



SONOMA COUNTY FARM BUREAU

Affiliated with the California Farm Bureau Federation and the American Farm Bureau Federation

San Francisco Bay Conservation & Development Commission
50 California Street, Suite 2600
San Francisco, CA 94111

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MAY 19 2011

Comment Letter – Bay Plan Amendment 1-08, Climate Change
Public Workshop of May 19, 2011

SAN FRANCISCO BAY CONSERVATION
& DEVELOPMENT COMMISSION

Chairman Randolph and Commissioners:

Sonoma County Farm Bureau is a 3000-member grassroots organization dedicated for the protection and advancement of local agriculture. We have reviewed your material dated May 6, 2011 for the forthcoming workshop in Oakland. As we are unable to attend the meeting, we submit this comment letter instead.

First of all, the Bay Plan Amendment is based on an assumption that the sea level in the Bay will rise as much as 55" by the end of this century. The Amendment says: "In the last century, sea level in the Bay rose nearly eight inches." (p. 18 of the 05/06/11 package.) It is true that a trend line can be drawn on the data of the past 100 years to show a 7-to-8-inch rise over the period. However, this magnitude is no more than a typical year-to-year variation in sea level. Published NOAA data shows that the Mean Sea Level (MSL) on the Bay has basically remained level during the past 30 years, and the average Bay MSL of the first four months of this year was lower than the monthly average MSL's found in 41 of the last 50 years. It is not quite accurate to say "Relative rise in sea level is the sum of a rise in global sea level and land elevation change around the Bay" (p.44). There are regional variations in the sea level around the globe. (See The Bay Citizen, 5/5/11, included in BCDC's 5/13/11 mailing.) In sum, we cannot predict the future sea level in the Bay with high confidence, and this fact should be clearly stated.

The second striking impression of the Amendment is that it puts wildlife habitat (in tidal marsh and wetlands) and public access emphatically above and against agriculture, industry, commerce, housing, and private property rights. Perhaps BCDC has the right to enforce its own priority within 100 feet of the shoreline. However, the power of the Bay Plan over local land use decisions is not clearly spelled out. Many local communities, including our Sonoma County, are trying hard to balance all these goals within their legal and fiscal means. The primary responsibility of adaptive actions for possible climate change and sea level rise should clearly be vested in local governments that have their own priorities, means, and accountability for their citizens. The primary role of BCDC then should be the same as that of the Ocean Protection Council, i.e., "to inform (local government) on the science of climate change and the commensurate impacts," as Mr. John Laird, Secretary for Natural Resources and Chair of OPC, wrote in his May 4, 2011, letter to your Executive Director, Mr. Will Travis.

At the local level, we are most concerned about the Bay Plan's possible negative effects on the farm land in the southern part of the county and along the Petaluma River. We strongly believe that viable agriculture and a healthy environment can co-exist, as they have been. We don't accept that agriculture has to be destroyed in order to save the environment. Another local issue of our concern is the fate of Hwy 37. It is the primary link between Hwy 101 and I-80. SPUR, of which Mr. Will Travis is a Board Director, suggests that it should be rerouted to Hwy 121. However, that would necessitate a massive widening of Hwy 121, taking hundreds of acres of prime agricultural land.

At least we request that you hold additional workshop meetings in the North Bay area so that many affected landowners will have a better chance to review and respond to your draft.

Yours truly,


Joe Pozzi, President

CC: Sonoma County Board of Supervisors
Sonoma County Water Agency
California Farm Bureau Federation

