From:

Nick Jensen <njensen@cnps.org>

Sent:

Monday, May 14, 2018 3:04 PM

To:

sbcob

Subject:

Comments on LCP Amendment No. LCP-4-STB-16-0067-3

Attachments:

CNPS_Gaviota_Plan_ESHA_comments_2018_05_14_Final.pdf

Dear Santa Barbara County Board of Supervisors,

Please see our attached comment letter on LCP Amendment No. LCP-4-STB-16-0067-3. Please feel free to contact me with any questions.

Kindest Regards, Nick

Nick Jensen, PhD Southern California Conservation Analyst California Native Plant Society 1500 North College Ave Claremont, CA 91711 njensen@cnps.org (530) 368-7839



May 14, 2018

Santa Barbara County Board of Supervisors 105 East Anapamu Street Santa Barbara, CA 93101 E-mail: sbcob@co.santa-barbara.ca.us

RE: Suggested modifications to Local Coastal Program LCP Amendment No. LCP-4-STB-16-0067-3 (Gaviota Coast Plan)

Dear Santa Barbara County Board of Supervisors,

Thank you for the opportunity to comment on the County's request to the California Coastal Commission (CCC) to amend LCP-4-STB-16-0067-3. County Planning staff is recommending chaparral habitats not ranked as "Rare" not be considered as potential Environmentally Sensitive Habitat Areas (ESHAs) in the Gaviota Coast Plan under Policy NS-4.

The California Native Plant Society ("CNPS") is a non-profit environmental organization with nearly 10,000 members. CNPS' mission is to protect California's native plant heritage and preserve it for future generations through application of science, research, education, and conservation. CNPS works closely with decision-makers, scientists, and local planners to advocate for well-informed and environmentally friendly policies, regulations, and land management practices. In line with our mission, we are dedicated to the conservation of chaparral habitats. Chaparral habitats in California are important for the conservation of biodiversity. They also provide essential ecosystem services including, but not limited to, the control of erosion, prevention of landslides, protection of water quality and ensuring the recharge of groundwater resources. Under the Coastal Act Section 30107.5, areas "in which plant or animal life or their habitats are either rare or especially valuable," and are easily degraded, are ESHAs.

As a result, we suggest that the Board of Supervisors accept suggestions in the CCC's April 24, 2018 memo¹ that chaparral habitats may be considered as ESHAs not only if they contain rare species or vegetation types, but also if they have special characteristics and/or play an important role in the functioning of ecosystems. Chaparral habitats in the Gaviota Coast Plan area exist in large, intact stands that ensure the conservation of biodiversity and provide a wide variety of ecosystem services to adjacent developed areas. Chaparral habitats such as these, regardless of their rarity status, should be considered ESHAs. Please feel free to contact me with any questions.

Sincerely,

Nicholas Jensen, PhD

Southern California Conservation Analyst

1500 North College Ave Claremont, CA 91711

niensen@cnps.org

¹ https://www.coastal.ca.gov/meetings/agenda/#/2018/5

From: Amy M. Zehring <zehring@smwlaw.com>

Sent: Monday, May 14, 2018 3:34 PM

To: County Executive Office; sbcob; PAD Gaviota Coast Plan

Cc: 'bobswave@earthlink.net'; Michelle.Kubran@coastal.ca.gov; Carmen J. Borg; Ellison Folk

Subject: Gaviota Coast Plan – California Coastal Commission Local Coastal Program Amendment

No. LCP-4-STB-16-0067-3

Attachments: BOS LCP Modifications Comment letter 05-14-18.PDF

Good afternoon,

Attached please find a comment letter regarding Gaviota Coast Plan from Ellison Folk and Carmen Borg representing Santa Barbara Chapter of the Surfrider Foundation.

Please contact our office if you have any questions.

