

**Nick Makris**

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**From:** "David Hardy" <DHARDY@sonoma-county.org>  
**To:** "Nick Makris" <nick@mcn.org>  
**Sent:** Wednesday, November 19, 2008 1:13 PM  
**Subject:** RE: Lebaron 25 acres

Nick

I got a little behind on my emails, which I guess I was compensating for by terseness. Now I'm back to only 44 unread ones. For better answers to your questions, I've responded in CAPS below.

Dave

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**From:** Nick Makris [mailto:nick@mcn.org]  
**Sent:** Wednesday, November 19, 2008 10:26 AM  
**To:** David Hardy  
**Subject:** Re: Lebaron 25 acres

Could I ask for just a little clarification on that succinct answer? **SURE**

Does that mean you would allow the existing road for the PUD to remain with a new one built for home access? **YES**  
 And that a new pole would be allowed if screened to some extent by the trees along the highway? **YES.**

**THE BIOLOGY REPORT SHOULD ADDRESS THESE ISSUES. IF THE BIOLOGIST IS OK WITH THESE, WE WOULD PROBABLY BE OK WITH THEM. AS I'VE SAID BEFORE, I RECOGNIZE THAT THIS IS A CONSTRAINED SITE AND WE HAVE TO BE REASONABLE. THE BIOLOGY REPORT SHOULD ASSESS IF THERE ARE ANY IMPACTS TO SPECIAL SPECIES AND IF THERE ARE BETTER ALTERNATIVES THAN WHAT YOU'RE PROPOSING. IF NOTHING IS BETTER, THEN YOUR PROPOSED ROUTE WOULD BE THE COURSE OF ACTION.**

Thanks again,

Nick

----- Original Message -----

**From:** [David Hardy](#)  
**To:** ['Nick Makris'](#)  
**Sent:** Wednesday, November 19, 2008 9:11 AM  
**Subject:** RE: Lebaron 25 acres

yes

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**From:** Nick Makris [mailto:nick@mcn.org]  
**Sent:** Friday, October 24, 2008 1:41 PM  
**To:** David Hardy  
**Subject:** Re: Lebaron 25 acres

Dave, the issue here becomes that of the existing road and easements for phone and water which are in use and need a road (the existing road). Caltrans won't extend easements for power to the existing road, so in order to get power onto the property we have a catch 22. I think that means the water company will have to continue to use the existing road and a new road would be have to be built to support PG&E's requirement that the power follow the path of a road.

In the case of a new Highway One encroachment just north of 100-200-039, I believe that Caltrans would buy into easements for the short 90' from the existing pole. Would you folks permit a new pole 90' from the last one (it would be masked to some extent by the trees)? From there the extension would go underground???

So the question is, if we can obtain a statement from the Biologist to the effect that the intended road is benign where it regards the wetlands, are we heading in the right direction?

Thanks again,

Nick

BTW, the phone is working again.....

----- Original Message -----

**From:** [David Hardy](#)  
**To:** ['Nick Makris'](#)  
**Sent:** Tuesday, October 21, 2008 1:37 PM  
**Subject:** RE: Lebaron 25 acres

Nick,

It doesn't look to me like there are a whole lot of options. Any other route will entail some kind of bridge over a riparian creekbed or ravine. I don't know if you were thinking of an entirely new access in addition to the existing one or if you're thinking of re-aligning the existing access, in which case the abandonment and restoration of the existing roadway to vegetation would mitigate whatever impacts are associated with the new road.

Certainly the biologist's opinion will be key to finding the least impacting route. But we now have a precedent with the Coastal Commission to allow encroaching into the riparian setbacks when we have a biologist report saying that the encroachment won't adversely affect the habitat.

And yes, you can get an updated photo with lot lines by coming down to our office. I believe our latest photos are from August 2004, but I'm told we'll be updating those in the near future since there was a recent re-fly over the county.

Lastly, I tried to phone you, but I got a ring followed by a busy signal on steroids followed by silence. Not sure what that means. But I'm still at 565-1924, so give me a call and we can explore this further.

Dave

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**From:** Nick Makris [mailto:nick@mcn.org]  
**Sent:** Wednesday, October 08, 2008 10:23 AM  
**To:** Gary Helfrich; David Hardy  
**Subject:** Lebaron 25 acres

Hi Gary and Dave, my wife Barbara and I finally closed escrow on the Lebaron 25 acres (consists of 100-210-057 & 057) at 1880 Highway One in Bodega Bay, after almost two years of looking at it. The two parcels consist of all the land above the long North/South line of the parcel near the bottom of the photo (north is from left to right) and they end in the vicinity of the Northerly and the Southerly hairpin turns.

As you know (Dave, please recall our discussions here), there are a myriad of drawbacks to the property, not the least of which is the unsafe access from Highway One, shown below in the lower right, the dirt road near the hairpin turn which leads to the water tanks at the center of the long North/South line of the parcel near the bottom of the photo.



At the moment, the number one option appears to be to contact Caltrans about a new driveway/road next to the last, most Northerly parcel (double wide) in the Bay Tract about 250' away. This would provide for the Caltrans required line of site which doesn't exist for the current access road and would eliminate the current unsafe condition.

Would you please comment on the possibility of this being an acceptable approach for making proper access to this parcel? My interest here lies in the fact that the new road would pass through a grove of trees (this County photo is quite old and the trees are currently more widespread) which is part of the overall wetlands area on the parcel. My conversation with the biologist who has made an initial review of the property a year ago suggests that it would be highly unlikely to find evidence of wetlands under a grove of Pine trees.

I would prefer not to attempt to make this happen if you folks would not look favorably upon this as a solution to this unsafe situation.

BTW, is there any way to get an updated copy of the photo from you folks?

Many thanks,  
Nick  
875-9249