

August 11, 2020

Planning Commission
City of Half Moon Bay
501 Main Street
Half Moon Bay, CA 94019

Dear Planning Commissioners,

I serve as the San Mateo County Agricultural Ombudsman, a position that is funded by San Mateo County to provide third party, free, non-regulatory, and confidential assistance to farmers and ranchers to navigate the permitting process. In this role, I also work closely with the County's regulatory departments to help them understand the unique needs of agricultural producers and to find opportunities to streamline and clarify permitting requirements. The Agricultural Ombudsman position is housed with the San Mateo Resource Conservation District. A comment was submitted by the San Mateo RCD regarding monarch butterflies and this comment letter is intentionally being submitted separately.

The Coastal Commission identifies agriculture as a priority coastal resource. Understanding that development is often necessary for farms to remain viable the Coastal Commission has worked with jurisdictions, including San Mateo County, to allow categorical exclusions (in addition to other exemptions) from Coastal Development Permits. Examples of such necessary projects include the installation or repair of a fence, re-drilling a well, or erecting of a barn.

The following activities are exempt or excluded from Coastal Development Permits in San Mateo County. For these projects, the County requests a Coastal Development Permit Exemption Form (<https://planning.smcgov.org/coastal-development-exemption>), for which the fees and processing time is greatly reduced. The fee for this permit exemption is waived for those that work with me, the Agricultural Ombudsman.

- a) Existing Single-family Dwellings: Maintenance, alteration, or addition to, existing single-family dwellings, except for those that involve a risk of adverse environmental impact. Examples include projects located in the following sensitive areas: (1) on beaches, wetlands, sand dunes, or property located between the sea and the first public road paralleling the sea; (2) within a sensitive habitat or scenic corridor, within 50 ft. of the edge of a coastal bluff or within 100 ft. of a creek or stream, or within an area determined to have critically short water supply needed to maintain coastal/public recreation; (3) seaward of the mean high tide line. Projects involving the expansion or construction of water wells or septic systems, regardless of location, also are not exempt.
- b) Existing Structures Other Than Single-family Dwellings or Public Works Facilities: Maintenance, alteration, or addition to existing structures other than single-family dwellings and public works facilities; however, some projects will require a permit because they involve a risk of adverse

environmental impact. Examples include projects located in all of the sensitive areas listed in (a), above. Projects involving the expansion or construction of water wells or septic systems, or improvements to a structure which changes the intensity or use of the structure, regardless of location, also are not exempt.

- c) Existing Navigation Channels: Maintenance dredging of existing navigation channels or moving dredged material from such channels to a disposal area outside the Coastal Zone, pursuant to a permit from the US Army Corps of Engineers.
- d) Repair or Maintenance Activities: Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the subject of such repair or maintenance activities; however, projects involving seawalls, revetments, bluff retaining walls, groins, breakwaters or similar shoreline work are typically not exempt.
- e) Categorical Exclusions: Any category of development requested by the county as a "Categorical Exclusion".
 - a. Construction, improvement or expansion of barns, storage buildings, equipment buildings and other buildings necessary for agricultural support purposes, provided such buildings
 - i. do not exceed 36 feet in height;
 - ii. do not cover more than 10,000 square feet of ground area;
 - iii. do not include agricultural processing plants, greenhouses or mushroom farms;
 - iv. are not located within 100 feet of blue line streams (dashed or solid) on USGS 7 ½ minute quadrangle maps, 100 feet of the edge of any coastal bluff or 100 feet of Pescadero Marsh; and
 - v. are not located on a slope of over 30%.
 - b. Improvement and expansion of existing agriculturally-related processing plans, mushroom farms or greenhouses not on Prime Agricultural Land, and existing soil dependent greenhouses on Prime Agricultural Land provided that such improvements do not exceed 36 feet in height or increase ground coverage by more than 25% or 10,000 square feet, whichever is less.
 - c. Paving in association with development listed in paragraphs 1 and 2, above, provided it is included within applicable ground cover limits and does not exceed 10% of the ground area covered by development.
 - d. Fences for farm or ranch purposes, not including any solid or chain link fences or fences which would block existing equestrian and/or pedestrian trails.
 - e. Water wells, well covers, pump houses, water storage tanks of less than 10,000 gallons capacity and water distribution lines, including up to 50 cubic yards of associate grading, provided such water facilities are used for on-site agriculturally-related purposes only.
 - f. Water impoundments located in drainage areas not identified as blue line streams (dashed or solid) on USGS 7 ½ minute quadrangle maps, provided such impoundments do not exceed 25 acre feet in capacity.
 - g. Water pollution control facilities for agricultural purposes in constructed to comply with waste discharge requirements or other orders of the Regional Water Quality Control Board.
- f) Utility Connections: The installation, testing, and placement in service or the replacement of any necessary utility connection between an existing service facility and any development provided that the County may, where necessary, require reasonable conditions to mitigate any adverse impacts on coastal resources, including scenic resources.

- g) Replacement of Structures Following Disaster: The replacement of any structure, other than a public works facility, destroyed by disaster (any situation in which the force(s) which destroyed the structure were beyond the control of its owner), provided such replacement structure shall conform to applicable existing zoning requirements, shall be for the same use as the destroyed structure, shall not exceed either the floor area, height or bulk (total interior cubic volume as measured from the exterior surfaces) of the destroyed structure by more than 10%, and shall be sited in the same location on the affected property as the destroyed structure.
- h) Emergency Activities: Projects normally requiring a Coastal Development Permit but which are undertaken by a public agency, public utility, or person performing a public service as emergency measures to protect life and property from imminent danger, or to restore, repair or maintain public works, utilities and services during and immediately following a natural disaster or serious accident, provide such projects are reported to the Planning Director and an application for a Coastal Development Permit is submitted within five days.
- i) Harvesting of Agricultural Crops: Includes the harvesting of kelp.
- j) Timber Operations: Timber operations in accordance with a Timber Harvesting Plan submitted pursuant to the Forest Practice Act of 1973.
- k) Land Divisions by Public Agency for Public Recreation
- l) Encroachment Permits
- m) Street Closure Permits

In addition, San Mateo County does not require full Coastal Development Permits for temporary structures, like hoop houses, has a coordinated permitting approach and has eliminated fees for farm worker housing, and has made exceptions to height requirements for agricultural fences. This streamlined permitting approach for agricultural projects has made it easier to farm while remaining in compliance with the Coastal Act.

I would be happy to discuss these and other streamlined approaches further. You may contact me at 650-712-7765x105 or at adria@sanmateoRCD.org.

Sincerely,

Adria Arko

San Mateo County Agricultural Ombudsman
and Agriculture and Climate Programs Manager