.

-No policy re: optimal forest management for sustainable timber harvest, fire fuel reduction, carbon sequestration, OSRC Element;

Staff Response: See pages OSRC-47 to OSRC-51 for timber harvest related policies. See Initiative C-PS-6-11 in the Public Safety element for fire fuel reduction. The lack of carbon sequestration policies has been noted.

-Separation of small communities from Bodega Bay sphere of influence (ask Rue or Maggie for specific language and citation);

Staff Response: Thank you for your comment.

-Pushing construction of more "Planned Communities", counting their private common land as "Open Space" and "Natural Resource Conservation", ppLU 18-20;

Staff Response: Thank you for your comment.

-Re-opening Cheney Gulch to gravel mining, Land Use, pp51-52;

Talks about not depleting resources, Cheney Gulch briefly mentioned as being a source of lime stone production???

Staff Response: The State Mining and Geology Board identifies remaining sandstone deposit at this site as regionally significant for construction grade aggregate and a priority site for aggregate production, and by law Sonoma County must manage the conservation and development of identified mineral deposits, such as construction grade aggregate. Policy C-OSRC-12b requires that in addition to environmental review, the project must demonstrate that an economic need exists for aggregate materials produced at the site and that full

reclamation of the site is feasible and that reclamation will fully restore ecological function of the site to that which existed prior to any mining operation.

-Allowing vineyards (and their attendant use of pesticides) in the Coastal Zone, Agriculture Element, p AR 10;

Staff Response: Initiative C-AR-1-I5 proposes a reduction in pesticide use. Vineyard proposals do require submittal of a Coastal Development Permit prior to installation and future proposals will be reviewed for their impact on the environment and adjacent properties. Policy C-OSRC-7c prohibits any development that involves the use of pesticides that have potential to significantly degrade Environmentally Sensitive Habitat Areas or coastal water quality or harm wildlife.

“Initiative C-AR-1-I5: Work with local Resource Conservation Districts and agricultural associations to encourage and promote sustainable agricultural and land management practices that conserve energy and protect water and soil, reduce pesticide use, and supports locally grown and processed agricultural products, to help ensure the long-term use and conservation of coastal resources.”

-Zoning for Commercial Tourism in Rural Residential areas of Bodega Harbor and "other planned developments", Land Use Element, pLU-24;

Staff Response: Thank you for your Comment.

-Pushing development of all small communities in the Coastal Zone, from Annapolis to Valley Ford, which will presumably require piped water, Land Use Element, Policies 5f thru 5t;

Staff Response: Policies including C-LU-5o, C-LU-5p, C-LU-5s, and C-LU-5t all specify that development expansions in Jenner, Duncan Mills, Chanslor Ranch, and Valley Ford are required to meet water supply requirements. These policies are recommended for deletion as part of an overall recommendation to remove policies associated with specific businesses

-Plans to develop a recreational facility at Bridgehaven, where the convergence of Willow Creek and the Russian River comprises critical environmentally-sensitive salmonid migratory habitat, Land Use Element, Policy C-LU 5q;

Staff Response: Policy C-LU-5q is recommended for deletion as part of an overall recommendation to remove policies associated with specific businesses. If this policy is retained, it allows for boat launching and rental, and requires that public access be provided as part of any expansion. Establishment of these limited uses will require environmental review and a consolidated Coastal Development Permit as any boat launch facilities will be in the Coastal Commission's retained jurisdiction.

-No regulation of VRBOs-just a suggestion that standards be developed, Land Use, pLU-39, Program C-LU-5-1p;

Staff Response: Thank you for your comment. The County is currently reviewing an update to the countywide Vacation Rental Ordinance and regulations are proposed for the Coastal Zone. More information about that project may be found by visiting the [Vacation Rental Update](#) page.

-Allowing "substantial modifications of the natural environment" for development of recreational facilities, Public Access, pPA-23;

Staff Response: The full sentence referenced in your comment reads: "In planning for recreational activities, substantial modifications of the natural environment for a specific activity should be first avoided, then minimized when avoidance is not possible." Taken in context, this only allows modification in very limited circumstances

-Increasing traffic on Hwy 1 through construction of "Scenic Vista Points"-OSRC, p5, and parking lots along the coast-Public Access, pPA-30, Goal C-PA-4;

Staff Response: Thank you for your comment.

