

From: IConlan@aol.com
To: [MarinLCP](#)
Cc: [Drumm, Kristin](#)
Subject: DEC 13,LCP Board of Supervisors Meeting
Date: Friday, December 02, 2016 4:06:20 AM

Honorable Board Members,

RE: MARIN COUNTY CALIFORNIA COASTAL COMMISSION LCP

What would you think of **your local government if they *denied you the use of the separate legal parcel lot next door you owned*, to build a house for your son or daughter or grandma and grandpa? Yet a stranger from Sacramento could purchase your parcel and build what you could not?**

And if somehow Grandpa and Grandma could be finally allowed, if they were unable to be actively involved in the day to day hands on work in their garden, they would be jettisoned off the premises, someone else placed thereon to manage and live there?

Now suppose your local government also required Grandpa's home to be out of sight of the street, and limited the size so that their wheel chairs could not maneuver the rooms and bathroom?...

And if you replaced your home roof because it was raining in your bedroom, you would need not only the usual permits, but now an expensive usually delayed California Coastal Commission hearing for a permit?

IF THE MARIN LOCAL COASTAL PLAN IS APPROVED BY THIS BOARD OF SUPERVISORS, It may touch your life, or the life of a loved one WITH IRREPARABLE HARM FOR GENERATIONS.

Please take a few minutes to read the 26 page *Final Implementation Program (IP) for Agriculture Resubmitted Text 22.32.021 et seq.* which was accepted by this Board of Supervisors in September 2016, without the outcry it deserved and the overlook of letters of protest, including mine, as I was unable to attend due to health issues.

Most people whose lives and assets will be irreparably harmed have not even read this legislation. Those who have, find it confusing, contradictory, and unbelievable.

My heartfelt thanks to those on this Board who kindly replied to my letter of protest, and you know who you are, your kindness and thoughtfulness will not be forgotten with many blessings.

Unfortunately my own Dist 4 Supervisor Steve Kinsey, for whom I had held in high regard and supported in his last term re-election did not give me courtesy of a simple acknowledgment of the concerns of West Marin Farmers and

Ranchers.

He who in the last eighteen years of his powerful position, as we look back, see our neglected roads, no cell service, no Internet service and yet we are an hour or so from San Francisco, in the year 2016.

Shame on Dist 4 Supervisor and his appointed Planning Commissioner who declared, "*a double wide trailer is good enough for those farmers out there in West Marin*" and "*they didn't need generational housing for 30 years so why do they need them now?*"

On a second appeal to my Dist 4 Supervisor, his reply a amazing. Rather than help find some solutions, his response was an insulting, patronizing and demeaning heart breaking reply to a senior member of the farming community, which I quote verbatim:

I am writing to confirm receipt of your correspondence. It is regrettable that someone with so much to appreciate lives so unhappily. While I, too, regret the breakdown in our relationship, you now have the opportunity to work with someone else on the issues you fault me for

Steve Kinsey

Today I thank this Board, for an opportunity to speak out for the many who cannot, or are too ill, or frightened to speak for themselves when it comes to the subterfuge in stealing their real property, farms and ranches, which they have worked a lifetime to preserve.

I represent myself and some other folks we call ourselves "*West Marin Old Timers*" those forgotten, some too old to work the farm, and some no longer on Planet Earth but stood in picket lines for long hours, when Congresswoman Woolsey attempted to place our beloved farms and ranches in a National Park.

We remember our long hours of defense, Woolsey's team even interrupting a family celebration at the *Inn at the Tides* with a warning to one of our "agitators". Our members remember well.

Yet it is noble for this Board to support with County Legal Counsel a defense for those farmers and ranchers in Point Reyes National Park who are threatened to be jettisoned off their lands, just as the LCP threatens to jettison Grandma and Grandpa too old to be "actively engaged" in the day to day farm work which is a requirement to live on the lands under the new proposed **Local Coastal Plan** (LCP) in West Marin.

This Agricultural portion of the LCP was modeled after the MALT contracts precisely to make the remaining 55 thousand acres uniform with MALT contracts, or as MALT Director notes, he seeks to place the remaining 55 thousand farm acres remaining in Marin County into MALT which has grown unrecognizable from its original Trust.

