

LOCAL AGENCY FORMATION COMMISSION

701 Ocean St. #318D

Santa Cruz CA 95060

831-454-2055

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LAFCO AGENDA

Wednesday, March 2, 2016

10:00 a.m.

Room 525

701 Ocean Street, Santa Cruz

1) ROLL CALL

2) MINUTES	PAGE
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3) ORAL COMMUNICATIONS

- a) Anyone may briefly address the Commission concerning items not on the agenda.

4) PUBLIC HEARINGS

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| a) LAFCO No. 959, Extraterritorial Water Service to 525 Blakeridge Lane, Corralitos..... | 6   |
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| b) Release of Public Review Draft: Service Review and Sphere of Influence Review.....    | 71  |
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## 7) ADJOURNMENT

- a) The next regular meeting is scheduled for 10:00 a.m. Wednesday, April 6, 2016 at the Santa Cruz County Building.

Campaign Contributions

State law (Government Code Section 84308) requires that a LAFCO Commissioner disqualify herself or himself from voting on an application involving an "entitlement for use" (such as an annexation or sphere amendment) if, within the last twelve months, the Commissioner has received \$250 or more in campaign contributions from an applicant, any financially interested person who actively supports or opposes an application, or an agency (such as an attorney, engineer, or planning consultant) representing an applicant or interested participant. The law also requires any applicant or other participant in a LAFCO proceeding to disclose the amount and name of the recipient Commissioner on the official record of the proceeding.

The Commission prefers that the disclosure be made on a standard form that is filed with the Commission's Secretary-Clerk at least 24 hours before the LAFCO hearing begins. If this is not possible, a written or oral disclosure can be made at the beginning of the hearing. The law also prohibits an applicant or other participant from making a contribution of \$250 or more to a LAFCO Commissioner while a proceeding is pending or for 3 months afterward. Disclosure forms and further information can be obtained from the LAFCO office at Room 318-D, 701 Ocean Street, Santa Cruz CA 95060 (phone 831-454-2055).

Contributions and Expenditures Supporting and Opposing Proposals

Pursuant to Government Code Sections §56100.1, §56300(b), §56700.1, §59009, and §81000 et seq., and Santa Cruz LAFCO's Policies and Procedures for the Disclosures of Contributions and Expenditures in Support of and Opposition to proposals, any person or combination of persons who directly or indirectly contributes a total of \$1,000 or more or expends a total of \$1,000 or more in support of or opposition to a LAFCO Proposal must comply with the disclosure requirements of the Political Reform Act (Section 84250). These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals. Additional information may be obtained at the Santa Cruz County Elections Department, 701 Ocean Street, Room 210, Santa Cruz CA 95060 (phone 831-454-2060).

More information on the scope of the required disclosures is available at the web site of the Fair Political Practices Commission: [www.fppc.ca.gov](http://www.fppc.ca.gov). Questions regarding FPPC material, including FPPC forms, should be directed to the FPPC's advice line at 1-866-ASK-FPPC (1-866-275-3772).

Accommodating People with Disabilities

The Santa Cruz Local Agency Formation Commission does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs or activities. The Commission meetings are held in an accessible facility. If you wish to attend this meeting and you will require special assistance in order to participate, please contact the LAFCO office at 831-454-2055 at least 72 hours in advance of the meeting to make arrangements. For TDD service the California State Relay Service 1-800-735-2929 will provide a link between the caller and the LAFCO staff.

Late Agenda Materials

To review written materials submitted after the agenda packet is published, contact the LAFCO Secretary-Clerk at the LAFCO office or in the meeting room before or after the meeting.



PROCEEDINGS OF THE LOCAL AGENCY FORMATION COMMISSION OF SANTA CRUZ COUNTY

Room 525, Supervisors Chambers

Wednesday, January 6, 2016

701 Ocean Street

10:00 a.m.

Santa Cruz, California

.....

The January 6, 2016 Santa Cruz Local Agency Formation Commission meeting is called to order by declaration of Chairperson Friend.

ROLL CALL

Present and Voting:	Commissioners J. Anderson, LaHue, Bobbe, Bottorff, Lind, Leopold and Chairperson Friend
Absent:	Commissioners R. Anderson, Coonerty
Alternates Present:	Smith
Alternates Absent:	None
Staff:	Patrick M. McCormick, Executive Officer Brooke Miller, LAFCO Counsel Debra Means, Secretary-Clerk

MINUTES

MOTION AND ACTION

Motion: J. Anderson	To approve December 9, 2015 minutes.
Second: Leopold	Motion carries with a unanimous voice vote.

CONTINUED PUBLIC HEARING

SALSIPUEDES SANITARY DISTRICT ADOPTION OF SPHERE AND SERVICE REVIEW AND AMENDMENT TO SPHERE OF INFLUENCE

Mr. McCormick reports that this district provides sewer to approximately 510 customers in the unincorporated area northeast of Watsonville. The main roads within the district are Highway 152, College Road, and Cutter Drive.

At the last hearing, there was a request from the Pajaro Valley Rod and Gun Club to add their two parcels to the sphere of influence. The Commission noticed the potential to add parcels 051-431-09 and 051-431-10 to the sanitary district's sphere of influence.

Staff conducted environmental review and concluded that adding these two parcels would qualify for categorical exemption under the category of existing facilities. One parcel has a clubhouse on it and the other parcel has a caretaker's unit on it. There is existing sewer at the end of Cutter Drive. The Rod portion of the Rod and Gun Club can either use the club's boats or launch their own boat from a ramp onto the adjacent Kelly Lake to fish.

The clubhouse and the caretaker's unit are at the same elevation and adjacent to Cutter Drive. There would be a private lateral, no need for a main, and no sewer service to any other properties.

Commissioner Roger Anderson identified a statistical error in the staff report's population table, and it has been corrected.

#### MOTION AND ACTION

Motion: Leopold Second: LaHue	To approve staff's recommendation to accept the service review as amended, and adopt the amended sphere of influence to include the Rod and Gun Club's two parcels. Motion carries with a unanimous voice vote.
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#### OTHER BUSINESS

#### STATUS OF PROPOSALS

Mr. McCormick reports that there is a pending application for a water district annexation in the East Zayante area.

The service reviews he is now working on are the small individual districts, primarily the four recreation districts. He will set up the review process for the recreation districts the same way he did with Salsipuedes Sanitary District.

He met the City Manager of Watsonville, Charles Montoya.

#### SELECTION OF LAFCO CHAIRPERSON AND VICE-CHAIRPERSON FOR 2016

#### MOTION AND ACTION

Motion: Leopold Second: Bottorff	To select Commissioner Roger Anderson as Chair and Commissioner LaHue as Vice-Chair. Motion carries with a unanimous voice vote.
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Commissioner Leopold says that on Thursday evening, January 28<sup>th</sup> at 7:00 p.m., there will be a public water forum called "Connecting the Drops." It will be held at New Brighton Middle School. John Laird will be the keynote speaker. Most or all of the County's water districts will be represented. There will be information booths. LAFCO is one of the prime sponsors of the event and he encourages the Commissioners to attend.



Commissioner Lind attended a presentation from the Santa Margarita Groundwater Advisory Commission that was very informative.

Meeting is adjourned at 10:35 a.m. The next LAFCO meeting is scheduled for 10:00 a.m. on Wednesday, February 3, 2016.

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CHAIRPERSON ZACH FRIEND

Attest:

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Patrick M. McCormick, Executive Officer




STAFF REPORT

LAFCO NO. 959

BLAKERIDGE LANE EXTRATERRITORIAL WATER SERVICE FROM THE CITY OF WATSONVILLE

Date: February 23, 2016 for March 2<sup>nd</sup> Agenda

To: LAFCO Commissioners

From: Patrick M. McCormick, Executive Officer 

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*Summary: The Commission will consider an application by Lisa Burgstrom, property owner of an approved minor land division at 525 Blakeridge Lane, Corralitos, for the new parcel to be served water from the City of Watsonville Water Department.*

*Recommendation: Make a finding that it has considered the Negative Declaration, and approve the request to connect Parcel A to the Watsonville water system anytime in the next 24 months (March 2, 2016 to March 2, 2018).*

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The applicant owns a 13.1 acre parcel (APN 108-291-09) in the Corralitos unincorporated area. The County has granted a tentative map approval to split the property into two parcels of 6.6 acres and 6.5 acres. A house, located on Parcel B, currently receives water from the City of Watsonville water main located in Blake Avenue. The Tentative Map Approval (Minor Land Division No. 131314) is conditioned upon Parcel A, which is currently undeveloped, obtaining LAFCO approval for new water service. Government Code Section 55613 requires LAFCO authorization for the City of Watsonville to provide water service to new uses outside the City limits.

To drive to the site from the Corralitos Meat Market, head south on Corralitos Road and turn right at Aldridge Lane and then right at Blake Avenue. Proceed to the sharp right turn on Blake Avenue. The site is located on the left (west) side of Blake Avenue.

The City of Watsonville has provided water service to much of Corralitos for many years. The City has a water main in Blake Avenue, and a meter could be set on Parcel A just off the Blake Avenue right-of-way. No main extension would be needed to service Parcel A.

Parcel A

Meat Market



Parcel B

The site is located on a hillside west of the center of Corralitos. It is not prime agricultural land. The County General Plan designation is Rural Residential. The zoning is RA (Residential-Agriculture).

The County of Santa Cruz has conducted environmental review for the lot split and the LAFCO water authorization. The Mitigated Negative Declaration is attached. It addresses a number of issues and contains mitigation measures addressing oak woodlands and protected animal species. Prior to making a decision, State law requires the Commission to consider the Negative Declaration:

*"The Commission has reviewed and considered the information contained in the Initial Study/ Mitigated Negative Declaration issued for this project by the County of Santa Cruz Environmental Administrator on August 12, 2015. The Commission finds that the mitigated negative declaration is adequate for its review of this project."*

The City of Watsonville has issued a will-serve letter for Parcel A. The land uses in the Pajaro Valley continue to use more water than can be sustainably produced from the available ground and surface water sources. In 2013, the City of Watsonville (serving customers inside and outside the city limits) used approximately 12% of the Pajaro basin's total (Table 2-1 Pajaro Valley Water Management Agency, Basin Management Plan Update, February 2014, Carollo Engineers). The City is cooperating with the Pajaro Valley Water Management area by paying the PVWMA's pumping charges and by operating a wastewater treatment plant that produces recycled water for irrigation of farmland in the coastal areas of the Pajaro Valley. The PVWMA Basin Management Plan has a goal of bringing the basin water use into balance through local water projects and additional water conservation totaling 12,100 acre-feet per year.

#### Agency Comments

The staff has solicited comments from a variety of local governmental agencies. No comments were made that have any bearing on the LAFCO application. A couple of responses noted that the agency was already aware of the project due to the County's review of the land division.

#### Alternatives

The Commission may take any of the following actions at its March 2, 2016 meeting:

- 1) Approve the application for the City of Watsonville to provide water to Parcel A at 525 Blakeridge Lane, Corralitos.
- 2) Deny the application.
- 3) Continue the matter to a future LAFCO meeting.



Parcel A looking west from Blake Avenue



Approved Building Envelope on Parcel A



### Discussion and Recommendation

Whether served by a private well or by City water, this project would use a very small increment of the annual water used in the Pajaro Valley. The City has adequate pumping, treatment, and storage capacity to serve the property without any system improvements. The City of Watsonville has implemented a water conservation program, and any new home on Parcel A will have to meet the County's water-conserving standards for new construction.

LAFCO has adopted a series of water policies that require that any extension of water service can only be approved if the water supply is adequate, reliable, and sustainable. Any new water demand in a stressed basin must incrementally improve the overall impact on water resources.

Standard 4.1.1.d. of LAFCO'S water policies states: "In cases where the proposal's new water demand on the agency does not exceed the typical amount of water used by a single-family dwelling in the agency's service area, the Commission will not require that an "adequate, reliable, and sustainable" supply be demonstrated if the agency has a water conservation program and the program will be implemented as part of any new water service."

The staff RECOMMENDS that the Commission adopt the CEQA finding and authorize the City of Watsonville Water Department to provide water service to Parcel A of 525 Blakeridge Lane (portion of APN 108-291-09), Corralitos. The Commission's "one house" policy encourages connections to nearby municipal water systems because they are more flexible than on-site wells to adjust the pumping to areas with lesser impacts. The property owner does not currently have plans to build a house on Parcel A. Unless stated otherwise, LAFCO's approvals are valid for one year. Staff further RECOMMENDS that the Commission grant a two-year authorization so that the water connection can be made as late as March 2, 2018 without an extension being agendized at a future LAFCO meeting.

cc: Lisa Burgstrom  
Charles Eadie  
Tom Sharp, City of Watsonville Utilities  
Santa Cruz County Planning Department, Attention: Annette Olson

#### Attachments:

Plot Plan  
Utilities Map  
Will Serve Letter  
Minor Land Division Approval  
Initial Study and Negative Declaration







Scale: 1" = 200'

Date: 5/26/2011



# CITY OF WATSONVILLE

*Opportunity through diversity unity through cooperation*



March 5, 2013

Lisa J. Burgstrom, Trustee  
525 Blakeridge Lane  
Watsonville, CA 95076

SUBJECT: WATER AVAILABILITY FOR PROPOSED SUBDIVISION AT 525 BLAKERIDGE LANE

Dear Ms. Burgstrom:

At its February 26, 2013 meeting the City Council adopted a resolution approving the issuance of a water availability letter for a new residence proposed as part of 2 lot subdivision located at 525 Blakeridge Lane located in Corralitos. Your new water service will be furnished provided you perform the following:

1. The new residence will be permitted and an address assigned by the County of Santa Cruz;
2. Secure an extraterritorial utility service permit for the new water service from Santa County Local Area Formation Committee;
3. Sign a water service application prepared by City staff. Pay all the fees including application fee, connection fee, water construction fee and ground water impact fee.

Please contact me at 831-768-3076 if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tom Sharp".

