

**CALIFORNIA COASTAL COMMISSION**

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# W11a

**Prepared March 6, 2017 for March 8, 2017 Hearing**

**To:** Commissioners and Interested Persons  
**From:** Nancy Cave, North Central Coast District Manager  
**Subject:** **Additional hearing materials for W11a**  
**LCP-2-MAR-15-0029-1 (Marin LCP Update) Time Extension**

Where checked in the boxes below, this package includes additional materials related to the above-referenced hearing item as follows:

- Staff report addendum
- Additional correspondence received in the time since the staff report was distributed
- Additional ex parte disclosures received in the time since the staff report was distributed
- Other:



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**W11a**

**LCP-2-MAR-15-0029-1**

**Environmental Action Committee of West Marin  
Comments on Agenda Item W11a**

March 2, 2017

California Coastal Commissioners  
Jack Ainsworth, Executive Director  
California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, CA 94105  
*Via US Mail & Electronic Mail*

Re: Comments re: Marin County Local Coastal Program Amendment  
Number LCP-2-MAR-15-0029-1, Agenda Item W11a

Dear Mr. Ainsworth and Commissioners:

The Environmental Action Committee of West Marin ("EAC") respectfully submits the following comments on Marin County Local Coastal Program Amendment Number LCP-2-MAR-15-0029-1, Agenda Item W11a, for the public hearing and action on request by Marin County ("County") to extend time to acknowledge and accept the modifications suggested by the Coastal Commission on LCP Amendment No. LCP-2-Mar-15-0029-1 (Marin LCP Update).

Since 2008, EAC has been involved in the Marin County LCP amendment process, participating in both County and Coastal Commission public hearings. In the ensuing nine years, EAC has consistently advocated for "the widest opportunity for public participation" in accordance with the letter and spirit of Coastal Act Section 30006. EAC has often raised concerns during this lengthy amendment process about a lack of public process.

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It is EAC's position that if this extension is granted, it should be with the commitment by the County to use the extended time to allow fully for additional public process. Any modifications that would amend the Development Code should be brought before the Marin County Planning Commission in order to alleviate any potential delays.

The Marin County LCP amendment process has already been unduly protracted. Whenever the November 2016 Coastal Commission suggested modifications are submitted to the Marin County Board of Supervisors, it will mark the fourth time that the Coastal Commission has sent modifications to the Marin County LCP amendment back to the County. We hope that with adequate public process and dialogue this will be the final time that the non-environmental hazards amendments are before the County.

EAC looks forward to continuing to work with the County and the Coastal Commission staff in a public process. It is our expectation that resolving any differences between the County and the Coastal Commission about any remaining issues will take place in public with adequate opportunity for public review, comment, and testimony.

Thank you for your consideration of our comments.

Respectfully,

  
Morgan Patton  
Executive Director

  
Ashley Eagle-Gibbs  
Conservation Director

cc (via electronic mail):

Jeannine Manna, California Coastal Commission  
Nancy Cave, California Coastal Commission  
Dan Carl, California Coastal Commission  
Brian Crawford, Marin County Community Development Agency

# Willie Bird



To: Jeannine Manna, District Supervisor of North Central Coast District Office.  
[Jeannine.Manna@coastal.ca.gov](mailto:Jeannine.Manna@coastal.ca.gov). Jeannine could you please distribute this letter to the Commissioners?

Honorable Commissioners;

We, at Willie Bird Turkeys, are turkey producers and processors dating back to 1939. We are a substantial employer in Marin and Sonoma Counties.

We understand our lands our partially within the Marin County Coastal Zone, however just recently received notice of the Marin Local Coastal Plan (LCP), and previously were not notified to participate as stakeholders in this plan which down zones our Marin lands, restricts our land use for which our neighbors were compensated by Marin Agricultural Land Trust (MALT) partially with Measure A taxpayer funds.