-Inadequate Glossary to define key terms used in Policy;

Staff Response: Thank you for your comment.

-No Zoning document available to ascertain actual physical location of new zoning categories created in LCP draft.

Staff Response: No new zoning categories have been proposed by the updated LCP draft.. Following adoption of the LCP update additional zoning code changes will be brought before the Board of Supervisors and notice of that project will be provided at that time.

-Richard Charter, The Ocean Foundation, Bodega Bay, 7.15.22 waterway@monitor.net

Local Control Over Onshore Industrial Facilities Needed in the Sonoma Coast LCP Update:

During the 1980's, Sonoma County's elected officials and their constituents were alarmed to learn that the small fishing harbor at Bodega Bay was the prime target for a large industrial facility to support offshore oil and gas drilling then planned near our Sonoma Coast beaches. For this reason, our LCP has since required a vote of the electorate should any such oil facility be proposed here. Now, fast-forward to 2022, and Bodega Bay is once again on the map of potential industrial facilities that are likely to be built in the next decade or so to bring a subsea electrical power cable onshore into a large shoreline substation to connect with an overland high-voltage transmission line to the San Francisco Bay Area. The potential right-of-way for such a transmission line remained active after the Bodega Bay nuclear power plant was stopped, crossing the Estero Americano and routed toward Marin. Now, our present LCP Update proceeding offers us a one-time opportunity to similarly keep our local control over subsea cable landfalls, onshore industrial substations, and transmission lines from floating offshore wind arrays resulting from this year's pending federal offshore wind leases off of Humboldt County, and likely, also within a year off of Mendocino

County. This is not a step to oppose offshore wind energy development that will occur on the North Coast, we may well want to support the wind arrays, but this current LCP Update represents the only way to maintain strong local control as some of the same big petroleum companies that previously wanted to build major facilities here in Bodega Bay to service their offshore oil drilling rigs are instead now operating as floating offshore wind companies, such as Shell, BP, and Equinor (formerly Statoil). The LCP Update is our best feasible opportunity to keep the future of Bodega Bay, and the rest of the Sonoma Coast, under local stewardship here at the County level.

Photo: Coastal electrical substation for offshore wind

Staff Response: Permit Sonoma staff has not been able to find evidence that the proposed 220 kV Bodega Bay – Ignacio transmission line right-of-way is “active”. Right-of-way easements are recorded documents and no such easements appear on any parcel fronting Bodega Bay or shoreline lands south to the Marin County line. Sonoma County Code Chapter 31 “On-Shore Oil and Gas Facilities ordinance of Sonoma County” requires voter approval for on-shore gas and oil facilities, but this ordinance requires that any amendment be approved by the voters. This is reflected in Policy C-LU-3a. It should also be noted that local control is limited by Section 30515 of the Coastal Act, which allows the Coastal Commission to directly amend the Local Coastal Plan if the Commission determines that a public need of an area greater than that included within the certified local coastal program exists.

Brian Leubitz, Bodega Bay Coast MAC Representative

cell:(415)495-9015

- 1) Traffic. Currently the LCP mentions parking and traffic between Jenner and Bodega Bay. Policy C-PA-4a calls for additional parking, but the calls elsewhere in the document for additional services from Bodega Bay to Jenner don't adequately consider the traffic, particularly during weekends. In Bodega Bay, there is no adequate plan to deal with the traffic from the left turn from Highway 1 onto Westside road. A turn lane would alleviate much of that traffic.

Staff Response: Thank you for your comment.

- 2) Water Services &Subdivisions: A revision in the public facilities (C-PF-2i) would encourage larger scale development by encouraging urban (aka Bodega Bay) water systems to grow to meet the demands of new developments. Given the limited water resources available to Bodega Bay, this seems impractical.

Staff Response: Policy C-PF-2i states that any subdivision of land or new development uses within a water or wastewater service area shall be required to include written certification from the service provider that existing water and wastewater services are available to serve the new parcels, development, and uses. It also states that the service provider will make improvements to the water or wastewater systems necessary to accommodate new development uses prior to final project approval.

