

January 9, 2016

To Whom it May Concern,

This letter is with regard to a pending permit posted at 45500 Drifter's Reef Rd (APN 118-200-11-00). In making your determination there are actions and efforts by the current owners of 45500 Drifter's Reef Rd. that we thought you should be made aware that may have impact on the determination.

Current and Prior disregard for identified ESHA zones

The current owners of 45500 Drifter's Reef Rd. purchased the parcel in question in 1998. This was long after the 1991 modifications included in the adoption of the Coastal Element of the General Plan of Mendocino County, Ord. No. 3085 and other ESHA buffer requirements introduced by the coastal commission. These modifications were introduced to increase protection of environmentally sensitive areas, and the current owners of 45500 Drifter's Reef Rd. would be well aware of the 100 ft buffer to ESHA and general protection of all potential ESHA on and around their property. This should have allowed them to have reasonable knowledge of the sensitive areas on and around their property prior to purchase. Nonetheless, they have repeatedly negatively impacted ESHA areas on and around their property, and continue to do so despite notification of this impact. Pictures of some of the damage to ESHA are included at the end of this letter. Examples of negative impact are:

- **Erection of a fence directly into the riparian ESHA area**
The owners of 45500 Drifter's Reef Rd. and crew were explicitly notified of the existence of the riparian ESHA and their immediate proximity to these sensitive habitats during the erection of this fence. The owners disregarded any input at this time and continued to erect the fence directly through the riparian ESHA. A portion of this fence has since been removed, but this only happened recently. Photos of both states and damage are included at the end of this letter.
- **Continued mowing of riparian ESHA**
The photos attached at the end of this letter show where the owners of 45500 Drifter's Reef Rd. have continued to mow along the borders of the riparian ESHA. This has extended many feet into the riparian ESHA and along the entire northern border.
- **Destruction of an ESHA native blackberry habitat**
There is an identified ESHA native California blackberry (*Rubus Ursinus* which is S3) habitat at the south western edge of the parcel on 45450 Drifter's Reef Rd. that extends into the south eastern quarter of the parcel of 45500 Drifter's Reef Rd. This ESHA was brutally cut down on the parcel of 45500 Drifter's Reef Rd. to erect the unpermitted fence in question. Then, despite notification of the ESHA on their property, the owners of 45500 Drifter's Reef Rd. crudely hacked up the ESHA native blackberry habitat outside their property on 45450 Drifter's Reef Rd. to facilitate trenching for installation of conduit to their property. The

damage caused to the ESHA on 45450 Drifter's Reef Rd. was fairly extensive and will take years to regrow. Additionally, this blackberry bramble was home to a Bryant's Savannah Sparrow (species of special concern) prior to the construction of the fence in question. Further there is potential for deceiving sedge (*Carex Saliniformis*), coastal bluff morning glory (*Calystegia Purpurata* ssp. *Saxicola*), and supple daisy (*Erigeron Supplex*) within the grass/bushes on the western edge of the adjacent parcel (45450 Drifters Reef Rd). In this particular ESHA, and the owners of 45500 Drifter's Reef Rd. have demonstrated a terrifying and clear disregard for the guidelines put in place by the Coastal commission to protect their habitats. All this was done unpermitted and had a significant negative impact on a native ESHA area both on and off their property. Pictures where this habitat was cut down are included at the end of this letter.

Thank you for considering the information in this letter in your determination regarding approval of the permits in question.

- A. We ask that a full multi-season biological is required of the parcel at 45500 Drifter's Reef Rd. as well as immediate surrounding parcels to this property prior to the approval of any submitted permit applications for: fences, posts, or structure developments.
- B. It is also requested that the blatant disregard for the ESHA as demonstrated combined with the late purchase, relative to the date of enacting of the Coastal Commissions guidelines, of this property be considered when determining any approved development and not grant allowance for construction within the 100 ft ESHA buffer desired by the Coastal Commission

Thank you for your consideration.

Concerned neighbors and friends of the environment,

Photos are attached in the following pages.

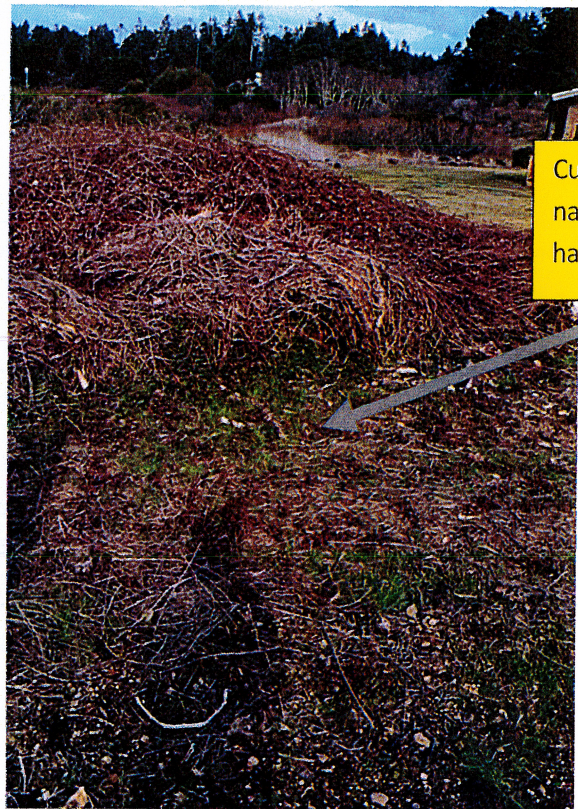
Photos of ESHA impact described above:

1. Photos of cut down of ESHA native blackberry habitat on both 45500 Drifter's Reef Rd. parcel and 45450 Drifter's Reef Rd. Owners of 45450 Drifter's Reef Rd. did not agree to ESHA cutdown. Grey arrows indicate where ESHA native blackberry habitat has been significantly hacked.

Cutback of ESHA native blackberry habitat for fence.



Cutback of ESHA native blackberry habitat for conduit



Cutback of ESHA native blackberry habitat for fence.



2. Photo of persistent mowing of multiple feet of southern border of riparian ESHA along 45500 Drifter's Reef Rd. parcel. Grey arrow indicates mowed riparian ESHA.

