Introduction

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    • Informational Guide
    • Supplemental Uses
    • Carbon Storage
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• Questions

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California Coastal Commission

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Public Education  
Climate Change  
Water Quality  
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Marine Debris  
Oil Spills  
Agriculture

Protecting & Enhancing California’s Coast

The Commission is committed to protecting and enhancing California’s coast and ocean for present and future generations. It does so through careful planning and regulation of environmentally-sustainable development, rigorous use of science, strong public participation, education, and effective intergovernmental coordination.

California Governor  
Edmund G. Brown Jr.

Commissioners  
& Alternates

Executive Director  
John Ainsworth

https://www.coastal.ca.gov/agriculture
Webpage

Draft Documents for Public Review

Public Review Closes on Friday June 23rd
Submit Written Comments to agriculture@coastal.ca.gov

Emerging Issues in Coastal Agriculture

- Supplemental Land Uses on Coastal Agricultural Lands
- Managing Public Access in Agricultural Areas
- Carbon Storage Using Organic Soil Amendments on California’s Coastal Rangelands

Permitting Agricultural Development

- Agriculture in the Coastal Zone: An Informational Guide for the Permitting of Agricultural Development
- Flowchart - Permitting Requirements for Agricultural Activities in the Coastal Zone

Presentations

Register for Webinar

Coastal Agriculture: The Permit Process and Emerging Issues
This webinar provides an opportunity for local governments, resource agencies, landowners, and members of the public to learn

Video Presentations

- Webinar on Emerging issues in Agriculture and Permitting Agricultural Development (June 2017) Coming Soon
- Forum on Adapting to Sea Level Rise on Humboldt Bay’s Coastal Agricultural Lands (May 2017) Coming Soon
Coastal Agriculture
Draft Documents for Review

- Agriculture in the Coastal Zone: An Informational Guide for the Permitting of Agricultural Development
- Supplemental Uses on Agricultural Lands
- Carbon Storage Using Organic Soil Amendments on California’s Coastal Rangelands
- Managing Public Access in Agricultural Areas
Agriculture in the Coastal Zone: An Informational Guide for the Permitting of Agricultural Development

California Coastal Commission
Public Review Draft
May 2017

* This guide is informational and not a regulatory document or legal standard of review for discretionary actions that the Commission or local governments may take under the Coastal Act.

https://www.coastal.ca.gov/agriculture

Photo Credit: Kelly Cuffe – Coastal Commission
Informational Guide for the Permitting of Agricultural Development

Structure of Document

• Section 1: Introduction

• Section 2: Background on Agricultural Protection under the Coastal Act

• Section 3: Flowchart on Permitting Requirements for Agricultural Development in the Coastal Zone

• Section 4: Determining Whether a Coastal Development Permit is Required

• Section 5: Opportunities for Streamlining Local Government Permitting Processes
Section 2 – Background on Agricultural Protection under the Coastal Act

The Coastal Act addresses agriculture by:

• Protecting agricultural lands to safeguard the area’s agricultural economy;
• Limiting the conversion of coastal agricultural lands to nonagricultural uses;
• Protecting the long-term productivity of agricultural production;
• Promoting continued and renewed agricultural uses in existing areas; and
• Protecting coastal resources, including public access, habitats, water quality, and scenic views, from impacts that may be caused by agricultural development.
Coastal Development Permits and Local Coastal Programs

Coastal Development Permits (CDPs)
CDPs are the regulatory mechanism by which proposed development in the coastal zone is brought into compliance with the policies of Chapter 3 of the Coastal Act. After the Commission certifies a Local Coastal Program, most coastal development permit authority is delegated to the Local Government, and coastal development permit applications are then reviewed and acted on by the Local Government. Development within the coastal zone generally may not commence until a coastal development permit has been issued by either the Commission or a Local Government.

Local Coastal Programs (LCPs)
LCPs consist of a Local Government’s Land Use Plan (LUP), zoning ordinances, zoning district maps, and other implementing actions, which when taken together, meet the requirements of and carry out the provisions of the Coastal Act.
PERMITTING REQUIREMENTS FOR AGRICULTURAL ACTIVITIES IN THE COASTAL ZONE

1. Does the Agricultural Activity meet the exception to the definition of development in section 30105 of the Coastal Act because it is the “harvesting of major vegetation for agricultural purposes”?
   - If YES, Does not meet definition of development and No CDP is required pursuant to 30105.
   - If NO, Has the proposed Agricultural Development been lawfully existing since prior to January 1, 1977 or February 1, 1973, the effective date of the Coastal Act and its predecessor statute, as applicable?

2. See Section 4.2
   - If YES, Not new development and No CDP is required pursuant to 30608.
   - If NO, Is agricultural development exempted by 30610 including as either an exempt improvement to an existing structure or a repair and maintenance activity that does not involve a risk of adverse environmental effect under 36513 of the Coastal Act or 13250 – 13253 of the Commission’s regulations?