Tom Sharp  
Senior Engineering Associate

Cc: Charlie Eadie, Hamilton Swift and Associates

BEFORE THE PLANNING COMMISSION  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. 2015-07

On the motion of Commissioner Guth  
duly seconded by Commissioner Shepherd  
the following Resolution is adopted:

PLANNING COMMISSION RESOLUTION  
ADOPTING THE MITIGATED NEGATIVE DECLARATION  
FOR A TWO-LOT MINOR LAND DIVISION, APPLICATION 131316

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WHEREAS, at its regular meeting on October 28, 2015, the Planning Commission convened a duly noticed public hearing to consider the proposed project and proposed adoption of a Mitigated Negative Declaration, and considered public testimony prior to taking action.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Planning Commission hereby makes the following findings and hereby adopts the attached CEQA Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) related to the proposed project.

1. The Project that was the subject of environmental review includes but is not limited to the following components:

Proposal to divide a parcel into two parcels and establish a building envelope and new driveway on Parcel A.

Requires a Minor Land Division, Soils Report Review, and Environmental Review.

2. Environmental review completed for the proposed organized land division determined that the proposed project, as mitigated with identified mitigation measures, will not have a significant impact on the environment, and therefore a Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act (CEQA), which was circulated for public comment and review for 30 days, ending on September 15, 2015, as required. Notice of the circulation was provided through an advertisement in the newspaper, notice on the project site, and by posting the initial study on the County of Santa Cruz website.

3. The Planning Commission, in adopting the Mitigated Negative Declaration and MMRP, is requiring that the following mitigation measures be incorporated into the Project, and the Planning Commission finds that implementation of these mitigation measures will reduce any potentially significant effects of the proposed ordinance to a less than significant level.

**EXHIBIT A**

Mitigation BIO-1. Conditions IV. B. and V.C.

Monitoring Program: Special Status Bat Impact Avoidance Measures

Tree removal activities shall be limited to between September 15 and November 1, if feasible.

- a. If trees must be removed outside of the timeframe above, a qualified biologist shall conduct surveys for special status bats 3-4 weeks prior to site disturbance. If active roosts are present in trees to be retained, roosting bats shall be excluded from trees to be removed prior to any disturbance. In trees to be retained, no disturbance zones, set by the biologist based on the particular species present, shall be fenced off around the subject tree to ensure other construction activities do not harm sensitive species.
- b. The maternity roosting season for bats is March 1 – July 3. Tree removal should be scheduled outside of the maternal roosting period if special status bats are present. Before any trees are removed during the maternal roosting season, a qualified biologist shall perform surveys. If maternal roosts are present, disturbance shall be avoided until roosts are unoccupied. The biologist shall be responsible for ensuring bat roosts are vacated.

Mitigation BIO-2. Conditions IV.C. and V.C.

Monitoring Program: Raptor and Migratory Songbird Impact Avoidance Measures

In order to avoid impacts to raptors and migratory songbirds, tree removal activities shall be limited to the months between September 1 and February 1, if feasible.

If trees must be removed outside of the timeframe above, a qualified biologist shall conduct surveys for raptor or migratory songbird nests 3-4 weeks prior to site disturbance.

- a. If active raptor or migratory bird nests are found in trees to be retained, the biologist shall be required to be on site during any initial vegetation or ground disturbance activities (e.g. vegetation clearing, grading, excavation, tree pruning/removal) that could potentially impact listed species. The biologist shall be responsible for setting and maintaining the disturbance buffers from active nests during construction activities, and buffers and exclusionary measures shall be implemented only after consultation with CDFW.
- b. If no active nests are present on the subject parcel, tree removal can proceed provided the mitigations in BIO-1 above have been implemented.

Mitigation BIO-3. Conditions IV.D. and V.C.

Monitoring Program: San Francisco Dusky Footed Woodrats Impact Avoidance Measures

In order to mitigate any potential impacts to San Francisco dusky footed woodrats, all nests must be avoided if feasible. If a nest must be moved, the following measures shall be implemented:

**EXHIBIT A**

- a. Prior to nest disturbance, the biologist shall obtain from CDFW a scientific collection permit for the trapping of the dusky-footed woodrats.
- b. Nests shall be disturbed/dismantled only during the non-breeding season, between October 1 and December 31.
- c. At least two weeks prior to site disturbance, the qualified biologist shall survey the project disturbance area to identify all active woodrat nest locations that may be affected by the proposed development.
- d. Prior to nest disturbance, woodrats shall be trapped at dusk of the night set for relocation of the nest(s).
- e. Any existing nest that may be disturbed by construction activities shall be mostly dismantled and the material spread in the vicinity of identified nest relocation site(s).
- f. In order to avoid the potential health effects associated with handling rodents and their milieu, all workers involved in the handling of the woodrats or the nest materials should wear protective gear to prevent inhalation of contaminant particulates, contact with conjunctiva (eyes), and protection against flea bites; a respirator, eye protection and skin protection should all be used.
- g. Dismantling shall be done by hand, allowing any animals not trapped to escape either along existing woodrat trails or toward other available habitat.
- h. If a litter of young is found or suspected, nest material shall be replaced, and the nest left alone for 2-3 weeks before a recheck to verify that young are capable of independent survival before proceeding with nest dismantling.
- i. Woody debris shall be collected from the area and relocated nests shall be partially constructed in an area determined by the qualified biologist to be both suitable for the woodrats and far enough away from the construction activities that they will not be impacted.
- j. Woodrats that were collected at dusk shall be released 2 hours before dawn near the newly constructed nests to allow time for woodrats to find refuge.
- k. Once construction of the house is complete, the biologist shall survey the nest area to note whether the new nests are in use, the woodrats have built new nests, or the nest area has been completely abandoned. This information shall be submitted in a letter report to the Environmental Planning Section of the Planning Department, and the local CDFW biologist.

Mitigation BIO-4. Conditions IV.E., IV.G., V.C. and V.D.

Monitoring Program: Oak Woodland Impact Mitigation Measures

In order to mitigate impacts to oak woodland, the project proponent has created an oak woodland restoration plan (Attachment 10). To ensure future property owners or prospective buyers are aware of this requirement, the restoration plan shall be attached to the final recorded map and shall be a condition of approval of any development proposal on the subject parcel. When the landowner submits a building plan to the County for a Building Permit and Grading permit, the County will review the plan as to the proposed location of the development envelope, the septic leach line, and the access road. The

**EXHIBIT A**

County Sensitive Habitat Ordinance and the restoration plan require landowners avoid impacts to sensitive habitat wherever feasible. A site suitability analysis depicts almost all of the residential development within oak woodland. There may be slight variations in this assessment pending more detailed site surveying of the limits of the oak woodland and the final building envelope and attendant features; however, where such features occur within mapped prime or degraded oak woodland, mitigation actions will be required. Habitat compensation for permanent impacts to prime and degraded oak woodland will require:

3:1 enhancement ratio for permanent impacts to prime oak woodland (39,000 s.f. : 13,000 s.f.)

1:1 enhancement ratio for permanent impacts to degraded oak woodland (1,680 s.f. : 1,680 s.f.)

2:1 oak tree replacement ratio for oak trees removed; oak tree plantings to occur within designated oak woodland mitigation area(s)

Mitigation shall occur within areas mapped as degraded oak woodland, acacia/pine grove, or pine grove. Mitigation will include removal of invasive, non-native plant species, replanting of oak trees, and implementing long-term maintenance and monitoring of the designated mitigation area(s), and implementation of best management practices (BMPs) prior to and during construction within oak woodland. The implementation of the oak woodland restoration plan reduces the impacts to oak woodland to less than significant.

Record a Declaration of Biotic Restriction on each new parcel which declares that the oak trees are protected and a Significant Tree Removal permit is required for the removal of any diseased or dead trees. An arborist report will be required for any tree removals except if staff determines that a tree proposed for removal is obviously dead.

Any removal of a diseased or dead oak tree requires a Significant Tree removal permit.

Mitigation BIO-5. Conditions IV.F, and V.B.

Monitoring Program: Nighttime Lighting Mitigation Measures

In order to mitigate the impacts of additional nighttime lighting on existing animal habitats, the applicant shall submit a lighting plan with the final project plan set which shall show all proposed site, building, security, and landscape lighting directed downwards and away from adjacent animal habitats and undisturbed areas. The lighting plan shall be reviewed and approved by County Planning Staff prior to building permit issuance. With a lighting plan that directs all outdoor lighting downward and away from adjacent animal habitats and undisturbed areas, the impact of lighting from the project will be less than significant.



4. In adopting the Mitigated Negative Declaration, the Planning Commission finds, on the basis of the whole record before it, that there is no substantial evidence that the project, as revised, will have a significant effect on the environment, and that the Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis.

5. The material which constitutes the record of proceedings upon which the Commissions' decision is based shall be located in the offices of the Clerk of the Board, located at 701 Ocean Street, Santa Cruz, California.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this 28th day of October, 2015 by the following vote:

AYES:	COMMISSIONERS Hemard, Guth, Dann, Lazenby and Shepherd
NOES:	COMMISSIONERS None
ABSENT:	COMMISSIONERS None
ABSTAIN:	COMMISSIONERS None

ATTEST: Steven Guiney  
Planning Commission Secretary

Rubens Hemard  
Chairperson of the Planning Commission

APPROVED AS TO FORM:

J. Miller  
Assistant County Counsel

EXHIBIT A

## Conditions of Approval

Minor Land Division Permit No.: 131314

Applicant: Charlie Eadie / Hamilton Swift & Associates, Inc.

Property Owners: Lisa J. Burgstrom

Assessor's Parcel No.: 108-291-09

Property Location and Address: Property located on west side of Blake Avenue in Watsonville (525 Blakeridge Lane).

Planning Area: Eureka Canyon

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### Exhibit E

Sheet 1: Tentative Map, Sheet 2: Slope Map, and Sheet 3 road / driveway information by Lee D. Vaage, Licensed Land Surveyor, revised to March 26, 2014, 6/6/2014.

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All correspondence and maps relating to this land division shall carry the land division permit number noted above.

- I. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Pay the required fee to the Clerk of the Board of the County of Santa Cruz for posting the Negative Declaration as required by the California Department of Fish and Wildlife mitigation fees program. Currently, the fee is \$2,181.25, but is subject to change.
- II. A Parcel Map for this land division must be recorded prior to the expiration date of the tentative map and prior to the sale, lease or financing of any new lots. The Parcel Map shall be submitted to the County Surveyor (Department of Public Works) for review and approval prior to recordation. No improvements, including, without limitation, grading and vegetation removal, shall be done prior to recording the Parcel Map unless such improvements are allowable on the parcel as a whole (prior to approval of the land division). The Parcel Map shall meet the following requirements:
  - A. The Parcel Map shall be in general conformance with the approved tentative map and shall conform to the conditions contained herein. All other State and County laws relating to improvement of the property, or affecting public health and safety shall remain fully applicable.
  - B. This land division shall result in no more than two (2) residential lots.

**EXHIBIT D**

- C. The average minimum lot size shall five (5) acres, net developable land.
- D. The following items shall be shown on the Parcel Map:
1. Revise the building envelope on Parcel A to conform to the recommendation of the Mitigation Plan by Kathleen Lyons, dated April 28, 2015.
  2. Show the net area of each lot.
  3. Show all easements.
  4. Add a note to the non-title information sheet, stating, "To minimize impacts to the oak woodland, all future construction on Parcel A shall comply with the Mitigation Plan prepared by Kathleen Lyons, dated April 28, 2015 which is available in the County of Santa Cruz Planning Department Records Room in Discretionary File 131316 under APN 108-291-09."
- E. Comply with the requirements of DPW, Road Engineering, including widening the access driveway (which provides access from Blake Avenue) to a width of 18 feet for a distance of 25 feet.
- F. The following requirements shall be noted on the Parcel Map as items to be completed prior to obtaining a building permit on lots created by this land division:
1. New assessor parcel numbers must be assigned by the Assessor's Office prior to applying for a building permit.
  2. A biotic assessment of the site shall be done by a qualified biologist prior to the submittal of house plans to the County. The assessment shall identify the presence/absence of special status plant and animal species based on field observations and habitat suitability indexes/evaluation and shall identify any impacts. If special status species are found on the parcel, measures shall be identified in the assessment to avoid, minimize, or compensate for such impacts.
  3. Parcel A shall be connected for water service to the City of Watsonville.
  4. Parcel A's septic system shall comply with the requirements of Environmental Health.
  4. All-future development shall comply with the development standards for the RA zone district in effect at the time of permit application. No residence shall exceed 10% lot coverage or other standards as may be established for the zone district.
  5. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district in which the project is located.
  6. Any substantial changes between the approved Tentative Map and Parcel Map must be submitted for review and approval by the decision-making body. Such proposed changes will be included in a report to the decision-making body to

**EXHIBIT D**

consider if they are sufficiently material to warrant consideration at a public hearing noticed in accordance with Section 18.10.223 of the County Code. Any changes that are on the final plans which do not conform to the project conditions of approval shall be specifically illustrated on a separate sheet and highlighted in yellow on any set of plans submitted to the County for review.

III. Prior to recordation of the Parcel Map, the following requirements shall be met:

- A. Obtain approval from LAFCO for the extraterritorial utility service permit and submit evidence of the approval.
- B. Provide a plan review letter from the project geotechnical engineer verifying that the building envelope as revised to comply with the Mitigation Plan developed by Kathleen Lyons, dated April 28, 2015, is geotechnically adequate for residential construction.
- C. Submit a letter of certification from the Tax Collector's Office that there are no outstanding tax liabilities affecting the subject parcels.
- D. Provide a road maintenance agreement for the shared driveway from which the new driveway takes access to the building site.
- E. All new utilities shall be underground.
- F. Park Dedication in-lieu fees shall be paid for three (3) bedrooms (unless more bedrooms are proposed) for Parcel A. Currently this fee is \$578 per bedroom, but is subject to change.
- E. Child Care Development fees shall be paid for three (3) bedrooms for Parcel A (unless additional bedrooms are proposed). Currently this fee is \$109 per bedroom, but is subject to change.
- F. Submit one reproducible copy of the Parcel Map to the County Surveyor for distribution and assignment of temporary Assessor's parcel numbers and situs address.