Thank you,

Amy Zehring Legal Secretary Shute, Mihaly & Weinberger LLP 396 Hayes Street San Francisco, CA 94102-4421 v: 415/552-7272 f: 415/552-5816 www.smwlaw.com



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396 HAYES STREET, SAN FRANCISCO, CA 94102 T: (415) 552-7272 F: (415) 552-5816 www.smwlaw.com

May 14, 2018

Via Electronic Mail Only

County of Santa Barbara
Board of Supervisors
105 East Anapamu Street
Santa Barbara 93101
sbcob@co.santa-barbara.ca.us
cao@co.santa-barbara.ca.us
gaviotacoastplan@countyofsb.org

Re: Gaviota Coast Plan – California Coastal Commission Local Coastal

Program Amendment No. LCP-4-STB-16-0067-3

Dear Chair Williams and Honorable Supervisors:

This firm represents the Santa Barbara Chapter of the Surfrider Foundation. We submit these comments in response to Coastal Commission staff's proposed modifications to the County's Gaviota Coast Plan and associated Local Coastal Program Amendment.

Surfrider supports the proposed modifications because they ensure the highest protection possible for important coastal resources. One of the most important suggested modifications to the Gaviota Coast Plan is related to bluff- top development. Staff is recommending that the Board request a change to this modification for consistency with the Coastal Resiliency Project. However, the Gaviota coast has unique natural resources and it is appropriate to have more stringent requirements for setbacks in this plan area to protect those resources. The proposed modification by Coastal Commission staff provides greater protection to coastal bluffs from erosion and development.

For this reason, Surfrider fully supports the proposed modifications and urges the Board to accept them without further revision.

Chair Williams and Board Supervisors May 14, 2018 Page 2

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Ellison Folk

Carmen J. Borg, AICP Urban Planner

cc: Bob Keats, Surfrider Foundation Michelle Kubran, California Coastal Commission

1000524.1

From:

Alicia Roessler <aroessler@environmentaldefensecenter.org>

Sent:

Monday, May 14, 2018 3:43 PM

To:

sbcob

Cc:

Linda Krop; Brian Trautwein

Subject:

EDC Comments re Gaviota Coast Plan

Attachments:

EDC Comments SB CountyReponse re CCC Mods_2018_05_14.pdf

Dear Mike,

Please accept this one page comment letter regarding the Gaviota Coast Plan on the agenda for tomorrow's Board of Supervisors meeting.

Sincerely, Alicia

ALICIA ROESSLER

STAFF ATTORNEY 906 Garden Street Santa Barbara, CA 93101 805.963.1622 x 113

www.EnvironmentalDefenseCenter.org

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May 14, 2018



Santa Barbara County Board of Supervisors 123 E. Anapamu Street Santa Barbara, California 93101

Re: Santa Barbara County Local Coastal Program Amendment - Gaviota Coast Plan

Dear Chair Williams & Honorable Supervisors,

The following comments on the Santa Barbara County Local Coastal Program Amendment - Gaviota Coast Plan ("GCP") are submitted by the Environmental Defense Center ("EDC"). Our brief letter will focus on three issues identified in the County's Staff Report where we urge the County to support the California Coastal Commission ("CCC") Staff's suggested modifications necessary to ensure consistency with the California Coastal Act (Pub. Res. Code § 30000 et. al.).

1. Modification 2 - Environmentally Sensitive Habitat Areas (ESHA)

The CCC Staff's Modification 2 amends the definition of ESHA in the GCP to align with the Coastal Act's definition of ESHA. Coastal Act § 30107.5 defines ESHA as a plant, animal or habitat that is either "rare or especially valuable." Modification 2 contains a list of eight specific biological habitats that "may" be considered ESHA because they are either rare or especially valuable. Number two in the list includes "Native Chaparral." The County's Staff Report asks the Board of Supervisors ("Board") to insist the CCC insert "rare" before "Native Chaparral" in order to exclude non-rare native chaparral from being designated ESHA, ignoring the other half of the Coastal Act's ESHA definition that may include Native Chaparral that is "especially valuable." Not only is the Staff's suggested edit inconsistent with the Coastal Act, but it ignores the fact that none of the other seven specific habitat types in the list are qualified by "rare." The Staff Report's contention that Modification 2 would greatly expand ESH and limit new agricultural activities also lacks merit. Large, unfragmented native chaparral that may qualify as ESHA typically covers areas that are not well suited for agriculture because: 1) the soil is too thin and rocky; 2) the slopes are too steep; and 3) little water is available to reach those areas. Erosion and landslide threats are also much higher in these steep native chaparral areas. As such, the Board should reject the Staff Report's request to insert "rare" before native chaparral and accept the CCC's definition of ESH in Modification 2.