We understand that the Marin LCP with regard to Agriculture was modeled after the MALT contract to make all farmlands uniform. However this is grossly unfair because of the following reasons:

1. The effect of the Marin LCP usurps those "bundles of sticks" which comprises a fee simple land ownership for which MALT has paid others, so that by legislation, we are restricted in use, and are subject to a taking of real property rights without compensation. These kinds of restriction have been paid for by MALT purchasing easements from our neighbors.

It is notable, that our former Supervisor was a MALT Director, as well as Chair of the California Coastal Commission which smacks of conflict of interest.

The postponement of acceptance of this Marin LCP, though we are advised has had many meetings, has excluded many farmers and ranchers in the northwest part of Marin County and we feel it only fair to include all the stakeholders.

2. The Marin LCP provisions will cause irreparable harm to those of us who have preserved our lands, and are now being penalized for having kept our lands without development.

3. Resolutions in the past have carved out exemptions and exclusions for parties closer to the ocean (Oceana Marin) in an inexplicable manner, without sending out notices to adjoining landowners.

4. Because the Marin LCP will affect our generations in perpetuity, we believe as stakeholders we have a right to be heard, and our concerns receive the same time and consideration as our brethren who claim a more noble cause than farming.

After all agriculture according to a recent California Dept of Food and Agriculture CDFA proclaims in 2015 cash receipts were over forty seven billion dollars within the state with exports at sixty nine billion, with California leading the nation.

Please postpone the acceptance of any Marin County Local Coastal Plan until all stakeholders are fairly represented.

**From:** [JConlan@aol.com](mailto:JConlan@aol.com)  
**To:** [Manna, Jeannine@Coastal](mailto:Manna, Jeannine@Coastal)  
**Subject:** Lettelr In Support of Continuance  
**Date:** Sunday, March 05, 2017 6:13:42 PM

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Hello Jeannine,

May I please ask you to present the following letter of support for continuance of the Marin LCP at the CCC meeting in Ventura?

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Chair Dayna Bochco and Commissioners

**RE: Marin County Request to Extend the Time Limit for Acceptance of the Commission's Certification of Marin County Local Coastal Program**

Dear Chair Bochco and Honorable Commissioners:

**Conlan Ranches California/ True Grass Farms**, is the sole Marin County Award Winning Certified Organic, Animal Welfare Certified, Carbon Project ongoing, Heritage Ranch established 1866 continually in agriculture operated by the same family at the same location for 150 years, feted at CALEXPO 2016.and also winner of the *National Region VI Environmental Steward Award* presented by USDA, US Fish & Wildlife, National Cattlemen's Foundation et al.

The ranches are currently managed by fifth generation Guido Ricardo Frosini and his great aunt Ione Perrone Conlan and her partner Henry Grossi .tracing their lineage through Europe, Central and South America.

Guido, is presently on a month hiatus, at an Animal Grazing Research Project in Spain. Guido is fluent in English, Spanish, Italian, and French, having lived in Mexico, studied in San Sebastian, Spain and Florence,Italy, Jesuit University of San Francisco, UC Berkeley, as well as local seminars and conferences, elected Farm Aid Farmer Hero. Speaker at Eco-Farm, Slow Food and many other local young farmer training groups.

The achievement of holding onto the lands, while others have sold and subdivided their lands taken the Grand Tours and enjoyed spending the cash proceeds, we have saved our land which has not been without enormous family personal sacrifices, ten years of bankruptcy with every creditor paid in full with interest, repeated inheritance taxes, predators human and animal, floods, drought, down zoning and strangling regulations imposed by non elected politically appointees lacking experience and understanding of agriculture and the effort it takes to preserve the soil and water for future generations. Livestock do not observe the Sabbath.