(Only now with the LCP he (MALT) won't have to pay the landowner because the LCP restricts that which MALT would have to pay. As for one of our members, he thought it

sounded like collusion between MALT, Steve Kinsey, and the Coastal Commission)

Even the venerable MALT co founder Ms Faber, and Albert Straus spoke to deaf ears at the last Coastal Commission hearing in Half Moon Bay at that luxury hotel..as well as at the Planning Commission meeting sometime earlier.

Once again I write to point out the "unintended unfair consequences" of the proposed LCP

This legislation amounts to an Eminent Domain taking without compensation because it merges those separate legal parcels under the same ownership.

Or as one farmer called it, "*This is a down zoning of your farm you have put together*" ...and we all recall our "blood sweat tears and toil" .

NOW, just because you have separate legal **adjacent parcels**, LCP **blends them into one**, so that you, farmer Jones, cannot build another house on that separate legal lot for your kids or grandpa and grandma.

But hey! A Sacramento farmer can buy one of those parcels and do what you can't! Is that fair? .Is this America?

The significance of this facially unconstitutional "taking" will accomplishes a park system. I bet you don't remember former Congresswoman Woolsey's attempt to put all of West Marin in a National Park, and Supervisor Kinsey was her loyal supporter?

Now these lands cleverly in fact, if LCP is accepted, will result in a park, because of the restrictions on farming and ranching. Malt could indeed transfer and work with the National Park System.

Congratulations to former Congresswoman Woolsey, your protege Steve Kinsey "got er done!" said one farmer.

Most government parties have depended on Dist 4 Supervisor Steve Kinsey to explain the complex LCP regulations and educate his government brothers and sister about exactly what this LCP is all about, because it is only his District 4, which is enormously impacted.

But alas Dist 4 Supervisor, is also a MALT Director, and is also a CA Coastal Commission Chair.

Wow! in his conflicting roles he must choose which of his fiduciary duties are premier?

Must he take care of his neglected District 4 Constituents which after 18 years his representation still has provided no cell or Internet service? When land lines go down, which is frequent in WestMarinwith high sea winds, so no emergency calls can be made,

Sheriffs cannot report an accident they are without communication? Pot hole in roads? No Internet? Rotten unsafe roads (Whittaker Bluff) on cliffs where school buses travel?

Trees in county right a way (Valley Ford Franklin School Road near Whittaker turnoff) which need to be removed before killing a passing vehicle cyclist or pedestrian?

But wait, Supervisor Kinsey has serious official business which supercedes his local constituency. He must defend himself against that pesky action by a nonprofit organization in San Diego, whose Director is a retired honorable City Atty, seeking millions to be paid to the State, in a personal action against Dist 4 Supervisor in his role as CCC Chair along with four others for breaking the law, the non profit alleges.

Southern California newspapers called it "fraud secret under the table deals, malfeasance in office" . What's that we ask? Well, according to So CA newspapers, it alleges failure to obey the law, which requires timely and completely reporting of ex parte communications as required by existing law describing these "ex parte" personal communications to a Commissioner, alleged to have been secret little negotiations under the table with parties in interest.

Now what government official you know would do such a thing?

Thank Goodness for these accused Coastal Commissioners that California taxpayers dollars have stepped forward to defend District 4 Supervisor Steve Kinsey, and his four other Coastal Commissioners in the form of the California Attorney General's Office which normally finds itself on the other side of the coin, prosecuting such cases where an oral or written communication is not on the public record, timely reported, as required by law.

Is this Board of Supervisors aware that the issue of merging separate legal parcels under the same ownership is this term before the US Supreme Court in Murr v Wisconsin?

The Pacific Legal Foundation, laid out the case against the Marin County Local Coastal Plan very succinctly which apparently sailed right over the heads of all Coastal Commissioner's. The California Cattlemen's Association signed on to complain as well, but the Half Moon Bay Commissioner's gave CA Farm Bureau's Attorney only 2 minutes to present concerns!