3. See Section 4.3
   - If YES, Development Exempt and No CDP is required pursuant to 30610 and 13250-13253.
   - If NO, Is agricultural development excluded from CDP requirements by a Categorical Exclusion approved by the Commission pursuant to 30610(e) and 30610.5(b)?

4. See Section 4.4
   - If YES, Development Excluded and No CDP is required pursuant to 30610(e) and 30610.5(b).
   - If NO, Is CDP required by Commission or Local Government?

5. See Section 4.3.1 and 4.5.2
   - If CDP is Required by Commission because no certified LCP or development proposed is outside Certified Area, does development qualify for expedited processing as a waiver, administrative permit or consent calendar item? (30624, 30624.7)
     - If YES – Expedited Process
     - If NO – Full CDP hearing before Commission
   - If CDP is Required by Local Government with Certified LCP, does development qualify for expedited processing by the certified Local Coastal Program as a waiver, administrative permit, consent calendar item or minor development? (30624, 30624.7, 30624.9)
     - If YES – Expedited Process
     - If NO – Full CDP hearing before local government
Section 4.1 – Definition of Development

Coastal Act Section 30106:
"Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z’berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511). As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.
Coastal Act Section 30608: No person who has obtained a vested right in a development prior to the effective date of this division or who has obtained a permit from the California Coastal Zone Conservation Commission pursuant to the California Coastal Zone Conservation Act of 1972 (former Division 18 (commencing with Section 27000)) shall be required to secure approval for the development pursuant to this division. However, no substantial change may be made in the development without prior approval having been obtained under this division.
Section 4.3 – Exemptions

Is agricultural development exempted by 30610 including as either an exempt improvement to an existing structure or a repair and maintenance activity that does not involve a risk of adverse environmental effect under 30610 of the Coastal Act or 13250 – 13253 of the Commission’s regulations?

If NO

Exemptions under Coastal Act Section 30610:

- Improvements to an Existing Structure
- Repair and Maintenance
- Categorical Exclusions
- Utility Hookups
- Replacements after Natural Disasters

If YES

Development Exempt and No CDP is required pursuant to 30610 and 13250-13253

Photo courtesy Aldaron Laird
Coastal Act section 30610(e) allows certain Commission-authorized categories of development to be excluded from Coastal Development Permit requirements, provided that the category of development has no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access.
Section 4.5.1 – Commission-issued Coastal Development Permits

- Commission-issued Waivers
  - Waivers under California Code of Regulations Section 13250(c), 13252(e), and 13253(c)
  - De Minimis Waivers under California Code of Regulations Section 13238-13238.2
- Commission-issued Administrative Permits under Coastal Act Section 30624
- Commission-issued Coastal Development Permits under Coastal Act Section 30600
Section 4.5.2 – Local Government-issued Coastal Development Permits

- Local Government-issued Waivers
  - De Minimis Waivers
- Local Government-issued Administrative Permits under Coastal Act Section 30624
- Local Government-issued Coastal Development Permits under Coastal Act Section 30600
Section 5 – Opportunities for Streamlining Local Permitting Processes

- Local Government-issued Permit Waivers
- Local Government-issued Hearing Waivers
- Categorical Exclusion Orders
Section 5 – Opportunities for Streamlining Local Permitting Processes

- Public Works Plans
- General Consistency Determinations
- Consolidated Permit Process

Photo courtesy of Jonathan Shultz USDA-NRCS
Supplemental Uses - Introduction

- **Supplemental Uses include:**
  - **Agricultural Uses** such as agricultural packing, processing, and distribution facilities; greenhouses and nurseries; farm dwellings and limited farmer and farmworker housing; on-site agricultural sales; and agricultural tourism.
  - **Non-Agricultural Uses** that are not considered to be related to the agricultural operation but may, depending on the circumstances, comprise permissible alternative uses of the site, such as weddings and special events; overnight accommodations (e.g., bed and breakfasts); solar or telecommunications facilities; and other activities that are not directly related to the core agricultural use.

Photo courtesy of Paul Guintoli
Supplemental Uses – Structure of Document

- Introduction
- Coastal Act Policies related to Supplemental Uses
- Commission Actions that Address Supplemental Uses on Agricultural Land
  - Local Coastal Program Planning
  - Coastal Development Permit Actions
- Conclusion

Photo Credit: Kelly Cuffe – Coastal Commission
Supplemental Uses – Coastal Act Policies

Coastal Act Sections:

- **30241**
  - “the maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas’ agricultural economy.”
  - Limits threats and minimizes conflicts between agricultural and urban land uses.

- **30241.5**
  - Identifies specific findings that must be made in order to address agricultural viability

- **30242**
  - Strictly limits the conversion of agricultural lands to non-agricultural uses

- **30243**
  - Requires the long-term productivity of agricultural soils to be protected
Supplemental Uses – Local Coastal Program Planning

- Supplemental uses should enhance or support the continued agricultural operation, and not reduce, restrict or adversely affect agricultural resources or the economic viability of the agricultural operation.

