



April 6, 2018

Marin County Board of Supervisors
3501 Civic Center Drive, Suite 339
San Rafael, CA 94903

Via electronic mail: BOS@marincounty.org/marinLCP@marincounty.org

Subject: Recommend continuing revisions for Agricultural Provisions in the Marin County Local Coastal Program Amendment, Board of Supervisors Hearing, April 24, 2018

Dear Supervisors:

MCL is grateful for the opportunity to provide the following comments and recommendations for your consideration regarding the Marin County Local Coastal Program Amendment (LCP). MCL has participated actively in the process leading up to your hearing on April 24, 2018 and recognizes the significant effort and inclusive process that has been led to arrive at the Land Use Policy and Implementation Program that you are being asked to approve. This includes MCL's facilitating community meetings to explore the full range of views on particular issues with Community Development Agency and California Coastal Commission Staff. It also includes providing analysis and recommendations at numerous steps of the process to the Marin County Planning Commission, your Board, and the California Coastal Commission.

Given this considerable effort and the significant progress made on many issues, MCL does not take lightly voicing its concern for and disagreement with sections in the Implementation Program and specifically selected language around agriculture in the Coastal Commission Revised findings dated July 14, 2017. Until that point, MCL had voiced its support of the proposed solutions and language in the LCP and even communicated this to the California Coastal Commission in our letter dated October 20, 2016 stating:

"MCL wishes to convey its recommendation for Commission approval of the LUP and IP as proposed by the County of Marin for: 1) Agriculture Ongoing; 2) Retail Sales; 3) Processing; and 4) Inter-generational housing. In all four cases, County of Marin staff has developed carefully crafted performance measures and restrictions that will allow for these components to support the significant contribution Marin's family ranches and farms make in protecting Coastal Marin from development. Combined, they provide the individual agricultural producer and relevant local County of Marin departments the ability to make critical and real-time farming decisions, exercise entry-level scale for agricultural diversification, and house more than one farm family generation, doing it in a way that simultaneously protects Environmentally Significant Habitat Areas, safeguards against traffic and other operational impacts, and sets a finite limit of 27 additional housing units. In these four areas, MCL supports the County of Marin's proposed LUP and IP."

PHONE: 415.485.6257
FAX: 415.485.6259

EMAIL: mcl@marinconservationleague.org
WEB: marinconservationleague.org

ADDRESS: 175 N. Redwood Dr., Ste. 135
San Rafael, CA 94903-1977



Regrettably, many of the revisions approved by the CCC have impacted the clarity for both the agricultural community and County of Marin staff to achieve this. As a result, MCL respectfully requests that you give serious consideration for continuing efforts to revise and improve those respective sections, returning the earlier clarity and removing the introduced ambiguity that is now in the version before you. In particular, MCL recommends that you not approve the language and sections around:

- “Ongoing Agricultural Activities” Versus “Development”: Marin County Community Development staff did a masterful job of listening to the concerns of the agricultural and environmental communities in crafting definitions of “ongoing agricultural activities” and “development.” MCL supported strongly the resulting provisions, including the clear definition of what would NOT constitute “agriculture ongoing,” based on objective criteria for determining intensification of water (irrigation installation) and land modification (e.g., terracing, > average 15% slope), or development for vineyard or cannabis production. “The definition of Grading” is adequately conditioned, as in Section 22.130.030 of the IP that was approved by the Coastal Commission on November 2, 2016. This and corresponding language provided people engaged in agriculture in Marin County the ability to adapt to rapidly changing climate and economic factors, while ensuring that our natural environment and resources are protected. The revisions made through the Coastal Commission and Staff findings of July 14, 2017 have introduced ambiguity for farming and ranching activities that MCL does not support.

To close, we offer as an underpinning to these recommendations, the goal of MCL’s Agricultural Policy Statement: “To continue to support the role Marin’s agricultural community plays in maintaining open space, protecting wildlife corridors, protecting water quality, managing carbon, preserving a valuable local heritage, and contributing to food security and the local economy.” We thank the County of Marin for leading efforts to achieve this goal through its LCP Amendment process and suggest that the CCC Revised Findings regarding agricultural revisions have compromised that goal and should not be approved.