The Commissioner's questions at the recent Half Moon Bay hearing demonstrated their ignorance of the facts depending on the representative from the county of origin Marin LCP Chair Kinsey, who is reported to have "cleverly given" the Chair over to another, and as final speaker on the CCC podium moved for certain exceptions and select modifications which the apparently uninformed Commissioners agreed.

I told Dist 4 Supervisor he sold those of us in the West Marin north farming community, *"down the river"* which this generation finds betrayal for his absence of advocacy for his constituents.

Today I ask this Board to read carefully the Agriculture portion of this LCP which will destroy agriculture in Marin as we know it today. No local food production, and your Farmer's Market will be just another market with global and national foods imported from outside the County and completely opposite to that which was promised the locals who voted their tax dollars to make Marin County unique..

Please do not accept this LCP, recall the document and have a town hall meeting, and listen to the farmers and ranchers who will have to break up heritage family ranches some over 150 years, including mine.

I ask you to reread my re edited *letter* to the Planning Commission which I have cut and pasted below. You will appreciate the frustration of this **awful LCP which puts a gun to the head of a landowner and merely takes the land.**

CONLAN RANCHES CALIFORNIA

Mail to PO Box 412, Valley Ford, CA
94972

September 16, 2016

The Marin County Planning Commission

C/O Marin County Community Development Agency

via e-mail Kristin Drumm: kdrumm@marincounty.org

Subject: **Marin County Local Coastal Program Amendment (LCPA):
Planning Commission public hearing September 26, 2016**

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Honorable Commissioners

Conlan Ranches California (hereafter (CRC) is Marin County's oldest (1866) working ranch with Certified Organic Lands, Certified Animal Welfare Approved, American Grass Fed production of rare Wagyu (Kobe) beef cattle

CRC is not under contract with the Marin Agricultural Land Trust, (MALT) contract at last reading, because it required the landowner to assign the "exploitation of solar rights to MALT and its Assigns", without designating metes and bounds which would subject the entire ranch to solar panels, and MALT's ability to sell the "exploitations of solar rights" to

third parties;

Two thousand acres in Monterey County were removed from farming, and First Solar (a Wal Mart heir Corp) has now covered one thousand acres in solar panels, for the ultimate benefit of Apple Corp and PG&E. See *California Flats* project.

The California Coastal Commission (CCC) Local Coastal Plan (LCP) was modeled consistent with MALT contracts, to make the county farm lands “uniform”, with older contract revisited with more compensation for “affirmative farming” and “*exploitation of solar rights to MALT and its Assigns*”. with Measure A funds.

CRC is operated by the descendants of 1866 settlers, Widow Ione Conlan and her great nephew Guido Frosini. The CRC ranch lands, are composed of three separate legal contiguous parcels.

CRC has the honor of being the only over one thousand acre family preserved ranch lands (under the jurisdiction of the Gerrymandering CCC jurisdiction), which has received numerous environmental awards.

In 2014 CRC was awarded the Western USA Regional Environmental Award winning over six states including Hawaii sponsored by the USDA NRCS, US Fish & Wildlife, National and State Cattlemen’s Association et. al.

In 2015, CRC was elected by Eco-Farm at its 35th Annual Conference in Asilomar, to present the Eco-Farm “Successful Environmental Farmer” speaker”, as well as workshop leader.

In 2016, CRC was elected at the Napa Farm Aid Gala as their environmental “Farm Hero”

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Also on July 13, 2016, at CAL EXPO Sacramento State Fair, CRC received an Award from the prestigious California Agricultural Heritage Club, the oldest Agricultural Club in California, for reaching 150 years in continuous agriculture by the same family on the same lands.

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This 150 year achievement by descendants has not been without enormous

personal sacrifices in each generation. Garth and Lone Conlan, suffered ten years of Bankruptcy (1984-1994) paying every creditor in full with interest. Inheritance taxes have purchased the lands ten times over.

CRC has survived drought, floods, lightning strikes, vandalism, fire, thievery, cattle rustling, predators human and animal, and through “*blood sweat tears and toil*” has persevered.

The enormous personal sacrifices that keeps these magnificent lands beautiful and pristine are beyond what any member of this Planning Commission, Board of Supervisors Members could possibly imagine.