3) Noise: Under previous drafts/LCPs, there was a specific noise element. Given the increased development in Bodega Bay and weekend crowds, does the current draft do enough to protect the environment and wild animals from human created noise?

Staff Response: Policy C-LU-1e requires that noise be evaluated for impacts to biological resources even if the general noise standards found in Policy C-LU-1d are met. Policy C-LU1g prohibits special events from generating temporary noise impacts that would affect biological resources. Impulsive sounds, such as fireworks are prohibited. These standards are more restrictive than the current Local Coastal Plan, which does not consider impacts to biological resources created by noise, vibration, and glare.

From: [OBryan Family](#)
To: [Gary Helfrich](#); [PRMD-LCP-Update](#); [Eric Koenigshofer](#); thesquig@yahoo.com
Cc: [PlanningAgency](#)
Subject: Proposed Local Coastal Plan Update Section C-LU-5q
Date: July 15, 2022 1:10:46 PM

EXTERNAL

Dear Gary, Eric, and the California Coastal Commission

Under section C-LU-5q, Bridgehaven Resort, any public access to entities not residing as permanent residents of the property is considered a violation of California Penal Code Section 602 PC. The expansion of public access and the restriction of any further permitting at the resort as a result of nonconcurrence with this proposed Plan, prevents the owner's ability to protect the health and welfare of its residents as well as maintain the property; a violation of California Civil Code.

In order to maintain the safety, health, and welfare of property residents and owners as well as any public entity, the expansion of public access rights beyond those legally permitted to utilize the property, the O'Bryan family is unable to support the proposal as written. Section C-LU-5q reaches beyond the scope of permitted usage of private property, violates our duty to uphold the California Penal Code and the California Civil Code, and prevents the owners from ensuring its residents safety.

Bridgehaven resort does not have the facilities to entertain and serve the public. There is no boat launch, lifeguard, public telephone, adequate cell service, insurance, or a park employee who could supervise and monitor public activities to ensure the safety and welfare of the visiting public leaving the owners liable and at risk of unsafe and trespass usage. The park's water system is entirely supplied by surface water and residents have been under restricted usage for the past several years due to the drought. Therefore, we do not have the facilities, water supply, septic, or trash receptacles to serve the public needs. We implore and petition to remove Policy C-LU-5q from the Draft and recommend revising to include the existing river access with parking on Willow Creek Road, the State Parks Campground, and the Jenner public boat launch and bathroom facilities that are all currently designed for and capable of handling public usage.

We await your timely response,

--

AJO, L.P. and the O'Bryan Family
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Subject: RE: Appendix B Public Access Plan, Wording and Markers-May 2022
Date: Thursday, July 28, 2022 9:58:46 AM

From: Nichola Spaletta <nspaletta@gmail.com>

Sent: Wednesday, July 27, 2022 4:21 PM

To: Gary Helfrich <Gary.Helfrich@sonoma-county.org>; Eric Koenigshofer <Eric.Koenigshofer@sonoma-county.org>; PRMD-LCP-Update@sonoma-county.org; Benham, Peter@Coastal <Peter.Benham@coastal.ca.gov>; Lai, Thomas <TLai@marincounty.org>; Nichola Spaletta <nspaletta@gmail.com>

Subject: Appendix B Public Access Plan, Wording and Markers-May 2022

Dear Gary, Cicely, and Eric, Peter and Tom,

I would like to let you all know that I still see wrong wording in the: May 2022- Appendix B : Public Access Plan, pages 86- 89 that still do not match markers on Figure C-PA-1K Public Access SubArea MAP 10 Valley Ford. Some wording needs to be taken out of this recent revised plan or be reworded. I have included Marin County as they need to keep present with the recent wording changes.

I have attempted to reach out to Sonoma County Planners with several letters, some emails and also phone calls- two this week. No one will respond to me. I am reaching out to you all with great passion and hopefully someone will respond back to me.