IV. All future construction on Parcel A shall meet the following conditions:

- A. All future construction of structures on Parcel A shall be within the approved building envelope.
- B. To avoid impacts to special status bats, tree removal activities shall be limited to between September 15 and November 1, if feasible.
  - 1. If trees must be removed outside of the timeframe above, a qualified biologist shall conduct surveys for special status bats 3-4 weeks prior to site disturbance. If active roosts are present in trees to be retained, roosting bats shall be excluded from trees to be removed prior to any disturbance. In trees to be retained, no-disturbance zones, set by the biologist based on the particular species present, shall be fenced off around the subject tree(s) to ensure other construction activities do not harm sensitive species.
  - 2. The maternity roosting season for bats is March 1 – July 3. Tree removal should be scheduled outside of the maternal roosting period if special status bats are present. Before any trees are removed during the maternal roosting season, a

**EXHIBIT D**

qualified biologist shall perform surveys. If maternal roosts are present, disturbance shall be avoided until roosts are unoccupied. The biologist shall be responsible for ensuring bat roosts are vacated.

- C. In order to avoid impacts to raptors and migratory songbirds, tree removal activities shall be limited to the months between September 1 and February 1, if feasible.
1. If trees must be removed outside of the timeframe above, a qualified biologist shall conduct surveys for raptor or migratory songbird nests 3-4 weeks prior to site disturbance.
  2. If active raptor or migratory bird nests are found in trees to be retained, the biologist shall be required to be on site during any initial vegetation or ground disturbance activities (e.g. vegetation clearing, grading, excavation, tree pruning/removal) that could potentially impact listed species. The biologist shall be responsible for setting and maintaining the disturbance buffers from active nests during construction activities, and buffers and exclusionary measures shall be implemented only after consultation with CDFW.
  3. If no active nests are present on the subject parcel, tree removal can proceed provided the mitigations in BIO-1 and condition IV. B, above have been implemented.
- D. In order to mitigate any potential impacts to San Francisco dusky footed woodrats, all nests must be avoided if feasible. If a nest must be moved, the following measures shall be implemented:
1. Prior to nest disturbance, the biologist shall obtain from CDFW a scientific collection permit for the trapping of the dusky-footed woodrats.
  2. Nests shall be disturbed/dismantled only during the non-breeding season, between October 1 and December 31.
  3. At least two weeks prior to site disturbance, the qualified biologist shall survey the project disturbance area to identify all active woodrat nest locations that may be affected by the proposed development.
  4. Prior to nest disturbance, woodrats shall be trapped at dusk of the night set for relocation of the nest(s).
  5. Any existing nest that may be disturbed by construction activities shall be mostly dismantled and the material spread in the vicinity of identified nest relocation site(s).
  6. In order to avoid the potential health effects associated with handling rodents and their milieu, all workers involved in the handling of the woodrats or the nest materials should wear protective gear to prevent inhalation of contaminant particulates, contact with conjunctiva (eyes), and protection against flea bites; a respirator, eye protection and skin protection should all be used.
  7. Dismantling shall be done by hand, allowing any animals not trapped to escape either along existing woodrat trails or toward other available habitat.
  8. If a litter of young is found or suspected, nest material shall be replaced, and the nest left alone for 2-3 weeks before a recheck to verify that young are capable of independent survival before proceeding with nest dismantling.
  9. Woody debris shall be collected from the area and relocated nests shall be partially constructed in an area determined by the qualified biologist to be both

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suitable for the woodrats and far enough away from the construction activities that they will not be impacted.

10. Woodrats that were collected at dusk shall be released 2 hours before dawn near the newly constructed nests to allow time for woodrats to find refuge.
  11. Once construction of the house is complete, the biologist shall survey the nest area to note whether the new nests are in use, the woodrats have built new nests, or the nest area has been completely abandoned. This information shall be submitted in a letter report to the Environmental Planning Section of the Planning Department, and the local CDFW biologist.
- E. The project shall comply with the Mitigation Plan prepared by Kathleen Lyons, dated April 28, 2015. When the landowner submits a building plan to the County for a Building Permit and Grading permit, the County will review the plan as to the proposed location of the development envelope, the septic leach lines, and the access road. Where such features occur within mapped prime or degraded oak woodland, mitigation actions will be required. Habitat compensation for permanent impacts to prime and degraded oak woodland will require:
1. 3:1 enhancement ratio for permanent impacts to prime oak woodland (39,000 s.f. : 13,000 s.f.)
  2. 1:1 enhancement ratio for permanent impacts to degraded oak woodland (1,680 s.f. : 1,680 s.f.)
  3. 2:1 oak tree replacement ratio for oak trees removed; oak tree plantings to occur within designated oak woodland mitigation area(s)
- Mitigation shall occur within areas mapped as degraded oak woodland, acacia/pine grove, or pine grove. Mitigation will include removal of invasive, non-native plant species, replanting of oak trees, and implementing long-term maintenance and monitoring of the designated mitigation area(s), and implementation of best management practices (BMPs) prior to and during construction within oak woodland.
- F. The applicant shall submit a lighting plan with the final project plan set which shall show all proposed site, building, security, and landscape lighting directed downwards and away from adjacent animal habitats and undisturbed areas. The lighting plan shall be reviewed and approved by County Planning Staff prior to building permit issuance.
- G. Record a Declaration of Biotic Restriction on Parcel A which declares that the oak trees are protected and a Significant Tree Removal permit is required for the removal of any diseased or dead trees. An arborist report will be required for any tree removals except if staff determines that a tree proposed for removal is obviously dead.
- H. All required parking shall be provided on-site.
- I. If more than three bedrooms are constructed, additional capital improvement fees will be charged.
- J. Comply with the requirements of **City of Watsonville** for water service, including the payment of fees.
1. Sign a water service application prepared by City staff. Pay all the fees including application fee, connection fee, water construction fee and ground water impact fee.

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- K. Comply with the requirements of **Pajaro Valley Fire Protection District**, including the payment of fees.
- L. Comply with the requirements of **Environmental Health**, including the payment of fees.
- M. Comply with the requirements of **Environmental Planning**, including:
1. Slope stability at and adjacent to the proposed homesite must be addressed. Appropriate setbacks from potentially problematic slopes must be specified by your geotechnical engineer, and must reflect site-specific geologic cross-sections to the north of the development envelope. If the cross-section demonstrates a potential for instability, or if the setback from the edge of steep slopes is less than 30 feet, then a quantitative slope stability analysis is required. The quantitative slope stability analysis must model the geologic cross section, assigning appropriate strengths to each geologic unit and should incorporate appropriate maximum probable pore pressure factors and seismic shaking ground motion parameters. The stability analysis must consider liquefaction/lateral spreading as well.
  2. Prior to building permit issuance a *plan review letter* shall be submitted to Environmental Planning. After plans are prepared that are acceptable to all reviewing agencies, please submit a geotechnical plan review letter that states the project plans conform to the recommendations of the geotechnical report. Please note that the plan review letter must reference the final plan set by last revision date. The author of the report shall write the plan review letter.
  3. Submit a grading/drainage plan completed by a licensed civil engineer for review and approval. Grading activities must be kept to a minimum. The engineered drainage plan must reduce the impact of post development hydrologic conditions on slope stability, ground water recharge and stream flow.
  4. The home/driveway proposed on the newly created parcel shall minimize grading and tree removal. The use of stepped foundations and retaining walls shall be incorporated in place of mass grading activities.
  5. All future construction shall comply with the recommendations of the project soils report by Haro, Kasunich & Associates dated September 2013, as well as the condition of acceptance detailed in the report acceptance letter by Carolyn Burke December 23, 2013, including:
    - a. All construction shall comply with the recommendations of the report.
    - b. Final plans shall reference the report and include a statement that the project shall conform to the report recommendations.
    - c. The designated building envelope—as shown on the recorded map—shall be shown on the site plan.
    - d. Prior to building permit issuance a plan review letter shall be submitted to Environmental Planning. After plans are prepared that are acceptable to all reviewing agencies, please submit a geotechnical review letter that states the project plans conform to the recommendations of the geotechnical report. Please note that the plan review letter must reference the final plan set by last revision date. The author of the report shall write the plan review letter.
    - e. Submit an electronic copy of the soils report in .pdf format.

- N. Comply with the following requirements of **DPW, Stormwater Management**, including the payment of fees:
1. All new development and redeployment project shall incorporate Best Management Practices (BMPs) to minimize the generation, transport and discharge of pollutants, to prevent excess of pre-development conditions, and to maintain pre-development groundwater recharge consistent with Ordinance 7.79. Interior remodel and maintenance and/or repair projects are specifically excluded from these requirements.
  2. Medium Projects- Projects that add or replace between 500 square feet and 5,000 square feet of impervious area shall incorporate BMPs to minimize and mitigate pollutant and hydrologic impacts due to development. These BMPs shall include Low Impact Development (LID) measures that emphasize the minimization of impacts as a first priority consistent with General Plan Policy 7.23.2 for Minimizing Impervious Surfaces. Safe stormwater overflow shall be incorporated into the project design.
  3. Projects are required to minimize impervious surfacing. This project is proposing an extensive paved driveway. The requirement to minimize impervious surfacing can be achieved by the use of porous pavement, pavers, or baserock etc. where feasible.
  4. A maintenance agreement may be required at the building application stage.
  5. Upon approval of the project, a drainage "Hold" will be placed on the permit and will be cleared once the construction is complete and the stormwater management improvements are constructed per the approved plans. In order to clear the Hold, one of these options has to be exercised:
    - a. The civil engineer has to inspect the drainage improvements on the parcel and provide public works with a letter confirming that the work was completed per the plans. The civil engineer's letter shall be specific as to what got inspected whether invert elevations, pipe sizing, the size of the mitigation features and all the relevant design features. Notes of "general conformance to plans" are not sufficient.
    - b. As-built plans stamped by the civil engineer may be submitted in lieu of the letter. The as-built stamp shall be placed on each sheet of the plans where stormwater management improvements were shown.
    - c. The civil engineer may review as-built plans completed by the contractor and provide the county with an approval letter of those plans, in lieu of the above two options. The contractor installing the drainage improvements will provide the civil engineer as-built drawings of the drainage system, including construction materials, invert elevations, pipe sizing and any modifications to the horizontal or vertical alignment of the system. The as-built drawings, for each sheet showing drainage improvements and/or their construction details, must be identified with the stamp (or label affixed to the plan) stating the contractor's name, address, license and phone #. The civil engineer will review the as-built plans for conformance with the design drawings. Upon satisfaction of the civil engineer that the as-built plans meet the design intent and are adequate in detail, the civil engineer shall submit the as-built plans and a review letter, stamped by the civil engineer to the County Public Works Department for review to process the clearance of the drainage Hold if the submittal is satisfactory.
  6. A drainage fee will be assessed on the net increase in impervious area. The fees are currently \$1.14 per square foot, and are subject to increase based on the

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amount applicable at permit issuance date. Reduced fees (50%) are assessed for semi-pervious surfacing (such as gravel, base rock, paver blocks, porous pavement, etc.) to offset costs and encourage more extensive use of these materials.

- O. Comply with the requirements of **DPW, Road Engineering**, including widening the access driveway (which provides access from Blake Avenue) to a width of 18 feet for a distance of 25 feet.
- P. Prior to any disturbance, the owner/applicant shall stake the perimeter of the building envelope and driveway and then organize a pre-construction meeting on the site. The applicant, grading contractor, Department of Public Works inspector, Kathleen Lyons, and Environmental Planning staff shall participate.
- Q. No land clearing, grading or excavating shall take place between October 15 and April 15 unless the Planning Director approves a separate winter erosion-control plan.
- R. No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required improvements, provide access for County required tests or to carry out other work specifically required by another of these conditions).
- S. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.
- T. To minimize noise, dust and nuisance impacts of surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor, comply with the following measures during all construction work:
  - 1. Limit all construction to the time between 8:00 am and 5:00 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address an emergency situation.
  - 2. The owner/developer shall designate a disturbance coordinator to respond to citizen complaints and inquiries from area residents during construction. A 24-hour contact number shall be conspicuously posted on the job site, on a sign that shall be a minimum of two feet high and four feet wide. This shall be separate from any other signs on the site, and shall include the language "for construction noise and dust problems call the 24 hour contact number". The name, phone number, and nature of the disturbance shall be recorded by the disturbance coordinator. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. Unresolved complaints received by County staff from area residents may result in the inclusion of additional Operational Conditions.
  - 3. Each day it does not rain, wet all exposed soil frequently enough to prevent

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significant amounts of dust from leaving the site. Street sweeping on adjacent on nearby streets maybe be required to control the export of excess dust and dirt.

V. Operational Conditions

- A. In the event that future County inspections of the subject property disclose non-compliance with any Conditions of this Approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including Approval revocation.
- B. Landscape lighting shall be directed downwards and away from adjacent animal habitats and undisturbed areas.
- C. No development shall take place outside of the approved building envelope and designated driveway area.
- D. Any removal of a diseased or dead oak tree requires a Significant Tree removal permit.

VI. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
  - 1. COUNTY bears its own attorney's fees and costs; and
  - 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the

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successor(s) in interest, transferee(s), and assign(s) of the applicant.

- G. Within 30 days of the issuance of this development approval, the Development Approval Holder shall record in the office of the Santa Cruz County Recorder an agreement, which incorporates the provisions of this condition, or this development approval shall become null and void.

#### Mitigation Monitoring Program

The mitigation measures listed under this heading have been incorporated into the conditions of approval for this project in order to mitigate or avoid significant effects on the environment. As required by Section 21081.6 of the California Public Resources Code, a monitoring and reporting program for the mitigations is hereby adopted as a condition of approval for this project. This monitoring program is specifically described following each mitigation measure listed below. The purpose of this monitoring is to ensure compliance with the environmental mitigations during project implementation and operation. Failure to comply with the conditions of approval including the terms of the adopted monitoring program may result in permit revocation pursuant to Section 18.10.462 of the Santa Cruz County Code. The Mitigation Monitoring and Reporting Program, Exhibit B, is incorporated by reference into these conditions of approval.

