



# COUNTY OF SANTA BARBARA

## AGRICULTURAL ADVISORY COMMITTEE

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November 26, 2013

Mr. Salud Carbajal, Chair  
Board of Supervisors, 4<sup>th</sup> Floor  
105 East Anapamu Street  
Santa Barbara, California 93101

**Subject: Initiation Draft Gaviota Coast Plan – Agricultural Advisory Committee  
Comments**

Dear Chairman Carbajal and Members of the Board of Supervisors,

As your Board appointees on policies, ordinances, projects and programs that have broad implications on the environmental well-being, ecosystem sustainability and economic situation of county wide agriculture, we, the Agricultural Advisory Committee (AAC) respectfully submit these comments to you on the Initiation Draft Gaviota Coast Plan.

By way of an abbreviated background, ranching, agriculture and environmental stewardship have a long and proud history in Santa Barbara County dating back over 200 years. In fact, this heritage and identity has in large part contributed to both the preservation and agricultural diversity of the Gaviota coast, which boasts ranching and active cultivation as well as healthy and persistent ecosystems. The ranchers and agriculturalists who steward this special portion of the California coastline and inland area, which is not just open space, but a working landscape, have a vested interest in ensuring that their lifestyle is preserved for themselves and for future generations. It is also their vested interest to ensure that this land remains healthy, sustainably grazed and sustainably productive. Of particular note, 97% of the privately held land in the Gaviota Plan area is zoned AG-II and 60% of the privately held land is under Williamson Act contract.

Agriculture and ranching provide a range of benefits to the County and to its citizens from preservation of wildlife habitat, to erosion control to carbon sequestration to firebreaks to visual relief to flood and food security. Further ecosystem benefits include bio-diversity, and grazing to

promote native grasslands. Agricultural and ranching are also the economic engine of the county both in crops as well as employment, generating \$1.3 billion in revenue and \$2.5 billion with the multiplier. Moreover, agriculture and ranching are complete and balanced industries. Stewards and agriculturalists invest in the livestock and land and in turn, we all benefit, and so does the ecosystem. It is with the ethic of sustainability and ecosystem service that we submit this condensed comment letter.

### **Overarching Comment**

1. The GavPAC designed the Gaviota Plan to be an incentive based Plan, not a punitively driven Plan. The intention behind the incentives developed was to recognize and reward the majority of landowners who practice responsible stewardship and to encourage even more landowners to either increase or further their stewardship practices. Removing this fundamental incentive-based principle contravenes the community's intent of the Gaviota Plan.

### **Proposed County Ordinances**

1. The Gaviota Plan Area contains two distinct and unique planning areas, the Coastal Zone, which is coterminous with the Coastal Zone and the Inland Area, which is not under the jurisdictional authority of the California Coastal Commission and is coterminous with the County's Inland Zoning Area regulated by the LUDC. In that there are two distinct areas and zoning codes as well as jurisdictional authorities, the Gaviota Plan policies, development standards zoning amendments should be adopted separately and independent of one another to ensure that each area maintains its jurisdictional authority.

### **Land Use Section**

1. **Land Use Incentive Programs: Action LU-4**  
As stated above, the GavPAC thoughtfully designed the Gaviota Coast Plan to be a balanced Plan that supports and encourages beneficial practices on land. The inclusion of these incentives is integral to the Gaviota Plan and we urge you, the Board of Supervisors to include the broad range of beneficial practices and incentives that were developed by the GavPAC and the community. This is imperative as they have not been included in the current version of the Plan. As only one incentive was included for in the Initiation Draft: Residential Second Units; not only is this inadequate, it is inappropriate as RSU's should be a permitted land use on all Ag II parcels, not an incentive. Therefore, the Board **must ensure that these are included** in the Project Description and studied in the ensuing Environmental document.

2. **Mountainous Zoning on Private Lands (Page 5-4)**

The AAC applauds the conclusions of the Planning Commission as it relates to the Mountainous Zoning on private land.

We do, however, disagree with the Planning Commission's vote to consider the enhanced erosion control measures for agriculturally zoned land (AG-II) on slopes of 30% or greater. Instead, we urge the Board to instead utilize the Steep Slope Standards for agricultural lands are being updated by the Cachuma Resource Conservation District.