2. Modification 3 - Agricultural Development

EDC supports CCC Staff's Modification 3, which requires Coastal Development Permits ("CDP") for new and expanded agriculture in the GCP, and also allows properties that have cultivation or grazing anytime within the last ten years to qualify as exempt. This is already a significant compromise by the CCC Staff that would allow an operation that has not operated in nine years to resume cultivation and not have to obtain a CDP. However, the County Staff Report recommends that the Board ask for further concessions from the CCC by seeking an exemption for all new and expanded agriculture that meets four standards requiring avoidance of steep slopes and protected trees, and maintaining an ESH and riparian buffer. While EDC supports these standards for development, the Coastal Act does not permit such an exemption for agricultural development. In order to ensure the GCP is consistent with the Coastal Act, the Board must reject the County Staff Report's request seeking an exemption to permitting for agricultural development.

3. Modification 13 - Principally Permitted Uses ("PPU")

EDC supports CCC Modification 13 and urges the Board to reject the County Staff Report's request to designate accessory structures and guest houses as PPUs in the GCP. The CCC staff has already compromised by allowing a residential dwelling to be designated as a PPU in areas zoned for agriculture. Any other proposed development should be subject to a public process and appeal to the CCC in order to safeguard against conversion of Gaviota's agricultural resources to swimming pools, cabanas, and guest houses.

Sincerely,

alra Foeste

Alicia Roessler, Staff Attorney

Brian Trautwein, Environmental Analyst

Brian Frattació

From:

A. A. Alexander <zzr@earthlink.net>

Sent:

Monday, May 14, 2018 3:43 PM

To:

Williams, Das; jhartman@countyofsb.org; Adam, Peter; Lavagnino, Steve; sbcob

Cc:

zzr@earthlink.net

Subject:

Gaviota Coast Plan

If the Gaviota Coast plan—a years long broadly represented consensus of all interested and affected parties—is 'trumped' by the County Board in favor a California Coastal Commission plan devised with no outside public or stakeholder input:

- 1) the message will be crystal clear that the serious good faith efforts of the affected community are not respected and mean nothing to the members of the Santa Barbara Board of Supervisors since they can be dismissed without notice or consultation;
- 2) if the CCC proposal is endorsed by the County Board without its members themselves taking the time and effort to study the consequences (intended and unintended) of abruptly pivoting to an essentially unvetted plan, its members may be seen as autocratic, or even arrogant.

The optics of any of the above are not favorable to elected officials. More importantly, to buy into the CCC proposals without serious study would be a great disservice to the Gaviota coast itself.

A.A.Alexander District #3

Sent from my iPad

From:

Gregory Linder <carmelgbl@aol.com>

Sent:

Monday, May 14, 2018 4:36 PM

To:

sbcob

Subject:

Gaviota Coastal Plan

Dear Santa Barbara County Board of Supervisors,

I've just learned that a the long in planning Gaviota Coast Plan is being ignored & another one is being rushed into consideration without the ability for the Gaviota stakes holders to thoroughly understand it & comment on it.

As one of the stake holders on the Gaviota Coast I want to urge the County to ask for at least a 60 day hold on submitting the latest attempts from the Coastal Commission & others to super cede the the vast efforts of so many

1

Greg Linder CalBRE#00810078

.....