- Footprints in relation to gross acreage.
Many LCPs contain criteria for the approval of farm dwellings to ensure that they support agriculture. Such criteria may include: requiring that farm dwellings be other than principally-permitted uses; are only for an agricultural owner or operator; are allowed only where it will not diminish the productivity or viability of agricultural land or the ability to keep agricultural land in production; are governed by size limits, placement on a parcel, and design criteria; and/or are restricted to one farmhouse per parcel or farm.
Supplemental Uses – Coastal Development Permit Actions

- Supplemental Uses of agricultural lands should support and enhance the agricultural operation.

- The ability to allow nonagricultural supplemental uses is limited.

Photo courtesy of Humboldt Baykeeper King Tides Photo Initiative
Supplemental Uses – Final Thoughts

- The document is informational only
- Context is everything
  - Legal standards of review
- Comprehensive LCP policies address supplemental uses, both agricultural and nonagricultural
- Conversions can only be allowed in limited circumstances
- Institute local initiatives
How Do Organic Amendments to Rangelands Affect Ecosystem Carbon Storage?
What are Organic Amendments?

- **Organic Compost**
- **Animal Manure**
- **Crop Residues**
- **Urban Compost**
- **Sewage Sludge**
Organic Amendments to Rangelands: Potential Benefits

- Enhanced ecosystem carbon storage
  → Climate change mitigation
- Beneficial use of agricultural waste products
  → Improved waste management
- Greater soil fertility and plant growth
  → Improved forage for rangeland animals.
- Higher soil water holding capacity of soils
  → Drought amelioration.
Grassland Carbon Cycle

- CO₂ Uptake by The Ecosystem (Photosynthesis)
- CO₂ Release to The Atmosphere (Respiration)

Carbon Storage in Soil >> Carbon Storage in Grassland Biomass
Plant Uptake of CO$_2$ (Photosynthesis)

Carbon Storage is in the roots and shoots

- The amount of sunlight
- Temperature
- The amount of moisture in the soil.
- Inherent plant traits
- Soil Nutrients
Ecosystem Respiration

Plant Respiration (Roots and Shoots)

Soil Respiration (Respiration by Soil Microbes)
Carbon Amendments Can Impact Ecosystem Carbon Storage by...

Reducing or Increasing Plant Growth

OR
Carbon Amendments Can Impact Ecosystem Carbon Storage by...

Reducing or Increasing Ecosystem Respiration
One Study in Coastal and Valley Rangelands*
Carbon Amendments applied to rangelands:

- 3 plots on Coast (Marin County)
- 3 plots in Central Valley (Yuba County)

**Split-plot Design**
- Single Organic Amendment Application in year 1 of 3-year study
- Plot size: 25 m x 60 m
- Rangelands were grazed during study

*Effects of organic matter amendments on net primary productivity and greenhouse gas emissions in annual grasslands, Rebecca Ryals and Whendee Silver, (2013)*
Study Results*

Difference in Soil Respiration Between Control Plots and Organic Amendment Plots (Mean of 3 years)

Difference in Soil Carbon Storage Between Control Plots and Organic Amendment Plots (Mean of 3 years)

Difference in Plant Growth Between Control Plots and Organic Amendment Plots (Mean of 3 years)

Sum of Differences in Ecosystem Carbon Between Control Plots and Organic Amendment Plots Over 3 Years

* These Carbon stock measurements do not include the carbon from the organic amendments.
Take Home Message from Organic Amendments Research

Message from the Study

The average result across both locations for net terrestrial carbon storage = 0.8 (+/- 0.9) metric tons of Carbon per acre.

This amount is equivalent to removing 107,225 cars from the road for one year.

Applied to Marin County (Hypothetical Example)

- Marin = 828 sq. miles
- If we assume 1/3rd is rangeland
- If all received organic amendments
  → then 137,000 metric tons would be stored in rangelands county-wide.
How Are Organic Amendments Consistent with Coastal Act Priorities?

- Mitigation of carbon emissions
  = consistent with Coastal Act Policy \( \sim 30253 \)

- Minimize energy consumption and vehicle miles traveled.

- Increasing soil and plant productivity
  = consistent with Coastal Act Policy \( \sim 30243 \)

  - The long-term productivity of soils ... shall be protected.
How Are These Practices Consistent with Coastal Act Priorities?

- Enhancement of agricultural viability on marginal lands through increasing soil water holding capacity and soil and plant productivity
  = consistent with Coastal Act Policy ~ 30241

- The maximum amount of prime agricultural land shall be maintained in agricultural production...
How Are These Practices Consistent with Coastal Act Priorities?

- Reduced waste stream and pollutants in coastal waters
  
  = consistent with Coastal Act Policy ~ 30231

- The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained.
Public Access
Questions?

To download the available documents, visit:
https://www.coastal.ca.gov/agriculture

Questions and comments on the public review documents must be submitted by 5pm on June 23 and may be addressed to: Agriculture@coastal.ca.gov