Subject: FW: May 25th Meeting on BCDC Bay Plan Climate Change Amendments

Date: Thursday, May 26, 2011 5:35 PM

From: Joe LaClair <joel@bcdca.gov>

To: "graceg@bcdca.gov" <graceg@bcdca.gov>

Cc: Sara Polgar <sarap@bcdca.gov>, Jessica Davenport <jessicad@bcdca.gov>

----- Forwarded Message

From: C/H High <howardhigh1@comcast.net>

Date: Thu, 26 May 2011 15:02:24 -0700

To: Will Travis <travis@bcdca.gov>

Cc: John Coleman <jcoleman165@gmail.com>, David Lewis <dlewis@savesfbay.org>, Arthur Feinstein <arthurfeinstein@earthlink.net>, Sarah Newkirk <snewkirk@tnc.org>, Jim Wunderman <jwunderman@bayareacouncil.org>, "Paul B. Campos" <pcampos@biabayarea.org>, Zach Wasserman <ZWasserman@wendel.com>, Gabriel Metcalf <gmetcalf@spur.org>, Sean Randolph <sean@bayareacouncil.org>, Anne Halsted <ahalsted@aol.com>, Geoffrey Gibbs <ggibbs@gotolawfirm.com>, Jim McGrath <macmcgrath@comcast.net>, Steve Goldbeck <steveg@bcdca.gov>, Joe LaClair <joel@bcdca.gov>, Barbara Salzman <bsalzman@att.net>, Ian Wren <ian@baykeeper.org>, Louis Blumberg <lblumberg@tnc.org>, Ellie Cohen <ecohen@prbo.org>, Sara Aminzadeh <sara@cacoastkeeper.org>, Sally Newman <scnewman@gmail.com>, Greg Karras <gkarras@cbecal.org>, Catalina Garzon <cgarzon@pacinst.org>, Brooke Langston <blangston@audubon.org>, Lenny Roberts <lennie@darwin.ptvy.ca.us>, Andy Gunther <gunther@cemar.org>, Susan Ristow <nfo@marinbaylands.org>, Marc Holmes <holmes@bay.org>, Wayne Miller <wmcats@aol.com>, Matt & Gail Leddy <mtleddy@sbcglobal.net>, Dipti Bhatnagar <dipti@ejcw.org>, John Coleman <john@bayplanningcoalition.org>, "Zane O. Gresham" <zgresham@mofoc.com>, "Michael B. Wilmar" <mwilmar@sheppardmullin.com>, Scott Zengel <szengel@bayareacouncil.org>, Alice Reynolds <Alice.Reynolds@doj.ca.gov>, Laura Tam <ltam@spur.org>, Florence & Philip <florence@refuge.org>

Subject: Re: May 25th Meeting on BCDC Bay Plan Climate Change Amendments

San Francisco Bay Conservation and Development Commission
50 California Street, Suite 2600

May 26,

2011

San Francisco, CA 94111

Attn: Executive Director Will Travis, Chairman Randolph, and Commissioners

Re: Bay Plan Climate Change Amendments

Dear Executive Director Travis, Chairman Randolph, and Commissioners,

I appreciate the opportunity to submit comments since I was unable to attend the meeting on May 25th. I'd like to reiterate comments submitted on April 21, 2011. These comments should not be construed to be "anti-development." Instead, my comments stem from the goals of preserving the integrity of the Bay ecosystem (which in turn has economic, societal, environmental and quality of life benefits) and promoting development that will not place the public in harms' way or burden future generations with the consequences of improperly sited new development. I firmly believe these goals should lie at the heart of any policies attempting to address the consequences of climate change and sea level rise.

The changes to the language of the proposed amendments since September 3, 2010 have been very disappointing. For every step forward, there are several steps backwards in subsequent drafts of the document – the overall trend being a degradation of language that is protective of public safety and the Bay's natural resources in favor of consideration of new development in vulnerable low-lying areas.

During the past two or three meetings it has been suggested that we focus our review of the proposed amendments on several key sections. While I agree there are certain issues that have proved to be lightning rods for the environmental and development communities ("infill", etc.) I don't believe it is appropriate to view particular passages in isolation from the rest of the draft Climate Change Amendments.

In reviewing the entirety of the proposed climate change amendments, it is evident that preservation of the Bay's natural resources and all the economic, societal, environmental, and aesthetic benefits that result from such protection has become subservient to the consideration of development. No one would argue that existing critical infrastructure or

existing communities may require protection from flooding. According to the assessment of the Pacific Institute, with only 0.5 m of sea level rise, a minimum of \$36 billion in property might be at risk. In light of these needs to protect existing property (there is limited funding with which to accomplish this task), we should not put additional new development in harms' way based on the hopes of future technology or adaptive management.