#### Mitigation BIO-1. Conditions IV. B. and V.C.

##### Monitoring Program: Special Status Bat Impact Avoidance Measures

Tree removal activities shall be limited to between September 15 and November 1, if feasible.

- a. If trees must be removed outside of the timeframe above, a qualified biologist shall conduct surveys for special status bats 3-4 weeks prior to site disturbance. If active roosts are present in trees to be retained, roosting bats shall be excluded from trees to be removed prior to any disturbance. In trees to be retained, no disturbance zones, set by the biologist based on the particular species present, shall be fenced off around the subject tree to ensure other construction activities do not harm sensitive species.
- b. The maternity roosting season for bats is March 1 – July 3. Tree removal should be scheduled outside of the maternal roosting period if special status bats are present. Before any trees are removed during the maternal roosting season, a qualified biologist shall perform surveys. If maternal roosts are present, disturbance shall be avoided until roosts are unoccupied. The biologist shall be responsible for ensuring bat roosts are vacated.

#### Mitigation BIO-2. Conditions IV.C. and V.C.

##### Monitoring Program: Raptor and Migratory Songbird Impact Avoidance Measures

In order to avoid impacts to raptors and migratory songbirds, tree removal activities shall be limited to the months between September 1 and February 1, if feasible.

If trees must be removed outside of the timeframe above, a qualified biologist shall conduct surveys for raptor or migratory songbird nests 3-4 weeks prior to site disturbance.

- a. If active raptor or migratory bird nests are found in trees to be retained, the biologist shall be required to be on site during any initial vegetation or ground disturbance activities (e.g. vegetation clearing, grading, excavation, tree pruning/removal) that could potentially impact listed species. The biologist shall be responsible for setting and maintaining the disturbance buffers from active nests during construction activities, and

**EXHIBIT D**

buffers and exclusionary measures shall be implemented only after consultation with CDFW.

- b. If no active nests are present on the subject parcel, tree removal can proceed provided the mitigations in BIO-1 above have been implemented.

#### Mitigation BIO-3. Conditions IV.D. and V.C.

##### Monitoring Program: San Francisco Dusky Footed Woodrats Impact Avoidance Measures

In order to mitigate any potential impacts to San Francisco dusky footed woodrats, all nests must be avoided if feasible. If a nest must be moved, the following measures shall be implemented:

- a. Prior to nest disturbance, the biologist shall obtain from CDFW a scientific collection permit for the trapping of the dusky-footed woodrats.
- b. Nests shall be disturbed/dismantled only during the non-breeding season, between October 1 and December 31.
- c. At least two weeks prior to site disturbance, the qualified biologist shall survey the project disturbance area to identify all active woodrat nest locations that may be affected by the proposed development.
- d. Prior to nest disturbance, woodrats shall be trapped at dusk of the night set for relocation of the nest(s).
- e. Any existing nest that may be disturbed by construction activities shall be mostly dismantled and the material spread in the vicinity of identified nest relocation site(s).
- f. In order to avoid the potential health effects associated with handling rodents and their milieu, all workers involved in the handling of the woodrats or the nest materials should wear protective gear to prevent inhalation of contaminant particulates, contact with conjunctiva (eyes), and protection against flea bites; a respirator, eye protection and skin protection should all be used.
- g. Dismantling shall be done by hand, allowing any animals not trapped to escape either along existing woodrat trails or toward other available habitat.
- h. If a litter of young is found or suspected, nest material shall be replaced, and the nest left alone for 2-3 weeks before a recheck to verify that young are capable of independent survival before proceeding with nest dismantling.
- i. Woody debris shall be collected from the area and relocated nests shall be partially constructed in an area determined by the qualified biologist to be both suitable for the woodrats and far enough away from the construction activities that they will not be impacted.
- j. Woodrats that were collected at dusk shall be released 2 hours before dawn near the newly constructed nests to allow time for woodrats to find refuge.
- k. Once construction of the house is complete, the biologist shall survey the nest area to note whether the new nests are in use, the woodrats have built new nests, or the nest area has been completely abandoned. This information shall be submitted in a letter report to the Environmental Planning Section of the Planning Department, and the local CDFW biologist.



Mitigation BIO-4. Conditions IV.E., IV.G., V.C. and V.D.

Monitoring Program: Oak Woodland Impact Mitigation Measures

In order to mitigate impacts to oak woodland, the project proponent has created an oak woodland restoration plan (Attachment 10). To ensure future property owners or prospective buyers are aware of this requirement, the restoration plan shall be attached to the final recorded map and shall be a condition of approval of any development proposal on the subject parcel. When the landowner submits a building plan to the County for a Building Permit and Grading permit, the County will review the plan as to the proposed location of the development envelope, the septic leach line, and the access road. The County Sensitive Habitat Ordinance and the restoration plan require landowners avoid impacts to sensitive habitat wherever feasible. A site suitability analysis depicts almost all of the residential development within oak woodland. There may be slight variations in this assessment pending more detailed site surveying of the limits of the oak woodland and the final building envelope and attendant features; however, where such features occur within mapped prime or degraded oak woodland, mitigation actions will be required. Habitat compensation for permanent impacts to prime and degraded oak woodland will require:

3:1 enhancement ratio for permanent impacts to prime oak woodland (39,000 s.f. : 13,000 s.f.)

1:1 enhancement ratio for permanent impacts to degraded oak woodland (1,680 s.f. : 1,680 s.f.)

2:1 oak tree replacement ratio for oak trees removed; oak tree plantings to occur within designated oak woodland mitigation area(s)

Mitigation shall occur within areas mapped as degraded oak woodland, acacia/pine grove, or pine grove. Mitigation will include removal of invasive, non-native plant species, replanting of oak trees, and implementing long-term maintenance and monitoring of the designated mitigation area(s), and implementation of best management practices (BMPs) prior to and during construction within oak woodland. The implementation of the oak woodland restoration plan reduces the impacts to oak woodland to less than significant.

Record a Declaration of Biotic Restriction on each new parcel which declares that the oak trees are protected and a Significant Tree Removal permit is required for the removal of any diseased or dead trees. An arborist report will be required for any tree removals except if staff determines that a tree proposed for removal is obviously dead.

Any removal of a diseased or dead oak tree requires a Significant Tree removal permit.

Mitigation BIO-5. Conditions IV. F, and V.B.

Monitoring Program: Nighttime Lighting Mitigation Measures

In order to mitigate the impacts of additional nighttime lighting on existing animal habitats, the applicant shall submit a lighting plan with the final project plan set which shall show all proposed site, building, security, and landscape lighting directed downwards and away from adjacent animal habitats and undisturbed areas. The lighting plan shall be reviewed and approved by County Planning Staff prior to building permit issuance. With a lighting plan that directs all outdoor lighting downward and away from adjacent animal habitats and undisturbed areas, the impact of lighting from the project will be less than significant.

**AMENDMENTS TO THIS LAND DIVISION APPROVAL SHALL BE  
PROCESSED IN ACCORDANCE WITH CHAPTER 18.10 OF THE COUNTY CODE.**

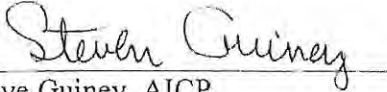
This Tentative Map is approved subject to the above conditions and the attached map, and expires 24 months after the 14-day appeal period. The Final Map for this division, including improvement plans if required, should be submitted to the County Surveyor for checking **at least 90 days** prior to the expiration date and in no event later than 3 weeks prior to the expiration date.

cc: County Surveyor

Approval Date: 10/28/15

Effective Date: 11/11/15

Expiration Date: 11/11/17



Steve Guiney, AICP  
Principal Planner



Annette Olson  
Project Planner

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Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Planning Commission, may appeal the act or determination to the Board of Supervisors in accordance with chapter 18.10 of the Santa Cruz County Code.



# County of Santa Cruz

## PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123  
KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR  
[www.sccoplanning.com](http://www.sccoplanning.com)

### **NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION NOTICE OF PUBLIC REVIEW AND COMMENT PERIOD**

Pursuant to the California Environmental Quality Act, the following project has been reviewed by the County Environmental Coordinator to determine if it has a potential to create significant impacts to the environment and, if so, how such impacts could be solved. A Negative Declaration is prepared in cases where the project is determined not to have any significant environmental impacts. Either a Mitigated Negative Declaration or Environmental Impact Report (EIR) is prepared for projects that may result in a significant impact to the environment.

Public review periods are provided for these Environmental Determinations according to the requirements of the County Environmental Review Guidelines. The environmental document is available for review at the County Planning Department located at 701 Ocean Street, in Santa Cruz. You may also view the environmental document on the web at [www.sccoplanning.com](http://www.sccoplanning.com) under the Planning Department menu. If you have questions or comments about this Notice of Intent, please contact Todd Sexauer of the Environmental Review staff at (831) 454-3201

The County of Santa Cruz does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs or activities. If you require special assistance in order to review this information, please contact Bernice Shawver at (831) 454-3137 (TDD number (831) 454-2123 or (831) 763-8123) to make arrangements.

#### **PROJECT: Burgstrom Minor Land Division**

**APP #: 131316**

**APN(S): 108-291-09**

**PROJECT DESCRIPTION:** This application is a proposal to divide a 13.06 acre parcel into two parcels of 6.49 acres (Parcel A) and 6.57 acres (Parcel B). Requires a Minor Land Division and LAFCO Extraterritorial Water Service approvals.

**PROJECT LOCATION:** The project site is located on the west side of Blake Avenue in Watsonville (52 Blakeridge Lane).

**EXISTING ZONE DISTRICT: RA**

**APPLICANT: Charlie Eadie**

**OWNER: Lisa Burgstrom**

**PROJECT PLANNER: Annette Olson**

**EMAIL: [Annette.Olson@santacruzcounty.us](mailto:Annette.Olson@santacruzcounty.us)**

**ACTION: Negative Declaration with Mitigations**

**REVIEW PERIOD: August 17, 2015 through September 15, 2015**

This project will be considered at a public hearing by the Planning Commission at a date to be determined. The time, date and location have not been set. When scheduling does occur, these items will be included in all public hearing notices for the project.



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123  
KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR  
<http://www.sccoplanning.com/>

### MITIGATED NEGATIVE DECLARATION

**Project:** Burgstrom Minor Land Division

**APN(S):** 108-291-09

**Project Description:** This application is a proposal to divide a 13.06 acre parcel into two parcels of 6.49 acres (Parcel A) and 6.57 acres (Parcel B). Requires a Minor Land Division and LAFCO Extraterritorial Water Service approvals.

**Project Location:** The project site is located on the west side of Blake Avenue in Watsonville (52 Blakeridge Lane).

**Owner:** Lisa Burgstrom

**Applicant:** Charlie Eadie

**Staff Planner:** Annette Olson, (831) 454-3134

**Email:** [Annette.Olson@santacruzcounty.us](mailto:Annette.Olson@santacruzcounty.us)

**This project will be** considered at a public hearing by the Planning Commission at a date to be determined. The time, date and location have not been set. When scheduling does occur, these items will be included in all public hearing notices on the project.

#### California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and, that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment. The expected environmental impacts of the project are documented in the attached Initial Study on file with the County of Santa Cruz Clerk of the Board located at 701 Ocean Street, 5<sup>th</sup> Floor, Santa Cruz, California.

Review Period Ends: September 15, 2015

*Note: This Document is considered Draft until it is Adopted by the Appropriate County of Santa Cruz Decision-Making Body*

Date: \_\_\_\_\_

\_\_\_\_\_  
Todd Sexauer, Environmental Coordinator  
(831) 454-3511





# County of Santa Cruz

## PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
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## CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ENVIRONMENTAL REVIEW INITIAL STUDY

Date: August 4, 2014

Application Number: 131316

Staff Planner: Annette Olson

### I. OVERVIEW AND ENVIRONMENTAL DETERMINATION

APPLICANT: Charlie Eadie

APN: 108-291-09

OWNER: Bergstrom

SUPERVISORAL DISTRICT: 2

PROJECT LOCATION: Property is located on the west side of Blake Avenue in Watsonville (52 Blakeridge Ln.)

### SUMMARY PROJECT DESCRIPTION:

Proposal to divide a 13.06 acre parcel into two parcels of 6.49 and 6.57 acres.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** All of the following potential environmental impacts are evaluated in this Initial Study. Categories that are marked have been analyzed in greater detail based on project specific information.

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Geology/Soils             | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Hydrology/Water Supply/Water Quality | <input type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources      | <input type="checkbox"/> Greenhouse Gas Emissions           |
| <input type="checkbox"/> Agriculture and Forestry Resources   | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Mineral Resources                    | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Visual Resources & Aesthetics        | <input type="checkbox"/> Utilities & Service Systems        |
| <input type="checkbox"/> Cultural Resources                   | <input type="checkbox"/> Land Use and Planning              |
| <input type="checkbox"/> Hazards & Hazardous Materials        | <input type="checkbox"/> Population and Housing             |
| <input type="checkbox"/> Transportation/Traffic               | <input type="checkbox"/> Mandatory Findings of Significance |

**DISCRETIONARY APPROVAL(S) BEING CONSIDERED:**

- |   |   |
|---|---|
| <input type="checkbox"/> General Plan Amendment   | <input type="checkbox"/> Coastal Development Permit                             |
| <input checked="" type="checkbox"/> Land Division | <input type="checkbox"/> Grading Permit   |
| <input type="checkbox"/> Rezoning                 | <input type="checkbox"/> Riparian Exception                                     |
| <input type="checkbox"/> Development Permit       | <input checked="" type="checkbox"/> Other: LAFCO Extraterritorial Water Service |

**NON-LOCAL APPROVALS**

Other agencies that must issue permits or authorizations: LAFCO

**DETERMINATION:** (To be completed by the lead agency)

On the basis of this initial evaluation:

- ☒ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
Todd Sexauer  
Environmental Coordinator

8/12/15  
Date

## II. BACKGROUND INFORMATION

### EXISTING SITE CONDITIONS

Parcel Size: 13.06 acres

Existing Land Use: Residential

Vegetation: Oak trees and grass

Slope in area affected by project: ☒ 0 - 30% ☐ 31 - 100%

Nearby Watercourse: Corralitos Creek

Distance To: One-half mile

### ENVIRONMENTAL RESOURCES AND CONSTRAINTS

Water Supply Watershed: No

Groundwater Recharge: No

Timber or Mineral: No

Agricultural Resource: No

Biologically Sensitive Habitat: No

Fire Hazard: Moderate State Response Area

Floodplain: No

Landslide: No

Liquefaction: Portions of low and moderate

Fault Zone:

Scenic Corridor: No

Historic: No

Archaeology: No

Noise Constraint: No

Electric Power Lines: No

Solar Access: Yes

Solar Orientation: South Facing

Hazardous Materials: None known

Other: N/A

### SERVICES

Fire Protection: Pajaro Fire Protection District

School District: Pajaro Valley

Sewage Disposal: On-site septic

Drainage District: Flood Zone 7

Project Access: Blake Ave.