Sincerely,



Kate Powers
MCL President



October 20, 2016

Commissioners
California Coastal Commission
45 Fremont Street, #2000
San Francisco, CA 94105

Subject: Recommendations for sections of the County of Marin Local Coastal Program Amendment Land Use Policy and Implementation Program (approved by Marin County Board of Supervisors on April 19, 2016 and subsequently submitted to the California Coastal Commission) specifically pertaining to: 1) Agriculture Ongoing; 2) Retail Sales; 3) Processing; and 4) Inter-generational housing.

Dear Commissioners:

The Marin Conservation League is one of Marin's leading conservation organizations, in existence since 1934. MCL participates actively in monitoring and reviewing existing and proposed land use policies for agreement with our organization's mission of conserving Marin's ecosystems and environment. In this capacity and role, MCL has made significant efforts to understand the concerns and needs of Marin's broad and diverse communities, striving to form working compromises that are supported by the local community. This includes participation in the long process to develop the County of Marin Local Coastal Program Amendment (LCPA) Land Use Policy (LUP) and Implementation Program (IP), approved by Marin County Board of Supervisors on April 19, 2016 and subsequently submitted to the California Coastal Commission.

One the eve of these elements coming before the California Coastal Commission for approval, MCL wishes to convey its recommendation for Commission approval of the LUP and IP as proposed by the County of Marin for: 1) Agriculture Ongoing; 2) Retail Sales; 3) Processing; and 4) Inter-generational housing. In all four cases, County of Marin staff has developed carefully crafted performance measures and restrictions that will allow for these components to support the significant contribution Marin's family ranches and farms make in protecting Coastal Marin from development. Combined, they provide the individual agricultural producer and relevant local County of Marin departments the ability to make critical and real-time farming decisions, exercise entry-level scale for agricultural diversification, and house multiple farm family generations, doing it in a way that simultaneously protects Environmental Significant Habitat Areas, safeguards against traffic and other operational impacts, and sets a limit of 27 additional housing units. In these four areas, MCL supports the County of Marin's proposed LUP and IP.

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MCL has actively participated in many of the diverse opportunities to provide input and feedback to arrive at the submitted LUP and IP drafts before the Commission. MCL supports these four areas of the County of Marin LCPA. Thank you for your consideration of these recommendations and please know we are available to discuss these with Commission staff and Commissioners.

Respectively,

A handwritten signature in blue ink that reads "Kate Powers". The signature is written in a cursive, flowing style.

Kate Powers

President

Marin Conservation League Agriculture Policy Statement

OVERVIEW

Two hundred and fifty-five families operate Marin County's farms and ranches. Most of these are multi-generational ranches with annual gross incomes of less than \$100,000.00 and an average size of 600 acres. These ranches are located on 167,000 acres of hilly grassland and mixed oak woodland in rural Marin County. Included in this number are at least 28,000 acres of ranchland in the Golden Gate National Recreation Area and Point Reyes National Seashore, which are subject to federal jurisdiction.

The most productive use of the great majority of Marin's agricultural land is livestock grazing. Relatively dry and cool marine climatic conditions along with steep rolling hills and relatively little water are defining factors. An exception is the less than 1% of prime land, which is suitable for row cropping.

Agriculture is one of the ten major business ventures in Marin, and therefore valued as a critical element in supporting Marin's economy. Flexibility and diversification over the last 30 years have enabled agriculture to remain economically viable. Where conventional milk and beef production were the foundation of the Marin agricultural economy for many decades, now value-added and specialty products and services augment the base. For example, grass-fed beef, pastured poultry and eggs, on-farm cheese-making and small-scale organic row and tree cropping, as well as bed and breakfast accommodations, are some of the newer agricultural ventures contributing to the agricultural economy. Organic milk production accounts for more than 40,000 acres being in organic certification, far above state and national rates. The purchase of conservation easements by the Marin Agricultural Land Trust (MALT) has helped about half of the ranch operations to stay in business.