What is of tremendous concern, are proposals for new development in vulnerable, low-lying areas that have natural resource value. Consider why so many people want to live in the San Francisco Bay Area. Certainly job opportunities are key motivators, but equally important is the great beauty of the Bay and access to open spaces and a sense of place. This unarguable fact is confirmed by the overwhelming public interest, not only in establishing a national wildlife refuge system within the Bay Area, but in protection of the remaining undeveloped shoreline.

Designs or desires for new development along the edges of the Bay will not abate because of climate change amendments proposed by BCDC. Development proposals will continue to be submitted – I can guarantee that. However, what BCDC can accomplish with strong guidance is to reframe the perception of what is acceptable and ethical.

Is building new development in vulnerable, low-lying, undeveloped areas that could be preserved for their natural resource value acceptable? According to the California Climate Adaptation Strategy “protecting critical habitat” should be a “top priority action” to “combat the impacts of sea level rise.”

This important guidance has been struck from the latest iteration of the climate change amendments. In addition, language that concisely explains why it is imprudent to build in such areas has been stricken. What remains is the recommendation that agencies should “generally not plan, develop, or build any new significant structure in a place where that structure will require significant protection from sea-level rise...”, which is immediately followed by language that “acknowledges that vulnerable shoreline areas containing existing development or proposed for new development that has or will have regionally significant economic, cultural, or social value may have to be protected...” Consider this revised language in conjunction with the revised Climate Change Finding “s”:

Some undeveloped low-lying areas that are vulnerable to shoreline flooding contain

important habitat or provide opportunities for habitat enhancement. **In these areas, development that would have regional benefits could preclude wetland enhancement that would also have regional benefits.** Some developed areas may be suitable for ecosystem restoration if existing development is removed to allow the Bay to migrate inland, although relocating communities is very costly and may result in the displacement of neighborhoods.

What is lacking, what has been eviscerated from the draft language, is the strong affirmation of the many economic, societal, and aesthetic benefits that result from preservation of the 10% of tidal marsh habitats that remain along the edges of our Bay. What has been significantly watered down is an acknowledgement that sea level rise, in combination with all of the other perturbations of tidal marshes, poses a significant threat to our ability to maintain a Bay ecosystem that is sustainable. When in fact protection of the remaining undeveloped low-lying lands may play a crucial role in determining the degree to which we can sustain a healthy bay ecosystem.

The language of the California Climate Adaptation Strategy must be reinstated within findings w, x and y in order to maintain any semblance of balance between conservation and development in the proposed climate change amendments.

I urge the Commission to adopt climate change amendments that narrowly define "infill." Both CEQA and SB 375 provide definitions of "infill" that, for the most part, avoid locating development in areas that provide natural resource values and avoid contributing to sprawl (or locating new development in areas that do not provide transit and thus encourage automobile trips). It should be noted that both CEQA and SB 375 also provide strong guidance to avoid degradation of the natural environment when considering "infill" proposals. Given the many times "infill" is "encouraged" within the proposed climate change amendments, it would be irresponsible to not include a definition that limits "infill" to locations that are already surrounded and immediately adjacent to urban development and existing or committed transit.

I continue to hope that the BCDC Climate Change Amendments to the Bay Plan will not weaken existing protections of the Bay, nor place its future residents and workers in harms' way.

Thank you for the opportunity to provide comments.

Regards,

Carin High

On 5/25/2011 1:49 PM, Will Travis wrote:

I appreciate your concerns. I hope you can get us comments as quickly as feasible and that you'll be able to attend the Commission workshop on June 2nd.

On 5/25/11 11:08 AM, "C/H High" <howardhigh1@comcast.net>
<mailto:howardhigh1@comcast.net> wrote:

Mr. Travis -- I am not able to attend the meeting this afternoon. As I indicated by email to you earlier today, I am very disappointed the meeting is proceeding when it is clear most if not all of the environmental community is unavailable due to previous commitments, especially since it is clear this problem with the meeting date was known.

I will try to submit comments in writing as soon as possible.

Regards,
Carin High

----- End of Forwarded Message