3. **Principle Dwelling**

The AAC applauds the decision of the Planning Commission in agreeing with the GavPAC to not to cap the size of a principle dwelling and instead adopt Visual Resource policies, which would require BAR review. This is a more sensible and consistent approach to maintaining and preserving the visual character and aesthetic integrity of the Planning Areas. We would also like to note that an artificial cap on the size of a principle dwelling is arbitrary and that a square footage cap on a principle dwelling has not been considered for any other adopted community plan update including Goleta, Santa Ynez, or Montecito.

4. **Existing Legal Lots: Policy LU-8**

The AAC supports the Planning Commission's recommendations regarding existing Legal Non-Conforming Parcels, which would allow for structures to continue to be repaired, maintained **and re-built** within the current scale and footprint.

**Agriculture Section**

1. **Agricultural Permit Tier Structure: Action AG-5**

The GavPAC developed an Agricultural Permit Tier Ordinance, which reasonably provides exemptions for basic agricultural uses such as water tanks, lines and water troughs, replacing fencing, improvements to gates and corrals, exploratory water wells, and supplemental agricultural processing activities. The ordinance would also reduce permit requirements for select agricultural uses, and provide flexibility for other agricultural related uses that support and encourage agricultural operations. Further, as only a few activities were cited, the in the ordinance amendments, the AAC feels a sentence needs to be added stating similar small scale compatible activities should also be allowed.

This ordinance is extremely valuable to the agricultural community and allows for needed flexibility to innovate in crop type and cultivation methodology. Agriculturalists must be nimble and responsive to changing technology, market demands, climate conditions and economic constraints in order to not only remain competitive in the national market, but also in the global market. Supporting local agriculturalists positively impacts our local economy and our local food supply and helps to protect and maintain agriculture in our community.

## **Natural Resources Section**

### **1. ESHA Habitat Types and Criteria: Policy NS-4**

Agriculturalists and ranchers are intimately tied to the land and understand the symbiotic relationship that must exist in order to continue to live and work on the land. Given this intimate understanding and knowledge of the ecosystem in which they live, the GavPAC rejected the broad list of habitat types and “vegetative alliances”, which is included as Appendix 1 in the current Plan. The list included many plant species that are commonly found in the Plan area, such as sycamores and coast live oaks, and these habitat types and “vegetative alliances” are overly broad. They are based on a State rarity index, not on local conditions. Hence, we urge the Board to remove Appendix 1 from the Plan as it is not a representative list of habitat types and “vegetative alliances”. An evaluative point system like the one used in San Diego County should be studied in the EIR as an alternative.

### **2. Habitat Buffers: Dev Std NS-2**

The Initiation Draft Gaviota Plan recommends riparian buffers be expanded to the edge of riparian vegetation, instead of historical top of bank. The AAC is opposed to this arbitrary policy change, which will significantly expand buffers, and significantly reduce the amount of land available for agricultural production. Moreover, the expansion will also create a plethora of non-conforming structures/uses.

### **3. Mitigation Banks/ Safe Harbors Mechanism: Action NS-6**

In keeping with the incentive based approach that that GavPAC promulgated, the AAC strongly encourage the creation of a Mitigation Bank and/or Safe Harbors incentive program. These voluntary mechanisms would credit/protect a landowner when they voluntarily restore a wetland, plant native grasses, plant native pollinators hedgerows, or enhance a riparian habitat. Landowners should not be penalized for being responsible stewards.

#### 4. **Wildfire Fire Reduction Programs: Policy AG-3 and AG-3.A**

Over the past decade, Santa Barbara County has experienced its share of devastating fires. Large wildfires are a natural element in the plan area and should be included in our community plan. With climate change upon us, we must take a more pro- active and assertive approach to fuels management, which is not only important to the Gaviota Plan Area, but it is also important to the health, safety and welfare of the entire South Coast and its citizens. As such, the AAC is in concurrence with the GavPAC recommended brush management programs, including controlled burns, continue to be allowed throughout the Gaviota Plan area. Controlled burns and range management programs are valuable tools in preventing and controlling wildfires and controlled burns and range management assist with overall agricultural productivity. Therefore, the AAC requests that Policy AG-3.A eliminate the reference to inland areas so it is clear that fire hazard reduction programs are allowed to continue throughout the Gaviota Plan area.