Water Supply: City of Watsonville

### PLANNING POLICIES

Zone District: RA

General Plan: RR

Urban Services Line: ☐ Inside

Coastal Zone: ☐ Inside

Special Designation: N/A

☒ Outside

☒ Outside

### ENVIRONMENTAL SETTING AND SURROUNDING LAND USES:

The subject parcel is located next to a suburban residential neighborhood just outside of the small commercial area of Corralitos. The project site is accessed from Blake Avenue. Most of the parcels that front Blake Avenue are zoned R-1-15 (Single-family zone district, with a minimum parcel size of 15,000 square feet). However, the subject parcel and the other parcels located on the hillside on the west side of Blake Avenue are zoned RA (Residential Agriculture). These RA-zoned parcels create a transition to the rural agriculture parcels to the north and west. All of the residential parcels in the immediate vicinity have a General Plan designation of RR (Rural Residential). The subject parcel is located outside of the Urban Services Line.

Although slopes on the subject parcel range from level to 50% slopes, the proposed building site is located on a ridge running east-west with the majority of slopes ranging between 15% to 30%. Oak trees and grasses predominate in the building site area with redwood trees characterizing the north facing slope below the building site.

#### **DETAILED PROJECT DESCRIPTION:**

The project description is based on a Tentative Map prepared by Lee Vaage of Mid Coast Engineers dated September 7, 2012 and revised March 26, 2014. The project consists of dividing a 13.06 acre parcel into two parcels of 6.49 acres (Parcel A) and 6.57 acres (Parcel B). With the deduction of rights-of-way and slopes over 50%, the net developable area of each parcel is 5.01 acres (Parcel A) and 5.32 acres (Parcel B).

Parcel B is developed with a single-family residence which was completed in 2002. The current proposal does not include architectural plans for Parcel A as no building is contemplated as a part of the minor land division. A building envelope and a driveway are shown on the project plans. Both were designed to minimize the future development's impact to oak trees. When house plans are developed for Parcel A, the project will be required to comply with County grading regulations.

The proposed land division is subject to the Rural Residential Density Matrix in order to determine the appropriate density of development within the allowed General Plan density range. The subject property is located within the Rural Residential (R-R) General Plan land use designation. The allowed maximum density, per the Rural Residential Density Matrix, is five acres of net developable land area per parcel. The proposed Minor Land Division complies with this requirement, in that each of the parcels to be created will contain a minimum of five acres of net developable land area.

The City of Watsonville provided a will-serve letter contingent upon LAFCO approval of an Extraterritorial Service Proposal Application. This LAFCO approval is required for properties located within the County, i.e. outside of the City of Watsonville, because the City of Watsonville has not obtained a blanket State approval for the service area beyond Watsonville city limits. According to Tom Sharp, Senior Engineering Associate at the City of Watsonville, these Extraterritorial Service Proposal Applications are routinely approved. Piped water, rather than a well, is environmentally preferable as water use can then be metered and intrusions into the aquifer which can introduce contaminants are minimized. The water main to serve the project is located within Blake Ave.



Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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### III. ENVIRONMENTAL REVIEW CHECKLIST

#### A. GEOLOGY AND SOILS

Would the project:

1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| A. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Strong seismic ground shaking?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| C. Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Landslides?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Discussion (A through D):** The project site is located outside of the limits of the State Alquist-Priolo Special Studies Zone (County of Santa Cruz GIS Mapping, California Division of Mines and Geology, 2001). However, the project site is located approximately three and a half miles southwest of the San Andreas fault zone. In addition to the San Andreas fault, other nearby fault systems capable of producing intense seismic shaking on this property include the San Gregorio, Zayante, Sargent, Hayward, Butano, Calaveras faults, and the Monterey and Corralitos fault complexes. While the San Andreas fault is larger and considered more active, each fault is capable of generating moderate to severe ground shaking from a major earthquake. Consequently, large earthquakes can be expected in the future. The October 17, 1989 Loma Prieta earthquake (magnitude 7.1) was the second largest earthquake in central California history.

All of Santa Cruz County is subject to some hazard from earthquakes. However, the project site is not located within a county or state mapped fault zone. A geotechnical investigation for the proposed project was performed by William E. St. Clair of Haro, Kasunich and Associates, Inc., dated September 2013 (Attachment 3). The report concluded that the potential is low for liquefaction/lateral spreading and slope instability

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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to affect development constructed within the building envelope.

Implementation of the additional requirements included in the review letter prepared by Environmental Planning staff (Attachment 4), including a requirement that construction comply with the recommendations of the report and requiring that the engineer submit a plan review letter prior to issuance of the building permit, will serve to further reduce the potential risk of seismic shaking.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. | Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The report cited above concluded that there is a low potential risk from liquefaction/lateral spreading and/or slope instability. The recommendations contained in the geotechnical report, including criteria for grading (page 17), recommendations for the foundation (conventional spread footings or concrete slab on grade), and retaining wall and drainage recommendations, will be made conditions of project approval to reduce this potential hazard to a less than significant level.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. | Develop land with a slope exceeding 30%? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** There are slopes that exceed 30% on the property. However, no improvements are proposed on slopes in excess of 30%.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 4. | Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** Some potential for erosion exists during the construction phase of the project, however, this potential is minimal because prior to approval of a grading or building permit, the project must have an approved Erosion Control Plan, which will specify detailed erosion and sedimentation control measures. The plan will include provisions for disturbed areas to be planted with ground cover and to be maintained to minimize surface erosion.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 5. | Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The geotechnical report for the project did not identify any elevated risk associated with expansive soils. Page 11 of the report states, "Therefore the potential for liquefaction and lateral spread to affect the proposed development is low."

- |  | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less than<br>Significant<br>Impact | No Impact                           |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| 6. Place sewage disposal systems in areas dependent upon soils incapable of adequately supporting the use of septic tanks, leach fields, or alternative waste water disposal systems where sewers are not available? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

**Discussion:** The proposed project would use an onsite sewage disposal system, and County Environmental Health Services has determined that site conditions are appropriate to support such a system.

- |                                     |                          |                          |                          |                                     |
|-------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 7. Result in coastal cliff erosion? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposed project is not located in the vicinity of a coastal cliff or bluff; and therefore, would not contribute to coastal cliff erosion.

#### B. HYDROLOGY, WATER SUPPLY, AND WATER QUALITY

Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Place development within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Rate Map, dated May 16, 2012, no portion of the project site lies within a 100-year flood hazard area.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Rate Map, dated May 16, 2012, no portion of the project site lies within a 100-year flood hazard area.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. Be inundated by a seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The subject property is not located within an area subject to a seiche as there are no nearby lakes or enclosed water bodies. It is also not subject to a tsunami or mudflow as shown on the Tsunami map, dated January 2009.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 4. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

**Discussion:** The project would obtain water from City of Watsonville and would not rely on private well water. Although the project would incrementally increase water demand, the City of Watsonville has indicated that adequate supplies are available to serve the project (Attachment 8). The project is not located in a mapped groundwater recharge area.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 5. Substantially degrade a public or private water supply? (Including the contribution of urban contaminants, nutrient enrichments, or other agricultural chemicals or seawater intrusion). | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The project would not discharge runoff directly into a public or private water supply. However, runoff from this project may contain small amounts of chemicals and other household contaminants. No commercial or industrial activities are proposed that would contribute contaminants. Potential siltation from the proposed project will be addressed through implementation of erosion control best management practices.

- |                                       |                          |                          |                          |                                     |
|---------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. Degrade septic system functioning? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** There is no indication that existing septic systems in the vicinity would be affected by the project.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 7. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding, on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The proposed project is not located near any watercourses, and would not alter the existing overall drainage pattern of the site. Department of Public Works Drainage Section staff has reviewed and approved the proposed drainage plan.



- |   | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less than<br>Significant<br>Impact  | No Impact                |
|---|--------------------------------------|--|-------------------------------------|--------------------------|
| 8. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems, or provide substantial additional sources of polluted runoff? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Discussion:** Department of Public Works Drainage staff has reviewed the project and have determined that existing storm water facilities are adequate to handle the increase in drainage associated with the project. Refer to response B-5 for discussion of urban contaminants and/or other polluting runoff.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project is not located near any watercourses and the proposed building site is located well-above the base flood level of Corralitos Creek which is located over one-half mile away to the east.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 10. Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** A required condition of approval from the Department of Public Works, Stormwater Management is to require that future development on the property would incorporate Best Management Practices (BMPs) to minimize the generation, transport and discharge of pollutants. BMPs for residential projects typically include discharging runoff into landscaped areas to allow for infiltration.

### C. BIOLOGICAL RESOURCES

Would the project:

- |   |                          |                                     |                          |                          |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game, or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

**Discussion:** According to the California Natural Diversity Data Base (CNDDB), maintained by the California Department of Fish and Game, *Monolopia gracilens* (woodland woollythreads) has the potential to occur on-site. County staff and the County's consulting biologist conducted a site assessment and determined that the development envelope did not support any listed plant species (Attachment 11).

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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During the site assessment, several nesting bird species were present, as were dusky-footed woodrats nests. Several large dead tree snags that could host bat species were also noted. Nesting migratory birds are protected by the Migratory Bird Treaty Act; dusky-footed woodrats are a state listed species of special concern, and several bats species are listed on the Western Bat Working Groups list recognized by the Department of Fish and Wildlife. To ensure no significant impacts occur to these special status species, the following mitigations shall apply to any future development proposed on the subject parcel:

BIO-1 In order to avoid impacts to special status bats, tree removal activities shall be limited to between September 15 and November 1, if feasible.

- a. If trees must be removed outside of the timeframe above, a qualified biologist shall conduct surveys for special status bats 3-4 weeks prior to site disturbance. If active roosts are present in trees to be retained, roosting bats shall be excluded from trees to be removed prior to any disturbance. In trees to be retained, no disturbance zones, set by the biologist based on the particular species present, shall be fenced off around the subject tree to ensure other construction activities do not harm sensitive species.
- b. The maternity roosting season for bats is March 1 – July 3. Tree removal should be scheduled outside of the maternal roosting period if special status bats are present. Before any trees are removed during the maternal roosting season, a qualified biologist shall perform surveys. If maternal roosts are present, disturbance shall be avoided until roosts are unoccupied. The biologist shall be responsible for ensuring bat roosts are vacated.

BIO-2 In order to avoid impacts to raptors and migratory songbirds, tree removal activities shall be limited to the months between September 1 and February 1, if feasible.

If trees must be removed outside of the timeframe above, a qualified biologist shall conduct surveys for raptor or migratory songbird nests 3-4 weeks prior to site disturbance.

- a. If active raptor or migratory bird nests are found in trees to be retained, the biologist shall be required to be on site during any initial vegetation or ground disturbance activities (e.g. vegetation clearing, grading, excavation, tree pruning/removal) that could potentially impact listed species. The biologist shall be responsible for setting and maintaining the disturbance buffers from active nests during construction activities, and buffers and exclusionary measures shall be implemented only after consultation with CDFW.
- b. If no active nests are present on the subject parcel, tree removal can proceed provided the mitigations in 1. above have been implemented.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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BIO-3 In order to mitigate any potential impacts to San Francisco dusky footed woodrats, all nests must be avoided if feasible. If a nest must be moved, the following measures shall be implemented;

- a. Prior to nest disturbance, the biologist shall obtain from CDFW a scientific collection permit for the trapping of the dusky-footed woodrats.
- b. Nests shall be disturbed/dismantled only during the non-breeding season, between October 1 and December 31.
- c. At least two weeks prior to site disturbance, the qualified biologist shall survey the project disturbance area to identify all active woodrat nest locations that may be affected by the proposed development.
- d. Prior to nest disturbance, woodrats shall be trapped at dusk of the night set for relocation of the nest(s).
- e. Any existing nest that may be disturbed by construction activities shall be mostly dismantled and the material spread in the vicinity of identified nest relocation site(s).
- f. In order to avoid the potential health effects associated with handling rodents and their milieu, all workers involved in the handling of the woodrats or the nest materials should wear protective gear to prevent inhalation of contaminant particulates, contact with conjunctiva (eyes), and protection against flea bites; a respirator, eye protection and skin protection should all be used.
- g. Dismantling shall be done by hand, allowing any animals not trapped to escape either along existing woodrat trails or toward other available habitat.
- h. If a litter of young is found or suspected, nest material shall be replaced, and the nest left alone for 2-3 weeks before a recheck to verify that young are capable of independent survival before proceeding with nest dismantling.
- i. Woody debris shall be collected from the area and relocated nests shall be partially constructed in an area determined by the qualified biologist to be both suitable for the woodrats and far enough away from the construction activities that they will not be impacted.
- j. Woodrats that were collected at dusk shall be released 2 hours before dawn near the newly constructed nests to allow time for woodrats to find refuge.
- k. Once construction of the house is complete, the biologist shall survey the nest area to note whether the new nests are in use, the woodrats have built new nests, or the nest area has been completely abandoned. This information shall be submitted in a letter report to the Environmental

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Planning Section of the Planning Department, and the local CDFW biologist.

