

November 8, 2010

Honorable Janet Wolf, Chair, Santa Barbara County Board of Supervisors  
105 East Anapamu Street, Fourth Floor  
Santa Barbara, California 93101

Re: California Coastal Commission Staff's Proposed Modifications to Santa Barbara County's  
Land Use Development Code ("Modifications")

Dear Supervisor Wolf and Members of the Board of Supervisors,

The undersigned landowners of property within and adjacent to Santa Barbara County's Coastal Zone are writing to express serious concerns regarding: (a) the effects on your constituents of the California Coastal Commission Staff's suggested modifications to the County's Land Use Development Code (the "Modifications"); (b) the undermining of local authority in contravention of Section 30512 of the Coastal Act; and (c) the possible amendment of zoning ordinances and land uses without environmental review, as mandated by California environmental law under CEQA.

Collectively, we represent over 67,000 acres of land in the Gaviota coastal planning area that is currently the subject of a locally driven collaborative process in which we have been participating cooperatively as members (or by attending meetings) of the Gaviota Planning Advisory Committee (GavPAC).

We feel it is important that you hear from us regarding what amounts to a usurpation of your local authority, that does not comply with Coastal Act, and, has the effect of rendering your very important work and efforts to establish an inclusive planning process (and our substantial time in participating in it), largely irrelevant. Pursuant to Section 30512(a) of the Coastal Act, the *"commission is not authorized . . . to diminish or abridge the authority of a local government to adopt and establish, by ordinance, the precise content of its land use plan."*

This is particularly frustrating because the landowner and environmental communities are in the process of meetings that have, so far, evidenced a very respectful effort to attempt to work through and resolve, on a collaborative basis, their many and broad areas of disagreement. While we do not yet know whether this effort will achieve a workable compromise and approach that considers both environmental and landowner interests and challenges, indications thus far are positive. One thing we do know is that if the County was to accept the Modifications the County's, and the community's, collective efforts would be completely undermined.

Moreover, the proposed LUDC modifications pose not only an obvious threat to the local control of the planning process, but also have a highly negative impact on agricultural operations in the coastal zone. Historically, Santa Barbara County has exempted uses such as cattle grazing, cultivated agriculture and orchards from land use permit requirements. The Coastal Commission's proposed regulations would require a Coastal Development Permit (CDP) for the expansion of these traditionally exempt agricultural uses. The proposed changes would result in increased costs to prepare a complete CDP application and lost time waiting for the application to run its course.

These, and other proposed land use changes also constitute an amendment to the zoning ordinances, which under state law requires environmental review that to our knowledge, has not yet been performed. Agricultural operations must be provided a streamlined process; and increasing the permit requirements does not provide the flexibility necessary to address changing market conditions.

For Santa Barbara County to accept the imposition of modifications to land uses proposed by CCC Staff also contravenes the highly useful process-oriented approach that you, and our current and former Supervisors, have pursued and sustained - which is, and has been - to evaluate affects and impacts, and work with constituents to fully review and address major obstacles before new regulations or draft ordinances are considered.

We understand and applaud the original reformatting project and subsequent sincere efforts to streamline the planning process. It is troubling to us, and we expect it is also troubling to you, that the Modifications are being attempted to be imposed on what is otherwise a positive and collaborative effort on the part of yourselves and County staff to reformat the Inland and Coastal Land Use Ordinances.

Unfortunately, the Coastal Commission staff, without articulating how the Coastal Act has been modified or why such a major reinterpretation of the Coastal Act should now occur, proposes (not only to impose its regulations as the final decision-maker for County land uses), but also to reverse decades of local land use planning policy in Santa Barbara County. Please let us know if we have asked the CCC the basis in the Coastal Act for their proposals?

We feel that these suggested modifications are unfounded within the purview of the Coastal Act, harmful to local agriculture, do not support landowner stewardship of coastal lands, and have not been evaluated for environmental compliance under CEQA. We ask you to reject the suggested modifications and maintain the rights and decision-making authority that the community has entrusted to you.

Respectfully,

Jim Aitkenhead  
for Hollister Ranch

Allison Burnett-Hazard  
Refugio Road Resident

Leslie Freeman  
for Freeman Ranch

Bill Giorgi  
for Nojoqui Falls Ranch

Jennifer McNabb  
Refugio Road Resident

Glenn Parks  
for the Parks Family Trust

Jon Pedotti  
for Rancho Arbolado

Henry, Paul, Pete Schulte and Silvia Molony  
for Dos Pueblos Ranch

Ray Greek  
Refugio Road Resident

Louise Hanson  
for Las Cruces Ranch

Eric Hvolboll  
for La Paloma Ranch

Larry See  
Refugio Road Resident

Carl Steinberg  
for Cojo-Jalama Ranches

Mark Tautrim  
for Orella Ranch

Paul Van Leer  
for Las Varas Ranch