COLDWELL BANKER DEL MONTE REALTY: TIMALLENPROPERTIES.COM

Downtown Carmel Office

Junipero Near 5th, PO BOX 350 | Carmel, California 93921

C 831.595.1775 E carmelgreg@gmail.com

From:

Amerikaner, Steven <SAmerikaner@bhfs.com>

Sent:

Monday, May 14, 2018 4:39 PM

To:

Williams, Das; Wolf, Janet; Hartmann, Joan; 'padam@countyofsb.org';

'slavagnino@countyofsb.org'; sbcob

Subject:

Gaviota Coast Plan -- Letter from The Nature Conservancy

Attachments:

TNC Letter to BOS re Gaviota Coast Plan_(16803003_1).pdf

The attached letter was submitted on Friday, May 11, 2018, at 3:08 pm. It is provided again because, for unknown reasons, it has not been posted on the County website for Agenda Item #4.

Thank you.

Steven Amerikaner
Brownstein Hyatt Farber Schreck, LLP
1020 State Street
Santa Barbara, CA 93101
805.882.1407 tel
SAmerikaner@bhfs.com

Brownstein Hyatt Farber Schreck: celebrating 50 years of leadership at the intersection of business, law and politics.

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May 11, 2018

VIA EMAIL TO BOARDLETTERS@CO.SANTA-BARBARA.CA.US and SBCOB@CO.SANTA-BARBARA.CA.US

Board of Supervisors County of Santa Barbara 105 East Anapamu Street Santa Barbara, CA 93101

RE:

Your May 15, 2018 Meeting Coastal Commission's Proposed Modifications to Gaviota Coast Plan, LCP-4-STB-16-0067-3

Dear Honorable Supervisors:

As you know, The Nature Conservancy purchased the 25,000-acre cattle ranch formerly known as the Bixby Ranch just five months ago and which has been renamed the Jack and Laura Dangermond Preserve. The Conservancy's vision is to develop a world class nature preserve focused on 1) preservation and restoration of the irreplaceable natural and cultural resources found on the site 2) science and research and 3) environmental education. We are developing new partnerships with the University of California, Santa Barbara and other local partners to bring together the expertise and capacity needed to achieve these ambitious goals.

The Nature Conservancy has not been involved in the years-long local discussions and negotiations leading up to adoption of the Gaviota Coast Plan. We are working diligently to come up to speed on current and proposed land use and environmental policies relating to the Gaviota Coast.

We have just been informed that the California Coastal Commission has proposed substantial and lengthy revisions to the Gaviota Coast Plan, and that a public notice went out on May 8 of a hearing scheduled for next Tuesday, May 15, for your Board to consider those Commission revisions. Given the sheer size of the documents that your Board will be reviewing, we feel it is essential for stakeholders to have adequate time to evaluate the proposed modifications. The Nature Conservancy's need for additional time is particularly acute given the intended future conservation uses of the

Phone (415) 777-0487



Dangermond Preserve, which were not known and therefore not directly considered in the preparation of the Gaviota Coast Plan.

Thank you for considering this request.

Sincerely,

Michael Bell

Director

Jack and Laura Dangermond Preserve

From:

Gail Osherenko < gail.osherenko@gmail.com>

Sent:

Monday, May 14, 2018 6:55 PM

To:

sbcob

Subject:

Protect Chaparral on the Gaviota

Dear Supervisors,

We need to get serious about protecting not just bits of "rare" chaparral but all the valuable ESHA habitat. We need to follow good, scientifically supported ecological advice in protecting ecologically sensitive habitat areas. In times of climate change, extreme weather events that are increasing in frequency and size, we can't afford to just protect the best of the best, we need to protect all valuable chaparral. Development shouldn't be taking place on steep slopes where soils are thin and water is scarce.

Please follow the Coastal Commission's well documented advice and support their suggested modification to Policy NS-4.