- |    |   |                          |                                     |                          |                          |
|----|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 2. | Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations (e.g., wetland, native grassland, special forests, intertidal zone, etc.) or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

**Discussion:** The subject parcel supports two types of oak woodland: prime oak woodland and degraded oak woodland. The prime oak woodland supports a dense woodland of coast live oak (*Quercus agrifolia*), with a predominantly native plant understory. Understory plants include California blackberry (*Rubus ursinus*), coffee berry (*Frangula californica*), poison oak (*Toxicodendron diversilobum*), and hairy honeysuckle (*Lonicera hispidula*). There are scattered occurrences of cotoneaster (*Cotoneaster sp.*), an invasive, non-native plant species. The degraded oak woodland is a mosaic of native oaks and two non-native tree species: acacia (*Acacia sp.*) and Monterey pine (*Pinus radiata*). The understory is dense with cotoneaster. Cover by invasive, non-native species ranges from 20% to over 75%. Areas mapped as oak woodland and degraded oak woodland meet the definition of sensitive habitat under County Code. In the area proposed for development, 13,000 s.f. of prime oak woodland and 1,680 s.f. of degraded oak woodland may be impacted by future development.

**BIO-4** In order to mitigate impacts to oak woodland, the project proponent has created an oak woodland restoration plan (Attachment 10). To ensure future property owners or prospective buyers are aware of this requirement, the restoration plan shall be attached to the final recorded map and shall be a condition of approval of any development proposal on the subject parcel. When the landowner submits a building plan to the County for a Building Permit and Grading permit, the County will review the plan as to the proposed location of the development envelope, the septic leach line, and the access road. The County Sensitive Habitat Ordinance and the restoration plan require landowners avoid impacts to sensitive habitat wherever feasible. A site suitability analysis depicts almost all of the residential development within oak woodland. There may be slight variations in this assessment pending more detailed site surveying of the limits of the oak woodland and the final building envelope and attendant features; however, where such features occur within mapped prime or degraded oak woodland, mitigation actions will be required. Habitat compensation for permanent impacts to prime and degraded oak woodland will require:

3:1 enhancement ratio for permanent impacts to prime oak woodland (39,000



Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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s.f. : 13,000 s.f.)

1:1 enhancement ratio for permanent impacts to degraded oak woodland (1,680 s.f. : 1,680 s.f.)

2:1 oak tree replacement ratio for oak trees removed; oak tree plantings to occur within designated oak woodland mitigation area(s)

Mitigation shall occur within areas mapped as degraded oak woodland, acacia/pine grove, or pine grove. Mitigation will include removal of invasive, non-native plant species, replanting of oak trees, and implementing long-term maintenance and monitoring of the designated mitigation area(s), and implementation of best management practices (BMPs) prior to and during construction within oak woodland. The implementation of the oak woodland restoration plan reduces the impacts to oak woodland to less than significant.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 3. | Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native or migratory wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The proposed project does not involve any activities that would interfere with the movements or migrations of fish or wildlife. The site is used by migratory birds for nesting. Implementation of the mitigations in C.1. above will ensure no significant impacts to nesting birds. The area around the proposed building envelope is heavily wooded and the loss of some tree structure within this dense forest is less than significant.

- |    |   |                          |                                     |                          |                          |
|----|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 4. | Produce nighttime lighting that would substantially illuminate wildlife habitats? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

**Discussion:** The subject property is located in rural setting within an oak woodland.

**BIO-5** In order to mitigate the impacts of additional nighttime lighting on existing animal habitats, the applicant shall submit a lighting plan with the final project plan set which shall show all proposed site, building, security, and landscape lighting directed downwards and away from adjacent animal habitats and undisturbed areas. The lighting plan shall be reviewed and approved by County Planning Staff prior to building permit issuance. With a lighting plan that directs all outdoor lighting downward and away from adjacent animal habitats and undisturbed areas, the impact of lighting from the project will be less than significant.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
5. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** The subject parcel is on an elevated knoll and no wetland features are present.

6. Conflict with any local policies or ordinances protecting biological resources (such as the Sensitive Habitat Ordinance, Riparian and Wetland Protection Ordinance, and the Significant Tree Protection Ordinance)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** With the implementation of the oak woodland restoration plan cited above, the project would not conflict with any local policies or ordinances.

7. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** The proposed project would not conflict with the provisions of any adopted Habitat Conservation Plan Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, no impact would occur.

#### D. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** The project site does not contain any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. In addition, the project does not contain Farmland of Local Importance. Therefore, no Prime Farmland, Unique Farmland, Farmland of Statewide or Farmland of Local Importance would be converted to a non-agricultural use. No impact would occur from project implementation.

2. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** The project site is zoned Residential Agriculture, which is not considered to be an agricultural zone. Additionally, the project site's land is not under a Williamson Act Contract. Therefore, the project does not conflict with existing zoning for agricultural use, or a Williamson Act Contract. No impact is anticipated.

3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** The closest Timberland Production land is located over a mile away. Given this, no impact to timberland will result from this project.

4. Result in the loss of forest land or conversion of forest land to non-forest use?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** No forest land occurs on the project site or in the immediate vicinity. No impact is anticipated.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
5. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** The project site does not contain any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. In addition, the project does not contain Farmland of Local Importance. Therefore, no Prime Farmland, Unique Farmland, Farmland of Statewide or Farmland of Local Importance would be converted to a non-agricultural use. The nearest forest land is located one mile away. No impact would occur from project implementation.

#### E. MINERAL RESOURCES

Would the project:

1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** The site does not contain any known mineral resources that would be of value to the region and the residents of the state. Therefore, no impact is anticipated from project implementation.

2. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** The project site is zoned Residential Agriculture, which is not considered to be an Extractive Use Zone (M-3) nor does it have a Land Use Designation with a Quarry Designation Overlay (Q) (County of Santa Cruz 1994). Therefore, no potentially significant loss of availability of a known mineral resource of locally important mineral resource recovery (extraction) site delineated on a local general plan, specific plan or other land use plan would occur as a result of this project.

#### F. VISUAL RESOURCES AND AESTHETICS

Would the project:

1. Have an adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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**Discussion:** The project would not directly impact any public scenic resources, as designated in the County's General Plan (1994), or obstruct any public views of these visual resources.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Substantially damage scenic resources, within a designated scenic corridor or public view shed area including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project site is not located along a County designated scenic road, public viewshed area, scenic corridor, within a designated scenic resource area, or within a state scenic highway. Therefore, no impact is anticipated.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 3. | Substantially degrade the existing visual character or quality of the site and its surroundings, including substantial change in topography or ground surface relief features, and/or development on a ridge line? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The property can be characterized as a rural site located in an area that is designated for residential development. This project would create one additional residential lot where a home could be constructed in the future. The construction of one new home and related improvements would not significantly alter the character of the residential area in that the surrounding parcels are developed with single-family dwellings. In addition, no improvements are proposed that would significantly alter the existing topography or ground surface relief features. Therefore, a less than significant impact is anticipated.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 4. | Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The project would create an incremental increase in night lighting. However, this increase would be small, and would be similar in character to the lighting associated with the surrounding existing residential uses.

## G. CULTURAL RESOURCES

Would the project:

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. | Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15084.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The existing structure(s) on the property is/are not designated as a

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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historic resource on any federal, state or local inventory.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** No archeological resources have been identified in the project area. Pursuant to County Code Section 16.40.040, if at any time in the preparation for or process of excavating or otherwise disturbing the ground, any human remains of any age, or any artifact or other evidence of a Native American cultural site which reasonably appears to exceed 100 years of age are discovered, the responsible persons shall immediately cease and desist from all further site excavation and comply with the notification procedures given in County Code Chapter 16.40.040.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 3. | Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** No human remains are expected to occur in the project area. Pursuant to Section 16.40.040 of the Santa Cruz County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this project, human remains are discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the sheriff-coroner and the Planning Director. If the coroner determines that the remains are not of recent origin, a full archeological report shall be prepared and representatives of the local Native California Indian group shall be contacted. Disturbance shall not resume until the significance of the archeological resource is determined and appropriate mitigations to preserve the resource on the site are established.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. | Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** No paleontological resource or unique geologic feature is known to be found on the subject parcel, therefore no impact is anticipated to these resources when a dwelling and related improvements are constructed in the future. There is no grading proposed with this application.

#### H. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. | Create a significant hazard to the public or the environment as a result of the routine transport, use or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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**Discussion:** No hazardous materials are proposed to be transported, used, or disposed of as a routine part of any future construction project on the new residential lot.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project does not propose activities involving the potential release of hazardous materials into the environment with exception of potential hazards associated with construction equipment staging and refueling. However, impacts associated with construction are not anticipated to result in a significant hazard to the public or the environment.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. | Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project does not propose activities involving the potential release of hazardous materials into the environment with exception of potential hazards associated with construction equipment staging and refueling. However, impacts associated with construction are not anticipated to result in a significant hazard to the public or the environment. In addition, the project is not located within one-quarter mile of any school.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. | Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project site is not included on the June 4, 2015 list of hazardous sites in Santa Cruz County compiled pursuant to the specified code.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 5. | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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would the project result in a safety hazard for people residing or working in the project area?

**Discussion:** The project is not located within the Watsonville Airport land use plan or within two miles of a public airport.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. | For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project is not located the vicinity of a private airstrip. Therefore, no impact to the safety of future residents of the new residential lot is anticipated.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 7. | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project is not proposing to obstruct emergency response routes or emergency evacuation as no improvements that would obstruct an emergency response are proposed to be located within a private or public right-of-way.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 8. | Expose people to electro-magnetic fields associated with electrical transmission lines? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project does not propose electrical transmission lines.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 9. | Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The project does not propose a residence at this time. However, any future design would incorporate all applicable fire safety code requirements and includes fire protection devices as required by the local fire agency.



Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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## I. TRANSPORTATION/TRAFFIC

Would the project:

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. | Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** Although no dwelling is proposed as a part of this application, when a dwelling is constructed, the project would create a small incremental increase in traffic on nearby roads and intersections. However, given the small number of new trips created by the project (one peak trip would be created with the construction of the new dwelling unit), this increase is less than significant. Further, the increase would not cause the Level of Service at any nearby intersection to drop below Level of Service D.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project does not include changes in air traffic. In addition, any future construction would have no impact to air traffic air patterns as residential structures are limited by County Code to 28 feet in height. Therefore, no impacts would occur.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. | Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project does not propose changes to any existing design features. The new driveway would be required to meet all of the County's Design Criteria standards for driveways. These standards will insure that the new driveway does not create a hazard. This proposal is to add one residential lot to a residential neighborhood; therefore, no incompatible uses are proposed.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. | Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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**Discussion:** When a dwelling on Parcel A is proposed, the driveway—as shown on the project plans for this project—would meet the County Design Criteria's standards. The City of Scotts Valley Department of Public Works reviewed and accepted the proposed design of the driveway. In addition, the project's access has been approved by Pajaro Valley Fire Protection District. The project would not conflict with any adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities.

5. Cause an increase in parking demand which cannot be accommodated by existing parking facilities? ☐ ☐ ☐ ☒

**Discussion:** When a dwelling is constructed on the new lot, it would be required to meet the code requirements for parking spaces which is based upon the number of bedrooms. County Code requires that all of the required parking be accommodated on-site.

6. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? ☐ ☐ ☒ ☐

**Discussion:** When a dwelling is constructed on Parcel A, access to the building site would be taken from a driveway off of an existing private driveway which connects to Blake Avenue, a County-maintained road. No impact is anticipated to existing or planned public transit, bicycle or pedestrian facilities, and no decrease in the performance or safety of such facilities is anticipated.

7. Exceed, either individually (the project alone) or cumulatively (the project combined with other development), a level of service standard established by the County General Plan for designated intersections, roads or highways? ☐ ☐ ☒ ☐

**Discussion:** See response I-1 above.

#### J. NOISE

Would the project result in:

1. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? ☐ ☐ ☐ ☒

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Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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**Discussion:** When a dwelling is proposed for Parcel A, the proposed project would not result in a permanent increase in the ambient noise level. The main source of ambient noise in the project area is traffic noise along Blake Avenue. No substantial permanent increase in ambient noise level would occur as the result of this project or the future construction of a dwelling on Parcel A.

2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? ☐ ☐ ☒ ☐

**Discussion:** When a dwelling is proposed for Parcel A, the use of construction equipment would potentially generate vibration in the project area. The nearest residential property is located approximately 230 feet to the south of the project site. Due to this distance, none of the area residences would experience significant ground borne vibration or ground borne noise levels during construction activities associated with the proposed project. Therefore, impacts would be considered less than significant.

3. Exposure of persons to or generation of noise levels in excess of standards established in the General Plan or noise ordinance, or applicable standards of other agencies? ☐ ☐ ☒ ☐

**Discussion:** Per County policy, average hourly noise levels shall not exceed the General Plan threshold of 50 Leq during the day and 45 Leq during the nighttime. Impulsive noise levels shall not exceed 65 db during the day or 60 db at night. The subject parcel is surrounded by parcels developed with single-family dwellings and is not located adjacent to a heavily traveled roadway or stationary noise source; therefore, the proposed creation of one additional parcel would not have the potential to expose people to noise levels in excess of General Plan standards.

4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? ☐ ☐ ☒ ☐

**Discussion:** When a house is constructed on Parcel A, noise generated during its construction would increase the ambient noise levels for adjoining areas. Construction would be temporary, however, and given the limited duration of this impact it is considered to be less than significant.

5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles ☐ ☐ ☐ ☒

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

**Discussion:** The project is not located within an airport land use plan or within 2 miles of an airport. Therefore, no impacts are anticipated.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project is not located within an airport land use plan or within 2 miles of an airport. Therefore, no impacts are anticipated.

#### K. AIR QUALITY

Where available, the significance criteria established by the Monterey Bay Unified Air Pollution Control District (MBUAPCD) may be relied upon to make the following determinations. Would the project:

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** Santa Cruz County is located within the North Central Coast Air Basin (NCCAB). The NCCAB does not meet state standards for ozone (reactive organic gases [ROGs] and nitrogen oxides [NOx]) and fine particulate matter (PM<sub>10</sub>). Therefore, the regional pollutants of concern that would be emitted by the project are ozone precursors and PM<sub>10</sub>.