On-going threats to Marin's agricultural community remain much as they have been in the past: skyrocketing property values, which encourages urbanization, family succession challenges, invasive plants, and, more recently, uncertain climate and rainfall conditions. Along with A-60 zoning, supportive Countywide Plan policies, and

strong Coastal Zone protections, the purchase of conservation easements by the Marin Agricultural Land Trust and enrollment in the Williamson and Super Williamson Acts has helped stay the hand of developers and estate ranchers. Ninety percent of Marin's ranches are protected in this way.

The vast majority of ranches and farms are generational family enterprises, which has effectively raised sustainable standards and made owners better guardians of the land. As stated in the Land Use Plan (p. 12, 3rd para.) of the Local Coastal Plan, and adopted by the Marin Board of Supervisors, "More than 85% of Marin farms had between one and four family members involved in their operation, and 71% had a family member interested in continuing ranching or farming."

Marin's ranchers have demonstrated a high level of voluntary participation in beneficial conservation practices over the past 30 years. Implementation of conservation practices has improved water quality, created wildlife habitat, prevented soil loss and sequestered carbon. More than 25 miles of creeks have been restored and more than 650,000 cubic yards of sediment have been kept out of creeks and the bay. Marin's ranches, with their extensive grasslands and forests, are expected to help Marin County reach its Climate Action Plan goals. Ranchers are supported in their conservation practices by a suite of strong federal and state laws, standards, and regulations and effective county policies and code, all designed to protect environmental resources on agricultural lands.

STATED GOAL

To continue to support the role Marin's agricultural community plays in maintaining open space, protecting wildlife corridors, managing carbon, preserving a valuable local heritage, and contributing to food security and the local economy. This statement is consistent with MCL's previous positions and actions regarding agriculture.

POLICY

As approved by the Board of Directors on November 17, 2015

Following are policy statements that specify and clarify Marin Conservation League's goals and concerns.

Natural Resources Management:

1. Support sustainable management of grassland and rangeland, which provides critical forage for livestock, while fostering wildlife habitat and preserving native plants.
2. Support soil management practices that lead to increased water-holding capacity and an increase in organic matter in the soil.
3. Support soil management practices such as the use of the “no-till drill”, which minimize soil disturbance, prevent soil loss and reduce the flow of sediment into streams, bays and the ocean.
4. Encourage the alignment of local conservation programs and practices with the goals of the Healthy Soils Initiative as described on the California Department of Food and Agriculture website.
5. Support development restrictions within 100 feet or more of wetlands and stream conservation areas, as defined in the Countywide Plan (BIO-3.1 and 4.1) to protect wetland and stream habitats.
6. Support the management of invasive plants through Integrated Pest Management, including chemical measures, where other control measures are infeasible or ineffective.
7. Support the federal Clean Water Act 1974 and Endangered Species Act 1973, and California's Porter-Cologne Act of 1969 because of their broad powers in protecting natural resources.
8. Encourage those conservation practices that reduce the delivery of pathogens, sediment, mercury and nutrients to our waterways and all bodies of water.
9. Promote the efficient use and reuse of water on farms and ranches to meet their

agricultural needs. Maintain water infrastructure, and if old sources become insufficient, consider developing new sources of water only if adverse environmental impacts can be avoided.

10. Support carbon farm planning and implementation of the United States Department of Agriculture's Natural Resource Conservation Service's carbon-beneficial practices.

11. Support assisted ranch management planning and cost-share implementation of best management practices, rather than depend principally on enforcement to attain compliance with environmental regulations.

12. Encourage efficient energy management and the production of renewable energy resources on and for individual ranches, such as wind, solar and methane digestion, where adverse environmental impacts can be avoided.