#### **Parks, Recreation and Trails Section**

1. Public access should not be allowed where members of the public can threaten the integrity of agricultural operations. The County recognizes the severe negative impacts public trails can bring to agricultural operations:

- introduce harmful pests and diseases,
- introduce invasive plants,
- compromise food safety,
- expose trail users (or create the impression of exposure) to pesticides and herbicides,
- promote vandalism and theft,
- provide access for illegal marijuana operations and wildlife poaching,
- cause harm to or loss of livestock,
- cause fire damage
- cause great liability for the landowner or agricultural operator.

#### 2 **Prescriptive Rights – Trespassing (Page 4-4)**

The issue of Prescriptive Rights is clearly addressed through State Law. As such, the AAC believes the Prescriptive Rights narrative should be removed from the Plan.

3. **Public Trails and ESHA - Siting and Design Criteria: Policy Rec-5**

The language contained in the proposed policy would allow trails on private lands to cut through agricultural lands and within riparian buffers as part of a discretionary permit. It is the position of the AAC that public trails on active agricultural parcels may not be compatible. The County should cultivate opportunities to locate trails in areas where ranching and agriculture are not active

4. The AAC recommends new trails policy include the following:

- 5.
- Trails adjacent to agricultural land shall have limited hours, limited days, no dogs.
  - Trails shall not be opened until they have adequate long-term funding for maintenance, supervision, and security.
  - Trails that experience violations of rules shall be closed.
  - The landowner must be able to stipulate trail closures for agricultural needs.
  - The County shall pay for fencing between the trails and private land uses; the landowner must approve the design and materials.

Finally, we have offered a summarized list of important points:

- **The AAC strongly supports the Agricultural Permit Tier Ordinance Amendments (AG Action-5) with the addition of allowing other similar type activities;**
- **Specify that the Mountainous Zone District will only apply to Federal, public lands and not private lands;**
- **Adopt the RCD's Steep Slope Standards;**
- **A broad range of Proportional Incentives are integral to the Gaviota Plan; without them, the Plan loses its integrity;**
- **Public trails are not compatible on agricultural lands on Gaviota and must not be allowed;**
- **RSUs should be an allowed use in all AG-II Zone Districts as a way of supporting multi-generational farming and ranching operations and preserving the integrity of agricultural and ranching families;**
- **The AAC strongly supports Categorical Exclusions for traditional agricultural practices as provided in the Coastal Act and approved in over 10 coastal counties;**
- **ESH-GAV shall be limited to the existing riparian areas and a point system studied as an alternative;**
- **Expanded "Vegetative Alliances" included in Appendix 1 must be removed;**
- **Agricultural operations and uses shall continue to be exempt from permit requirements;**

- **Non-Conforming Lots and Uses** – AAC supports the PC's recommendations pursuant to legal non-conforming lots and uses. All previously exempt and/or permitted uses should be allowed to continue *and to be re-built*.
- The Gaviota Coast Plan must have distinct and separate County Minute Orders and Ordinances for the Inland and Coastal sections of the Plan area.
- To be a balanced plan, incentives and ordinances need to be studied and adopted as part of the plan.

This concludes the AAC's comment letter on the Initiation Draft Plan to your honorable Board.

Sincerely,



Paul Van Leer, Chair

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**Committee Members**

Bradley Miles  
Ron Caird  
Sharyne Merritt  
Mike Ruffoni  
Ruth Jensen  
Kari Campbell-Bohard,  
Claire Wineman  
Paul Van Leer-Chair  
June Van Wingerden  
Lisa Bodrogi  
Willy Chamberlin  
Daren Gee

**Representing**

1<sup>st</sup> District Supervisor, Salud Carbajal  
2<sup>nd</sup> District Supervisor, Janet Wolf  
3<sup>rd</sup> District Supervisor, Doreen Farr  
4<sup>th</sup> District Supervisor, Peter Adam  
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California Women for Agriculture  
Grower-Shipper Vegetable Association  
Santa Barbara County Farm Bureau  
Santa Barbara Flower & Nursery Growers' Association  
Central Coast Wine Growers Assn  
Santa Barbara County Cattlemen's Assn.  
Strawberry Commission