CRC co-exists in harmony with wild habitat, however suffering the CCC gerrymandering land **CCC exemptions** of nearby neighbors who reside on 250 lots, in astonishing homes perched above the cliffs of the bay, with beautiful ocean views within sling shot of CRC’s back 40, visible on the ridgeline, within sight of public roads, and harbor their own two open sewer pits with impunity, placed below their own smell and view

These two open surface sewer ponds provide migrant birds a habitat, and they are vectors of undesirable invasive weed seeds and disease. Unfortunately these aerial migrant wildlife vectors land on adjacent farm lands and adversely affect farm lands and livestock, on lands whose landowners have not been so politically privileged to have had their lands carved out of restrictive CCC jurisdictional regulations . One farmer advised this writer has not been outspoken, in fear of retaliation (from an undisclosed source)

CRC Trustee Widow Lone Conlan, has appeared in person before this Commission and Board of Supervisors and has submitted comments and concerns regarding the inequities presented by this LCP including but not limited to:

- (a) Modeling this LCP after MALT contracts, thus usurping by legislation that which MALT has compensated others, with no need to compensate that which legislation has accomplished.
- (b) Merging contiguous legal parcels which is a diminishment of land value, and an

unconstitutional taking of property without compensation, which also allows third parties to utilize lands for which the resident owner is forbidden the same privilege.

- (c) Euphemistically naming mandated “day to day work” on the lands or be jettisoned off (Good bye grandma and grandpa who have spent a lifetime working on the farm) assigning an obtuse title of *“Affirmative farming”* to accomplish this end.
- (d) Clustering of buildings, cramming all buildings in a huddle to ostensibly *“save more land for agriculture”* which explanation fails the laugh test.
- (e) Hiding all farm buildings from public road sight, and never on a ridgeline, to avoid offending the occasional passerby arrogant snob, who may be alarmed to observe the hard work that takes place on the farm to provide him that filet mignon with béarnaise sauce
- (f) Restricting buildings to 8,040 sq. ft. including the two allowed intergenerational homes, if farmer Jones is lucky enough to grab one of those only twenty-seven (27) allowed in the entire coastal jurisdiction areas of Marin County.
- (g) Promoting the audacious notion that *“we don't want any Mc Mansions up in West Marin”* while allowed in all other areas of Marin County is an arrogant snob based concept that would have farmer Jones remain in the farm ghetto of West Marin, without cell service and other amenities others areas in Marin enjoy.

That farmer Jones who worked a lifetime on his lands cannot have a tennis court, rural recreation, swimming pool or any other hard earned pleasure, without additional expensive and delayed CCC permits, because some affluent parties want the West Marin Farmer to be confined in a farm ghetto part of Marin County, notwithstanding some who already have theirs, using their connections, *wink wink*.

Recall one Planner is reported to have declared, “A DOUBLE WIDE TRAILER IS GOOD ENOUGH FOR THOSE FARMER UP IN WEST MARIN” and *“well they didn’t need generational housing before so why should they have some now”* (check out archive

records)

This writer heard another Planner who lived in a four million dollar neighborhood, state with a straight face, West Marin “*farmers don’t have to live on the farm to farm*” and knew some who didn’t live on their farms. Yes, and wanted to be assured that if a generational house was allowed, it would have to be someone working on the farm or be jettisoned off the land.

Who hasn’t heard of the mail box “farmer” who collects USDA subsidies for wheat, sorghum, peanuts, rice, and other commodities? These farmers in West Marin do it the old fashioned way. They earn it the hard way which is difficult for some privileged folks to understand.

- (h) Requiring CCC expensive permits to change crops and perform usual and customary ranch and farm activities.
- (i) Requiring special biological and ground water studies and expensive CCC permits to install irrigation pipes, or replace your old water well, or dig a new one, notwithstanding county requirements and permits already in place

This proposed LCP is designed to remove agriculture from West Marin, which Marin Board of Supervisors may reject rather than trading the old for a new which destroys agriculture, and forces 150 year old heritage farms to split up and disintegrate.

As Trustee of CRC, not on my watch. Any entity that would take CRC lands do so at their legal peril and will rue the day.

Ione Conlan

Conlan Ranches California

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