The California Coastal trail does NOT connect to any Marin Coastal Trail(s) at the Marin County line at the Estero Americano. Any "wording" that talks about a California Coastal Trail stopping or being continuous at the Marin County Line at the Estero Americano needs to be taken out of this Sonoma County Local Coastal Plan UpDate. Marin County has placed the California Coastal Trail inland because there is no permanent managed trail for public use along this very fragile coastline. Placing a public trail in water along this coast line and advertising that is continuous to the Marin County Line is wrong. The land on this Marin County line is not for sale and it is private agricultural property. There is NO continuous California Coastal Trail in this area that goes into Marin County.

The California Coastal Trail is on Highway One, not at the Estero Americano as shown on your map # 10 Valley Ford. If the California Coastal Trail can not be continuous, it must be placed elsewhere where it can be. Please take out all wording in Appendix B referencing "The California Coastal Trail to the Marin County line at the Estero Americano."

There is NO California Coastal Trail in this coast line area.

Page 86

(I-32) California Coastal Trail : Bodega Harbor Subdivision to Marin County

"The coastal route follows the shoreline of the Bodega Harbor Subdivision from Doran

Regional Park to the Marin County Line at the Estero Americano. This pedestrian (only) route is limited to use during low tides."

Page 87 & 88

(I-34) Short-Tail Gulch Trail and Estero Ranch

"Trail access is either via the California Coastal Trail segment between Bodega Harbor and the mouth of the Estero Americano running along the Pacific Ocean."

Page 89

(Marker K-1) California Coastal Trail: Bodega Harbor Subdivision to Marin County

"The coastal route follows the shoreline of the Bodega Harbor subdivision from Doran Regional Park to the Marin County line at the Estero Americano."

Asking people to walk a trail in a very dangerous area only invites problems. There is no cell service, no rangers patrolling, and Sonoma County maps state that this coastal area is highly eroded. See Map: Figure C-PS-2c Slope Instability Hazards SubArea 7-10 in this plan.

This wording is asking the people at the Estero Americano to walk the coast line to Doran Beach. How do people get to the Estero Americano to walk to Doran Beach at only low tides? Does Sonoma County transport them there and tell them when and which way to go? Placing a public trail that at times is in water makes people climb up the banks to dry land. The land in this area is all private property. People will damage the coast line and may be trapped in the water. The Estero Americano's sandbar mouth opens and closes during storm events splitting the coast line with rushing water to the sea from the Estero. This makes this area not passable for pedestrians. This area can not and should not be a permanente public trail.

Marin County does not want a California Coastal Trail placed along this Marin coast line. It can not be continuous with Sonoma County in this area due to the steep banks, standing water, sensitive coast and private property. This area is not a maintained area to place a CCT trail along the coast line, especially when this area is covered in water at times and is dangerous for the public. MAP 10 Valley Ford Public Access shows the California Coastal Trail running along highway One. It does not show the California Coastal Trail going down the coast line and stopping at Marin County. The wording in this plan needs to match the maps. Please remove wording that states: "The California Coastal Trail follows the shoreline to the Marin County Line at the Estero Americano.

Show wording that states the "California Coastal Trail follows Highway One from Sonoma County to Marin County." This will help protect this very fragile coast line, keep hikers out of the water and off private agriculture lands in this area. Marin County has chosen to protect hikers, respect agriculture property and keep the Estero Americano wild, not developed.

We understand that Sonoma County wants to develop the Estero Americano with more public access and wants to keep the door open for more public land development. They would like to have two California Coastal Trails, one on the coast line and one inland. This should happen after there are managed, supervised public trails that are established and maintained before there is "wording" for a wish list that is not established at this time. ALL the public Markers that are on map # 10 Valley

Ford are not established, these public access markers are referencing future land and water developments along the Estero Americano. These markers will only confuse the public before they are developed. The "wording" in this Appendix B Plan should only be stated and shown to the public for public Access points that are developed, maintained and funded. Not for possible future access points that are not actually opened to the public.

No Public Access markers should be placed on any maps for public view in less they are actually established public use areas. Also the California Coastal Trail needs to be tied (continuous) into each neighboring county to be established and used as the California Coastal Trail or you can not call it the California Coastal Trail.

I look forward to hearing from you.

Sincerely,

Nichola Spaletta and The Spaletta Families

Valley Ford, CA

(415)669-1202

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