We and other farmers and ranchers, the diminishing few, in the northwest corner of Marin County who operated under the aegis of 20 year tenured District 4 Supervisor Kinsey, find ourselves in retrospect having been irreparably damaged by what I and other landowners in our area have come to believe to be an extreme conflict of interest because of his triple roles, **Marin County District 4 Supervisor, Director on MALT Board, Chair of California Coastal Commission**::

**To which group would Kinsey owe a greater duty?**

1. **To Dist 4 Constituents?** Protect their sustainable continuance in agriculture?
2. **To Marin Agricultural Land Trust ( MALT) ?** Legislate by law those restrictions which MALT would have to pay the farmer/ranchers for their land, thus help MALT, restrict the use of lands without paying the now going price of over five thousand dollars an acre (\$ 5+ K) ?

3, **To CA Coastal Commission**, (not withstanding CCC recites duty to keep existing agriculture on the coast) thus aim to ramp up regulations which promotes restrictions so that farmlands are denied any improvements, layer expensive permit processes so that the farmer/rancher cannot compete with his neighbor outside the Coastal Zone?

**Marin County Supervisor Steve Kinsey has left his former constituents with:**

**(a) No Internet and cell service so when land lines are down in storms, sheriffs and constituents have no method to obtain life saving ambulance or emergency services for which we have complained for 20 years.**

**(b) Deteriorated perilous roads, over which our school busses travel**

**(c) Overhanging dangerous trees over county roads,(portions of which our family donated to the County)**

**(d) Two open sewer ponds (landing spot for migrating birds becoming a permanent habitat, birds flying over, landing and contaminating our lands and ponds) below the smell of their own subdivision Oceana Marin, 250 lots of homes on the cliffs overlooking the ocean all excluded and exempt, operated with impunity from the jurisdiction of the California Coastal Commission,**

**Yet their beautiful homes are within slingshot of our back 40. They are allowed with impunity to operate prospective disease open sewer ponds, all exempt from this Commission's jurisdiction, while homes are continually being constructed, while we are restricted so *that only two farm dwellings have been constructed in our area during the 20 year tenure of District Supervisor Steve Kinsey.***

**The Marin Planners will tell you, as they have this writer, that the Marin LCP has been modeled after the Marin Agricultural Land Trust (MALT)**

**The gravamen of this Marin Local Coastal Plan (LCP) is that it usurps that which MALT would pay the landowner to restrict when it buys an easement, currently at over five thousand dollars an acre.**

We believe if Steve Kinsey continues to serve on the California Coastal Commission, he should recuse himself from any voting and discussion of the Marin LCP, because of his unfair biased influence on his fellow supervisors and CA Coastal Commissioners as a self anointed "expert" from his District which he has so cavalierly ignored.

The previous acceptance of the Marin LCP by Marin County Supervisors in which his influence and vote allowed acceptance, ignored stakeholders, and this CCC Commission has published twenty letters or more from environmental organizations, in support of allowing additional input by stakeholders in this proposed legislation in July of 2016 requesting extension of time which was ignored and dismissed.

I and my family, are lifetime members of the Sierra Club, and I am a member of the following organizations with whom we have recently shared our opinions about the manner in which local farming operations are ignored, dismissed, and we are planning a visit to the Governor's Office and our local legislators to mitigate the irreparable damages and "unintended consequences" of the proposed Marin Local Coastal Plan which regulates our farms and ranches. down to the ant's heel.

Our Membership List

American and California Farm Bureau  
National and California Cattlemen's Associations,  
American and California Wagyu Cattle Associations,  
Redwood Empire Holstein Association  
Marin Conservation League

Valley Ford Volunteer Fire Dept  
Bodega Bay Volunteer Fire Dept  
Eco-Farm Association  
American Animal Welfare Association  
Audubon Society

I have also served for five years as an advisor to Sec of Ag Karen Ross on her Ca Organic Advisory Committee, I am a Director on the Marin County Farm Bureau, a Director on the California Wagyu Association and several other public and private companies.

I was also appointed to the oversight committee of Marin's Measure A Tax distribution by the Marin Board of Supervisors, which term I was unable to serve as I was diagnosed with breast cancer and suffered along with 350 K American women the awful treatments of chemo and radiation left with lymphedema in limbs.