Ozone is the main pollutant of concern for the NCCAB. The primary sources of ROG within the air basin are on- and off-road motor vehicles, petroleum production and marketing, solvent evaporation, and prescribed burning. The primary sources of NOx are on- and off-road motor vehicles, stationary source fuel combustion, and industrial processes. In 2010, daily emissions of ROGs were estimated at 63 tons per day. Of this, area-wide sources represented 49 percent, mobile sources represented 36 percent, and stationary sources represented 15 percent. Daily emissions of NOx were estimated at 54 tons per day with 69 percent from mobile sources, 22 percent from stationary sources, and 9 percent from area-wide sources. In addition, the region is "NOx sensitive," meaning that ozone formation due to local emissions is more limited by the availability of NOx as opposed to the availability of ROGs (MBUAPCD, 2013b).

PM<sub>10</sub> is the other major pollutant of concern for the NCCAB. In the NCCAB, highest particulate levels and most frequent violations occur in the coastal corridor. In this area, fugitive dust from various geological and man-made sources combines to exceed the standard. Nearly three quarters of all NCCAB exceedances occur at these coastal sites where sea salt is often the main factor causing exceedance (MBUAPCD, 2005).



Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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In 2005 daily emissions of PM<sub>10</sub> were estimated at 102 tons per day. Of this, entrained road dust represented 35 percent of all PM<sub>10</sub> emission, windblown dust 20 percent, agricultural tilling operations 15 percent, waste burning 17 percent, construction 4 percent, and mobile sources, industrial processes, and other sources made up 9 percent (MBUAPCD, 2008).

Given the modest amount of new traffic that would be generated when a dwelling is constructed on Parcel A, there is no indication that new emissions of ROG<sub>s</sub> or NO<sub>x</sub> would exceed MBUAPCD thresholds for these pollutants; and therefore, there would not be a significant contribution to an existing air quality violation.

The future construction of a dwelling on Parcel A may result in a short term, localized decrease in air quality due to generation of PM<sub>10</sub>. However, standard dust control best management practices, such as periodic watering, would be implemented during construction to avoid significant air quality impacts from the generation of PM<sub>10</sub>.

2. Conflict with or obstruct implementation of the applicable air quality plan?

☐ ☐ ☒ ☐

**Discussion:** When a dwelling is constructed on Parcel A, it would not conflict with or obstruct any long-range air quality plans of the Monterey Bay Unified Air Pollution Control District (MBUAPCD, Attachment 10). Because general construction activity related emissions (i.e., temporary sources) are accounted for in the emission inventories included in the plans, impacts to air quality plan objectives are less than significant.

General estimated basin-wide construction-related emissions are included in the MBUAPCD emission inventory (which, in part, form the basis for the air quality plans cited below) and are not expected to prevent long-term attainment or maintenance of the ozone and particulate matter standards within the North Central Coast Air Basin (NCCAB). Therefore, temporary construction impacts related to air quality plans for these pollutants from the future construction of a dwelling on Parcel A would be less than significant, and no mitigation would be required, since they are presently estimated and accounted for in the District's emission inventory, as described below. No stationary sources would be constructed that would be long-term permanent sources of emissions.

3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

☐ ☐ ☒ ☐

**Discussion:** The future construction of a dwelling on Parcel A would have a limited and temporary potential to contribute to existing violations of California air quality

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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standards for ozone and PM<sub>10</sub> primarily through diesel engine exhaust and fugitive dust. However, the Santa Cruz monitoring station has not had any recent violations of federal or state air quality standards mainly through dispersion of construction-related emission sources. BMPs and BACT described above under C-2 would ensure emissions remain below a level of significance. Therefore, the construction of a dwelling on Parcel A would not result in a cumulatively considerable net increase in criteria pollutants. The impact on ambient air quality would be less than significant.

4. Expose sensitive receptors to substantial pollutant concentrations? ☐ ☐ ☒ ☐

**Discussion:** The proposed land division would not generate pollutant concentrations. Emissions from future construction activities represent temporary impacts that are typically short in duration. Impacts to sensitive receptors would be less than significant.

5. Create objectionable odors affecting a substantial number of people? ☐ ☐ ☒ ☐

**Discussion:** California ultralow sulfur diesel fuel with a maximum sulfur content of 15 ppm by weight would be used in all diesel-powered equipment, which minimizes emissions of sulfurous gases (sulfur dioxide, hydrogen sulfide, carbon disulfide, and carbonyl sulfide). Therefore, no objectionable odors are anticipated from construction activities associated with the proposed project, and no mitigation measures would be required. The proposed project would not create objectionable odors affecting a substantial number of people; therefore, impacts are expected to be less than significant.

## L. GREENHOUSE GAS EMISSIONS

Would the project:

1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ☐ ☐ ☒ ☐

**Discussion:** The future construction of a dwelling on Parcel A, like all development, would be responsible for an incremental increase in greenhouse gas emissions by usage of fossil fuels during the site grading and construction. Santa Cruz County has recently adopted a Climate Action Strategy (CAS) intended to establish specific emission reduction goals and necessary actions to reduce greenhouse gas levels to pre-1990 levels as required under AB 32 legislation. The strategy intends to reduce greenhouse gas emissions and energy consumption by implementing measures such as reducing vehicle miles traveled through the County and regional long range planning efforts and increasing energy efficiency in new and existing buildings and facilities. All project construction equipment would be required to comply with the Regional Air Quality Control Board emissions requirements for construction equipment. As a result, impacts associated with the temporary increase in greenhouse gas

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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emissions are expected to be less than significant.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. | Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** See the discussion under L-1 above.

#### M. PUBLIC SERVICES

Would the project:

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. | Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: |                          |                          |                                     |                          |
| a. | Fire protection?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. | Police protection?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. | Schools?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. | Parks or other recreational activities?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. | Other public facilities; including the maintenance of roads?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Discussion (a through e):** While the project represents an incremental contribution to the need for services, the increase would be minimal. Moreover, the project meets all of the standards and requirements identified by the local fire agency or California Department of Forestry, as applicable, and school, park, and transportation fees to be paid by the applicant would be used to offset the incremental increase in demand for school and recreational facilities and public roads.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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## N. RECREATION

Would the project:

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The proposed project would result in an incremental increase in the use of existing neighborhood and regional parks and therefore would not result in a significant impact. The project is subject to Capital Improvement fees including parks fees associated with the development and maintenance of parks.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** At the time Parcel A is developed, the project could result in an incremental increase in the use of existing neighborhood and regional parks. The incremental increase resulting from the development of one dwelling would not result in a significant impact. The project is subject to Capital Improvement fees including parks fees associated with the development and maintenance of parks.

## O. UTILITIES AND SERVICE SYSTEMS

Would the project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** Preliminary drainage analysis of the project by Jeff Roper of Roper Engineering concluded in his October 2, 2013 review that the proposed building site is suitable for residential development. He writes, "There is adequate area surrounding the building envelope to mitigate drainage impacts from new impervious surfaces. We did not observe any drainage problems downstream from the project site" (Attachment 7, page 2). Department of Public Works Stormwater Management staff reviewed the drainage information and determined that downstream storm facilities are adequate to handle the increase in drainage associated with the project (Attachment 6).



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
2. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** At the time Parcel A is developed, the project would connect to an existing municipal water supply. The City of Watsonville has determined that adequate supplies are available to serve the project (Attachment 8).

The project would be served by an on-site sewage disposal system, which would be adequate to accommodate the relatively light demands of the project.

3. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

**Discussion:** At the time Parcel A is developed, it would be served by a septic system meeting the County's Environmental Health Services standards. Since the project will not connect to the sewer system, it would have no effect on wastewater treatment requirements.

4. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------	-------------------------------------	--------------------------

**Discussion:** See item O.2 above.

5. Result in determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

**Discussion:** The future dwelling on Parcel A would be served by an on-site septic system and would, therefore, have no effect on local wastewater treatment providers.

6. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------	-------------------------------------	--------------------------

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

**Discussion:** When Parcel A is developed with a dwelling, the project may require the off haul of minor construction debris, to be disposed of at a landfill. Since there are no structures on Parcel A currently, the amount of solid waste is anticipated to be minimal. Standard conditions of approval are included in the project.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 7. Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** Minimal amounts of waste would be generated by the land division and future development of Parcel A. Therefore, impacts are expected to be less than significant.

#### P. LAND USE AND PLANNING

Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposed project does not conflict with any regulations or policies adopted for the purpose of avoiding or mitigating an environmental effect.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** No adopted habitat conservation plan or community conservation plan exists for the subject property. Therefore, no impacts are anticipated.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project would not include any element that would physically divide an established community.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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## Q. POPULATION AND HOUSING

Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposed project is designed at the density and intensity of development allowed by the General Plan and zoning designations for the parcel. Only one new residential lot would be created as a result of this proposal. No substantial population growth would result from this project.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposed project would not displace any existing housing since Parcel A is currently vacant. Parcel B is developed with a single-family dwelling, but no change is proposed to that residence.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposed project would displace no people since Parcel A is currently vacant and no change is proposed to the residence on Parcel B.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

## R. MANDATORY FINDINGS OF SIGNIFICANCE

- |   | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation | Less than<br>Significant<br>Impact  | No<br>Impact             |
|---|--------------------------------------|--|-------------------------------------|--------------------------|
| 1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/>             | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Discussion:** The potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory were considered in the response to each question in Section III of this Initial Study.

To avoid impacts to special status bats, tree removals shall be limited to between September 15 and November 1. Tree removals outside of this timeframe shall require a qualified biologist's survey and, if bats are present, the exclusion of them from trees prior to disturbance. The maternal roosting season for bats in March 1 – July 3 and tree removal shall be scheduled outside of this period if special status bats are present. A qualified biologist shall perform surveys prior to any tree removals during this period. If maternal roosts are present, disturbance shall be avoided until roosts are unoccupied.

To avoid impacts to raptors and migratory songbirds, tree removal activities shall be limited to the months between September 1 and February 1, if feasible. If trees are removed outside of the timeframe, a biologist shall be on site during any initial vegetation or ground disturbance activities that could impact listed species. The biologist shall set and maintain disturbance buffers from active nests during construction activities.

To avoid impacts to San Francisco dusky footed woodrats, the project biologist shall obtain from CDFW a scientific collection permit for the trapping of the dusky-footed woodrats and shall comply with the mitigations detailed in C.1.III.

To mitigate impacts to oak woodland, the property owner shall implement the oak woodland restoration plan developed by Kathy Lyons for the project site. This restoration plan shall be recorded with the final recorded map and shall be a condition



Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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of approval of any development proposal on the subject parcel. Habitat compensation for development within the oak woodland shall occur on-site in areas mapped as degraded oak woodland, acacia/pine grove or pine grove.

- |    |                                      |  |                                     |                          |
|----|--------------------------------------|--|-------------------------------------|--------------------------|
|    | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation | Less than<br>Significant<br>Impact  | No<br>Impact             |
| 2. | <input type="checkbox"/>             | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
- Does the project have impacts that are individually limited, but cumulatively considerable? ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

**Discussion:** In addition to project specific impacts, this evaluation considered the projects potential for incremental effects that are cumulatively considerable. As a result of this evaluation, there were no potentially significant cumulative effects determined to be related to the proposed project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

- |    |                                      |  |                                     |                          |
|----|--------------------------------------|--|-------------------------------------|--------------------------|
|    | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation | Less than<br>Significant<br>Impact  | No<br>Impact             |
| 3. | <input type="checkbox"/>             | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
- Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

**Discussion:** In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to specific questions in Section III related to Aesthetics, Air Quality, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Population and Housing, and Transportation and Traffic. As a result of this evaluation, there is no substantial evidence that there are adverse effects to human beings associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

**V. REFERENCES USED IN THE COMPLETION OF THIS ENVIRONMENTAL REVIEW INITIAL STUDY**

County of Santa Cruz 1994.

*1994 General Plan and Local Coastal Program for the County of Santa Cruz, California.* Adopted by the Board of Supervisors on May 24, 1994, and certified by the California Coastal Commission on December 15, 1994.

**VI. ATTACHMENTS**





1. *Vicinity Map, Map of Zoning Districts; Map of General Plan Designations; and Assessors Parcel Map*
2. *Tentative Map & Preliminary Improvement Plans*, prepared by Mid Coast Engineers, revised to March 26, 2014
3. *Geotechnical Investigation (Conclusions and Recommendations)*, prepared by Haro, Kasunich and Associates, dated September 2013
4. *Geotechnical Review Letter*, prepared by Joe Hanna, dated December 23, 2013
5. *Geologic Hazards Assessment*, prepared by Joe Hanna, dated May 8, 2013
6. *Discretionary Application Comments*, dated 7/28/14
7. *Drainage Letter*, prepared by Jeff Roper, dated October 2, 2013
8. *Will-serve Letter* from City of Watsonville Water District, dated March 5, 2013
9. *Review of Burgstrom Property Oak Woodland Management Plan*, Letter from Justin Davilla of Ecosystems West, dated February 12, 2015
10. *Burgstrom Property – Minor Land Division APN 108-291-09 Mitigation Plan*, by Kathleen Lyons of Biotic Resources Group, Updated April 28, 2015
11. *Results of Special-Status Plant Survey of the Burgstrom Property MLD*, Letter from Bill Davilla of Ecosystems West, dated June 9, 2015
12. *Letter Re: App#: REV 131316* from Matthew Johnston, County of Santa Cruz Environmental Planning, dated June 11, 2015



# Location Map



## LEGEND

-  APN: 108-291-09
-  Assessors Parcels
-  Street
-  CITY OF WATSONVILLE

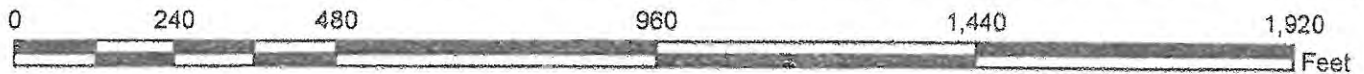


Map Created by  
County of Santa Cruz  
Planning Department  
December 2013

ATTACHMENT 3



# Zoning Map



## LEGEND

- APN: 108-291-09
- Assessors Parcels
- Street
- AGRICULTURE RESIDENTIAL
- RESIDENTIAL-SINGLE FAMILY
- PUBLIC FACILITY
- AGRICULTURE COMMERCIAL