13. Discourage the development of large wind and solar "farms" on agricultural lands for commercial purposes, due to energy production inefficiencies, installation and transmission impacts, visual impacts such as disharmony of scale and inconsistency with rural character, and environmental impacts such as wildlife and habitat degradation.

14. Encourage greenhouse gas reduction and climate adaptation practices, as described in the U. S. Department of Agriculture's "GHG and Carbon Sequestration Ranking Tool."

Partnering Agencies:

15. Support the Grazing and Dairy Permit Waiver Programs of the Regional Water Quality Control Board.

16. Support funding and technical support to farmers and ranchers seeking to improve water quality and fisheries habitat.

17. Support national, state, local, and private funding for conservation implementation programs through Marin Resource Conservation District, Marin Agricultural Land Trust, and Natural Resources Conservation Service.

18. Support landowner education and permitting facilitation through county-

funded positions, such as the Marin Resource Conservation District's Stream Coordinator position and the University of California Cooperative Extension's Agricultural Ombudsman position.

19. Encourage the County to control invasive plants on County rights of way and on open space preserves, to prevent invasives from spreading onto ranchland.
20. Support coordination programs between permitting agencies, such as the Marin Resource Conservation District's Coastal Permit Coordination Program, which bundles permit requirements over several agencies to promote efficiencies and to reduce the financial burden on agencies and landowners.
21. Support the inclusion of the Local Coastal Program permitting requirements in the recertification of the Marin Resource Conservation District's Coastal Permit Coordination Program.
22. Endorse the role of Marin Agricultural Land Trust, Marin Resource Conservation District, the Natural Resources Conservation Service, the Ag Institute of Marin, the Marin Dept. of Agriculture, the Marin Community Development Agency and the University of California Cooperative Extension Service, the Regional Water Quality Control Board, and the California Department of Fish and Wildlife in preserving and protecting Marin County's agricultural heritage and natural resources, and supporting the best management practices which foster long range productivity and environmental protection.

Zoning and Land use:

23. Support a "critical mass" of agricultural production (e.g., sufficient number of dairies, acres of beef production, small-scale crops, etc.) needed to maintain the demand for goods and services that are necessary to support a viable agricultural economy in Marin County.
24. Balance ranchers' desire for flexibility in cropping decisions with the need to not exceed impact thresholds or standards for grading quantities (e.g., terracing), irrigation, and setbacks from streams, wetlands, and other sensitive resources.
25. Support Marin Countywide Plan and Coastal Zone policies that limit residential

development on agriculturally zoned land, and limit the size of farm residences.

26. Limit development of farm dwellings and ancillary structures to clusters within 5% or less of total ranch acreage. (See Marin Countywide Plan AG-1.6).

27. To facilitate intergenerational succession on family farms in the Coastal Zone, support up to two dwellings in addition to the farmhouse per “farm tract” (defined as all contiguous lots under common ownership), as conditioned in the Land Use Plan of the Local Coastal Program, adopted August 25, 2015 by the Board of Supervisors.[\[i\]](#)

28. Support affordable, safe and healthy housing for Marin’s largely permanent farm workforce both on-farm and in nearby villages.

29. Support policies, programs and zoning that restrict subdivision of agricultural lands by requiring demonstration that longterm productivity of agricultural on each parcel created would be enhanced. (See Marin Countywide Plan AG-1.5).

30. Maintain a minimum A-60 zoning, as it has been instrumental in protecting agriculture, maintaining open space values, and preserving the rural character of West Marin.

31. Support the County of Marin’s Affirmative Agricultural Easement Program and MALT’s Mandatory Agricultural Easement Program, which are listed in the LUP of the LCP as a program to evaluate: Program C-AG-2b Option to Secure Affirmative Agricultural Easements Through Restricted Residences...etc.

32. Support small-scale diversification and value-added production (such as cheese production), and services (such as bed-and-breakfast or non-profit farm tours) consistent with County policy and code, where adverse environmental impacts can be avoided.