Thank you, Gail Osherenko

835 Via Granada Santa Barbara, CA 93103

From:

Celeste Gale <gforceconstruction@earthlink.net>

Sent:

Monday, May 14, 2018 8:08 PM

To:

sbcob

Subject:

Gaviota Coast Plan

Dear Board of Supverisors,

I am writing to voice my concerns on the Gaviota Coast Plan. As a resident of the area being impacted I am strongly opposed to having a plan rushed through committee without thoughtfully considering all vested stakeholders. In this current iteration of the plan there does not appear to be any transparency of what is being considered nor openness to those whose lives will be greatly impacted by the plan. I recommend that the Gaviota Coast Plan be placed on hold for a minimum of 60 days until a review by those impacted can be thoroughly understood.

Respectfully,

Celeste Kamae-Gale

Phone: (805) 567-5011 (cell)

(805) 567-4092 (home)

E-mail: celesteg@hughes.net

From:

James Aitkenhead < jimaitkenhead@icloud.com>

Sent:

Monday, May 14, 2018 9:35 PM

To:

sbcob

Subject:

Gaviota Coast Plan and CCC Modifications

Dear Santa Barbara County Board of Supervisors:

As participants in the Gaviota Coast Planning process and residents of the Gaviota Coast, Nancy and I fully support the proposal to withdraw the Plan and resubmit it at a later date. There has not been enough time for us or other stakeholders to fully review the voluminous material and react with sufficiently researched and detailed comments and recommendations. The changes proposed by the Commission staff involve substantial policy implications affecting our community and drift far from the Plan approved by your Board. The Commission staff has had well over a year since certifying your Plan submission, but we are only given a matter of days to review and comment. The report and actions proposed for today's meeting were only made available to us last Thursday afternoon. As has happened before, the California Coastal Commission has overstepped it's legal authority.

Jim And Nancy Aitkenhead 64 Hollister Ranch Gaviota, CA. 93117

Sent from my iPad

From:

eharris@silcom.com

Sent:

Monday, May 14, 2018 10:15 PM

To:

sbcob

Cc:

Daniel Mccarter; sbucc@silcom.com

Subject:

Gaviota Coast Plan - California Coastal Commission LCP No. LCP-4-STB-16-0067-3

Dear Members of S.B. County Board of Supervisors,

Recent devastating fire and subsequent slope failure has reminded us all of the importance of chaparral on our coastal slopes. Chaparral is feared and even vilified by those who don't understand the role that it plays in stabilizing fragile slopes, not realizing that it is a resource that protects. It is what holds soil and rocks together on the slopes above the coastal plain and alluvial fans. For reasons that are fundamental to the safety of people and property, chaparral must be better protected from all threats, including poorly planned clearings as well as fire. The County must find ways to better protect this essential part of our environment. Designating chaparral as ESHA is a critical and very positive first step in finding better solutions. I urge you to heed the California Coastal Commission's recommendation to protect chaparral. Chaparral is fundamental to life in the south coast region, for both humans and wild creatures.

I am a retired Santa Barbara County Captain, and former president of Santa Barbara Urban Creeks Council.

I know that you are aware of the following points, substantiated by both science and common sense, and supported by the ethical obligation that I hope you share, to live sustainably.

Chaparral is an important natural resource that should be protected for future generations.

The County staff's position that "rare" chaparral be protected but that "especially valuable" chaparral not be protected is inconsistent with the Coastal Act definition of ESHA, which protects both "rare" and "especially valuable" habitats as ESHA.

The Coastal Commission Suggested Modification to Policy NS-4 is predicated on a well-thought out analysis by an ecologist citing to numerous technical biological documents, but the County staff position was not prepared by and is not based on a biological evaluation or assessment.

Protecting valuable chaparral will not curtail agriculture. Areas where chaparral grows are hot and dry. It is very steep and inaccessible. The soils are thin and rocky. There is little water for agriculture.

Please protect Gaviota's chaparral as recommended by the Coastal Commission.