Thank you for this opportunity to voice the extraordinary circumstances of dismissal of stakeholders input into legislation which amounts to an Eminent Domain "taking" without compensation.

Sincerely,

Ione Conlan

**Ione Conlan**  
**Conlan Ranches California**  
**Marin T (707) 876-1992 & (831) 462-5974**  
**PO Box 412 Valley Ford, CA 94972**

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# CALIFORNIA CATTLEMEN'S ASSOCIATION

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W11a

March 2, 2017

Chair Dayna Boheco  
and Commissioners  
California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, California 94105-2219

## **Re: Marin County Request to Extend the Time Limit for Acceptance of the Commission's Certification of Portions of Marin County Local Coastal Program Amendment Number LCP-2-MAR-15-0029-1 (Marin LCP Update) with Suggested Modifications**

Dear Chair Boheco and Honorable Commissioners:

The California Cattlemen's Association (CCA) urges the California Coastal Commission (Commission) to accept Commission staff's recommendation and grant Marin County a one-year extension, until May 2, 2018, to review the Commission's suggested modifications of portions of LCP Amendment LCP-2-MAR-15-0029-1.

CCA represents over 1,700 cattle ranchers throughout the state of California, including more than 90 ranchers in the Sonoma-Marine Cattlemen's Association, our local affiliate. A significant number of CCA members in Marin County conduct their ranching and farming activities in the Coastal Zone, and coastal issues are of utmost importance to CCA members not only in Marin County, but in coastal counties all along the California coast. CCA has been actively engaged throughout the development of Marin County's Local Coastal Program Amendment (LCPA), regularly appearing before the Commission and the County Board of Supervisors throughout consideration of the LCPA.

Several factors support the one-year extension of time. Firstly, it is essential that Marin County, in which California Public Resources Code § 30500(c) properly vests the authority to determine the content of the LCP, have adequate time to carefully consider all of Commission staff's many suggested amendments to the LCP. Commission staff's report regarding the LCPA presented at the November 2, 2016 meeting totaled 3,310 pages, much of which included the Commission's proposed amendments and stakeholders' comments upon those proposed amendments. For the County to carefully consider all the Commission's suggested amendments and confer with impacted stakeholders, much more than six months will be required.

The extension of time is also essential to provide impacted stakeholders within Marin County—those residents who will be governed by the LCP—sufficient opportunity to digest the Commission's proposed amendments and address any comments or concerns to their elected officials (and staff) in Marin County. Indeed, such an extension of time is encouraged by the


<b>DAVE DALEY</b> PRESIDENT OROVILLE	<b>ROB VON DER LIETH</b> TREASURER COPPEROPOLIS	<b>BILLY GATLIN</b> EXECUTIVE VICE PRESIDENT HERALD	<b>MIKE WILLIAMS</b> SECOND VICE PRESIDENT ACTON	<b>MIKE MILLER</b> SECOND VICE PRESIDENT MT. HAMILTON
<b>MARK LACEY</b> FIRST VICE PRESIDENT INDEPENDENCE	<b>MIKE SMITH</b> FEEDER COUNCIL CHAIR SELMA		<b>PAT KIRBY</b> SECOND VICE PRESIDENT WILTON	<b>TREVOR FREITAS</b> FEEDER COUNCIL VICECHAIR TIPTON



Coastal Act, which states that “[d]uring the preparation, approval, certification, and amendment of any local coastal program, the public . . . shall be provided maximum opportunities to participate” (Cal. Pub. Res. Code § 30503). While the staff of the Commission and the Marin County Board of Supervisors may be able to digest the suggested amendments with *relative* speed and efficiency, Marin County residents must tackle the expansive documents in their spare time, greatly prolonging the public participation envisioned and required by the Coastal Act.

CCA urges the Commission to grant the one-year extension of time, and looks forward to addressing both the Marin County Board of Supervisors and the California Coastal Commission regarding the LCP in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirk Wilbur", with a long horizontal flourish extending to the right.

Kirk Wilbur  
Director of Government Affairs