33. Balance development of new retail farmstands with the need to protect viewsheds and safety on Highway One.

34. Encourage internet capacity expansion in the rural areas of Marin, avoiding negative visual impacts to ridgelines and viewsheds.

35. Discourage expansion of vineyards due to their negative impacts on soils, water quantity and quality, and wildlife habitat.

36. Support prohibition of incompatible and environmentally damaging recreational uses, such as motorcycle riding and off-road biking, on agriculturally zoned land.

37. Encourage the restoration of traditional and iconic ranch structures, such as wooden barns and outbuildings, to maintain the cultural landscape of agriculture in West Marin.

Footnote to Item #27 _____

[1] Excerpted from Land Use Plan policies C-AG-5 A. and AG-7, agricultural dwelling units, including intergenerational housing, may be permitted in C-APZ zoning districts, subject to the following conditions: dwelling units must be owned by a farmer or operator actively engaged in agricultural use of the property; no more than a combined total of 7,000 square feet (plus 540 square feet of garage space and 500 square feet of agricultural-related office space) may be permitted per farm tract; intergenerational farm homes may only be occupied by persons authorized by the farm owner or operator; a density of at least 60 acres per unit shall be required for each farmhouse and intergenerational house (i.e., at least 180 acres required for a farmhouse and two intergenerational homes); no more than 27 intergenerational homes may be allowed in the County's coastal zone; permitted development shall have no significant adverse impacts on environmental quality or natural habitats; all dwellings shall be placed within a clustered development area; and development shall be sited to minimize impacts on coastal resources and adjacent agricultural operations.

References:

Three Essential Documents:

1. 2007 Marin Countywide Plan

<http://www.marincounty.org/depts/cd/divisions/planning/2007-marin-countywide-plan>

2. Development Code (aka Zoning Ordinance)

https://www.municode.com/library/ca/marin_county/codes/code_of_ordinances?nodeId=TIT22DECO

3. Zoning Maps*

(<http://www.marinmap.org/Html5Viewer/Index.html?viewer=mmdataviewer>)

* MarinMap serves up County geographic data including Zoning. There doesn't seem to be a free-standing Zoning Map accessible on the web. The *MarinMap* screen shot *County Zoning* document provides a generalized picture of the Zoning, and a *MarinMap Viewer* set to Zoning can be used on the above website with the "Layers" toggled on or off as shown to get more refined information.

Hart, J. 1991. *Farming on the Edge: Saving Family Farms in Marin County, California*. University of California Press. Berkeley, CA. 174 pgs.

ICF International. 2015. *Marin County Climate Action Plan (2015 Update)*. July. (ICF 00464.13.) San Francisco. Prepared For Marin County, California.

Marin County Department of Agriculture. 2015. *2014 Marin County Livestock & Crop Report*. Marin County Department of Agriculture. Novato, California. 8 pgs.

Marin Economic Forum. 2004. *Marin County Targeted Industries Study*. Prepared for the Marin Economic Forum and The Community Development Agency by Economic Competiveness Group, Inc. San Rafael, CA. 22 pgs.

NRCS. 2015a. *Comet-Planner: Carbon and Greenhouse Gas Evaluation for NRCS Conservation Practice Planning*. USDA Natural Resources Conservation Service and Colorado State University. <http://www.comet-planner.com/>.

NRCS. 2015b. *Practice Standards for Greenhouse Gas Emission Reduction and Carbon Sequestration*. USDA Natural Resources Conservation Service. <http://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/national/air/?cid=stelprdb1044982>.

SFRWQCB. 2013. *Renewal of Conditional Waiver of Waste Discharge Requirements for Grazing Operations in the Tomales Bay Watershed*. Resolution Order No. R2-2013-0039. Oakland, CA. 20 pgs.

SFRWQCB. 2015. *Renewal of Conditional Waiver of Waste Discharge Requirements for Existing Dairies within the San Francisco Bay Region*. Resolution Order No. R2-2015-0031. Oakland, CA. 19 pgs.