Thank you,

Eddie Harris

From:

Aaron Kreisberg <akberg90@gmail.com>

Sent:

Monday, May 14, 2018 10:30 PM

To:

sbcob

Subject:

Protect Chaparral on the Gaviota Coast as Environmentally Sensitive Habitat

Santa Barbara County Board of Supervisors,

I am writing to request that you protect chaparral along the Gaviota Coast to the full extent recommended by the California Coastal Commission by adopting the suggested modification #2 to Policy NS-4. Independent of the presence of rare vegetation types or species, all chaparral along the Gaviota Coast should be zoned as Environmentally Sensitive Habitat because it is "especially valuable due to [it's] special nature or role in [the] ecosystem." Especially as Gaviota faces climate change and increased occurrence and intensity of wildfire, protection of native chaparral becomes even more important for both humans and wildlife. Once these unique habitats are impacted, it is impossible to regain them as they were. Therefore it is vital they are given the strongest possible protections. Protecting chaparral to the strongest degree is fully compatible with maintaining the rural character and agriculture of the Gaviota Coast.

Please protect the Gaviota Coast's chaparral as recommended by the California Coastal Commission.

Thank you, Aaron

Aaron Kreisberg 805-679-1578

From: Katie Davis <kdavis2468@gmail.com>
Sent: Monday, May 14, 2018 10:56 PM

To: sbcob

Cc: Williams, Das; Hartmann, Joan

Subject: RE: Santa Barbara County Local Coastal Program LCP Amendment No. LCP-4-STB-16-

0067-3 (Gaviota Coast Plan)

RE: Santa Barbara County Local Coastal Program LCP Amendment No. LCP-4-STB-16- 0067-3 (Gaviota Coast Plan)

Dear County Supervisors,

The County should be taking the lead in protecting the unique Gaviota coast environment, a local treasure, rather than petitioning the coastal commission for reduced environmental protections and special exemptions from the Coastal Act.

In particular, the County should not oppose protection of especially valuable chaparral areas by asking to restrict protections to only "rare" species, and ignoring the unique value of the intact chaparral ecosystems of the Gaviota coast, which you just don't find many other places on earth. The County doesn't get to change the definition of environmentally sensitive habitat or ignore science out of convenience. "I want to farm there, therefore it isn't environmentally important," is not logic. It's just wrong. Nor is it even necessary. Chaparral grows on dry, steep, rocky soils that aren't good for agriculture anyway. There is no need to pretend Gaviota coast chaparral ecosystems are nothing special. They ARE special and we should be proud of that.

I'm also mystified why the County would object to, "considering 100 years of bluff erosion that factors in the long-term effects of climate change and sea-level rise based on best available science." The proposed County letter wants to take that out and to only have to consider 75 years of bluff erosion. Shouldn't we be as conservative as possible when it comes to bluff development? After all, there is the possibility of more rapid sea level rise than is currently used in the projections. Consider, for instance, the work of famed climatologist, James Hanson, on this issue. Regardless of the pace, seas will keep rising, likely at an accelerating rate, with no stopping point in 75 years. It seems ill advised to ask the Coastal Commission if you can be more short-sighted.

Regards, Katie Davis

Chair, Santa Barbara Sierra Club 805-451-4574

From:

Mark Mitchell <mark@markdmitchell.com>

Sent:

Tuesday, May 15, 2018 7:51 AM

To:

Williams, Das; Wolf, Janet; Hartmann, Joan; Adam, Peter; Lavagnino, Steve; sbcob

Subject:

Gaviota Coast Plan

Members of the Santa Barbara County Board of Supervisors,

I am writing to urge you to withdraw from consideration at today's hearing the Gaviota Coast Plan. There has been an insufficient and unfair amount of time to allow landowners and law makers to properly review and understand the last-minute changes to the plan proposed by the County and the California Coastal Commission.

Please allow at least 60 days for local review of the changes that will negatively impact all the residents of the Gaviota Coast.

Thank you, Mark D. Mitchell Hollister Ranch Landowner