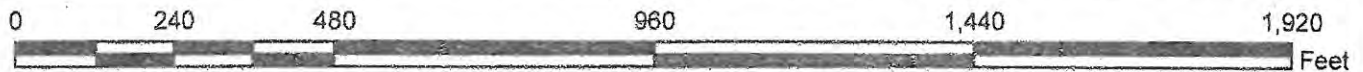
Map Created by  
County of Santa Cruz  
Planning Department  
December 2013

ATTACHMENT 1





# General Plan Designation Map



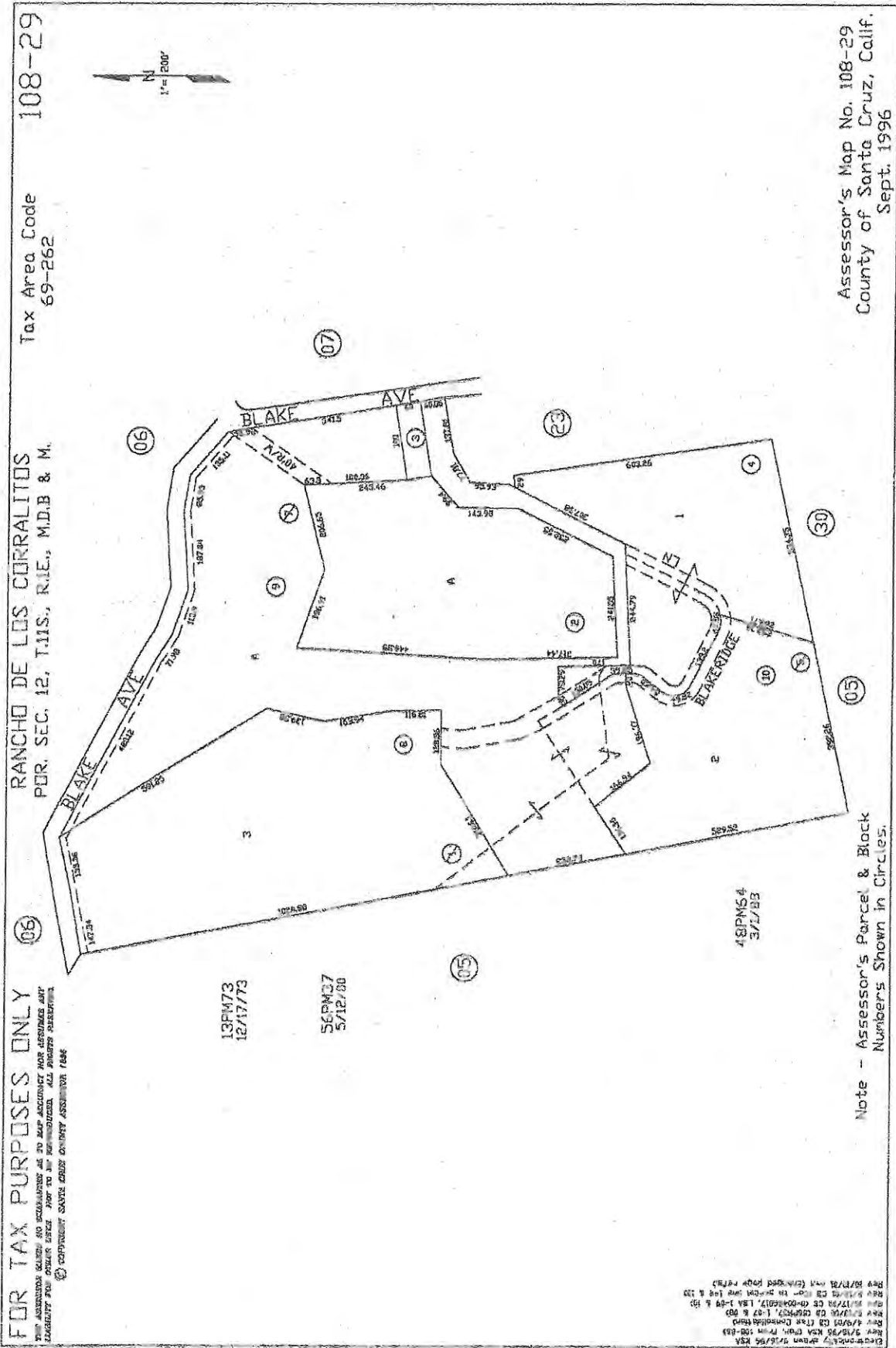
## LEGEND

- APN: 108-291-09
- Assessors Parcels
- Street
- Residential-Rural
- Public Facilities
- Agriculture



Map Created by  
County of Santa Cruz  
Planning Department  
December 2013

ATTACHMENT 1






## **RECREATION AND PARK DISTRICTS**

*Date: February 23, 2016 for March 2<sup>nd</sup> Meeting*

*Summary: As part of the Commission work program to review the services and spheres of the cities and districts in Santa Cruz County, staff has drafted a service and sphere review for the four independent recreation and park districts.*

*Staff Recommendation: Receive staff presentation, release service and sphere report, and schedule a public hearing for April 6, 2016.*

*Submitted by: Patrick McCormick, Executive Officer* 

The LAFCO staff has prepared a draft of a service review and sphere of influence review for the four independent park and recreation districts in Santa Cruz County.

The districts are:

- The Alba Park, Recreation, and Parkway District,
- The Boulder Creek Recreation and Park District,
- The La Selva Beach Recreation and Park District,
- The Opal Cliffs Recreation District.

The main conclusions of this service and sphere review are:

- The four recreation and park districts are operating as small, independent local governmental agencies to provide important services that contribute to the unique quality of life in each of the communities.
- It is a challenge for the two smallest districts (Alba and Opal Cliffs) to function as governmental agencies. Despite the honorable efforts of the respective board members, the districts do not have the financial resources to comply with the myriad of state laws that apply to independent districts in California. Over the next five years, the two small districts should consider options to transition their services to other governmental or non-profit entities.
- The Boulder Creek Recreation and Park District has the highest budget, largest population, and only full-time staff of the four recreation districts. Collectively, these features foster the successful governance of the district as an independent local governmental agency.

The staff recommends that the Commission:

- Receive an oral presentation from staff,
- Release the service and sphere report,
- Schedule a public hearing for April 6, 2016 to review public comments and consider accepting the report and confirming the current sphere of influence maps.

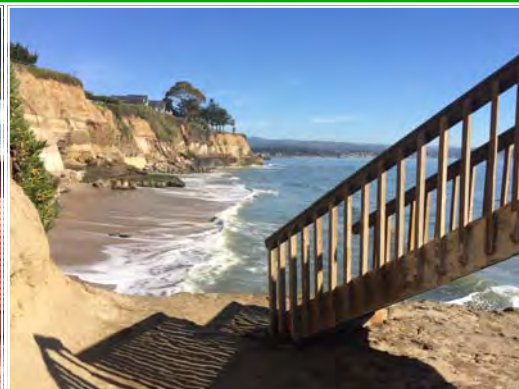
cc: Four Districts

Enclosure



Public Review Draft

## Review of Recreation and Park Districts Services and Spheres of Influence



February 2016



Local Agency Formation Commission  
of Santa Cruz County  
701 Ocean Street, Room 318D  
Santa Cruz CA 95060

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### Document's Purpose, Format, and Executive Summary

LAFCO periodically performs municipal service reviews<sup>1</sup> and updates, as necessary, the sphere of influence of each agency subject to LAFCO's boundary regulation<sup>2</sup>. A "sphere of influence" is defined as a plan for the probable physical boundaries and service area of a local agency. This report has been prepared to analyze the four recreation and park districts in Santa Cruz County:

- The Alba Park, Recreation and Parkway District
- The Boulder Creek Recreation and Park District
- The La Selva Beach Recreation and Park District
- The Opal Cliffs Recreation and Park District.

The last service review that addressed these four districts was the Countywide Service Review adopted in 2007, and the last Sphere of Influence Review occurred in 2008.

The main conclusions of this service and sphere review are:

- The four recreation and park districts are operating as small, independent local governmental agencies to provide important services that contribute to the unique quality of life in each of the communities.
- It is a challenge for the two smallest districts (Alba and Opal Cliffs) to function as governmental agencies. Despite the honorable efforts of the respective board members, the districts do not have the financial resources to comply with the myriad of state laws that apply to independent districts in California. Over the next five years, the two small districts should consider options to transition their services to other governmental or non-profit entities.

<sup>1</sup> Government Code §56430 (Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000). The last service review of the four recreation and park districts was prepared by LAFCO in 2005: <http://www.santacruzlafco.org/wp-content/uploads/2016/02/Whole-Public-Review-Draft.pdf>

<sup>2</sup> Government Code §56427

- The Boulder Creek Recreation and Park District has the highest budget, largest population, and only full-time staff of the four recreation districts. Collectively, these features foster the successful governance of the district as an independent local governmental agency.

### Recreation and Park Districts in State Law

Recreation and Park Districts are authorized in the Recreation and Park District Law (Public Resources Code sections 5780 – 5791.7). They may provide any combination of recreation, park, and open-space services. They are independent of city and county governments, and are governed by a 5-person elected board of directors. Their formation, boundary changes, and dissolution is subject to LAFCO’s regulation under the Local Government Reorganization Act of 2000 (Government Code sections 56000 – 57550).

### Recreation and Park Services in Santa Cruz County

In addition to the four Recreation and Park Districts, local recreational and park services are provided by five other agencies in the County:

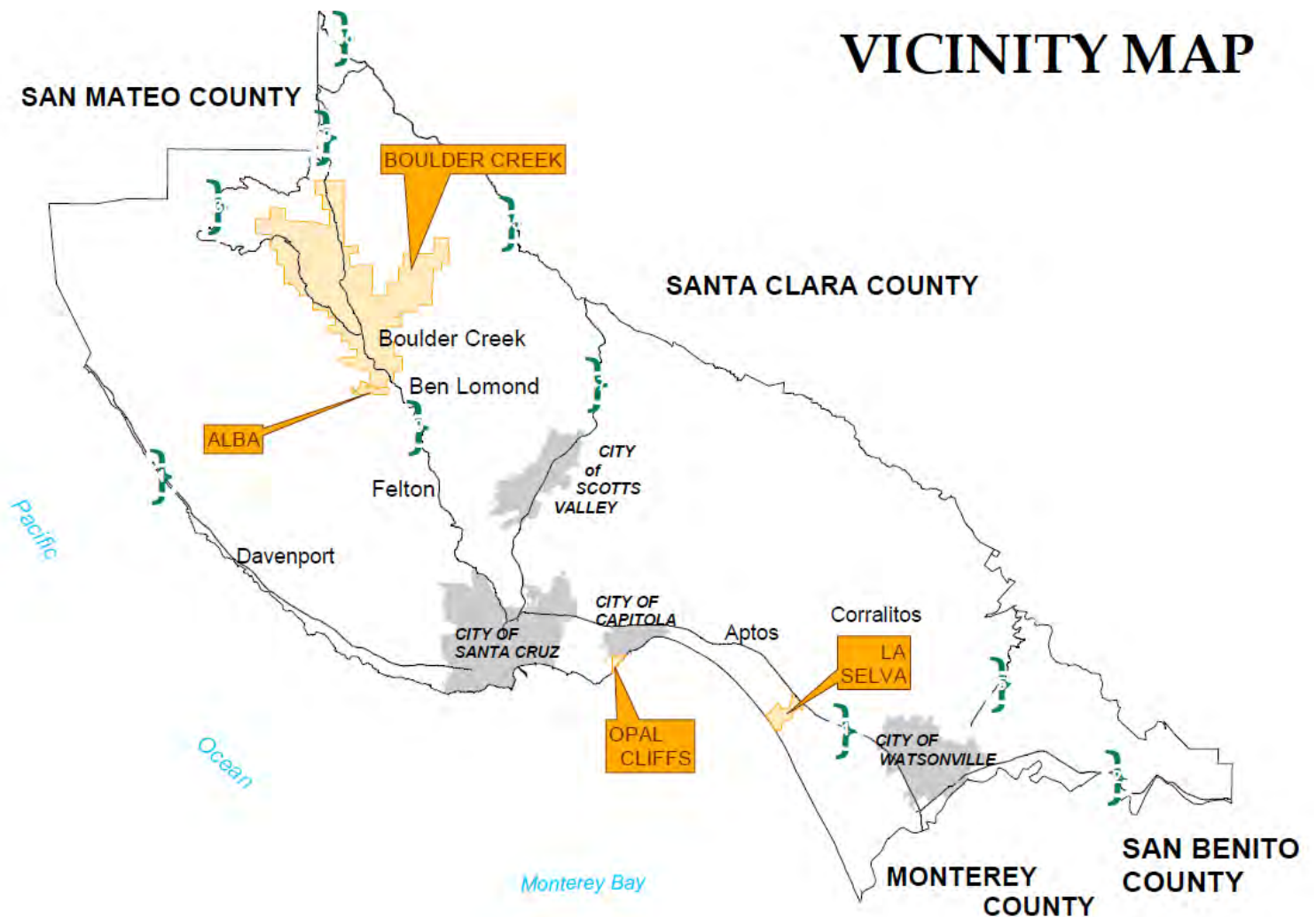
- City of Capitola
- City of Santa Cruz
- City of Scotts Valley
- City of Watsonville
- County Service Area 11 (County Parks).

**Table 1 – Recreation and Park Agencies**

2016 Service Review of Recreation and Park Districts Functions Provided	Parks	Recreational Facilities	Public Open Space
Cities			
City of Capitola	•	•	
City of Santa Cruz	•	•	•
City of Scotts Valley	•	•	•
City of Watsonville	•	•	•
Special Districts			
CSA 11 – Recreation and Parks	•	•	•
<b>Alba Park, Recreation and Parkway District</b>	•	•	
<b>Boulder Creek Recreation and Park District</b>	•	•	
<b>La Selva Beach Recreation and Park District</b>	•	•	
<b>Opal Cliffs Recreation and Park District</b>	•	•	•

The four agencies addressed in this report are in **Bold Type**.

Every square inch of land in Santa Cruz County is located in one, and only one, of these nine recreation and park agencies. No boundaries overlap. A small area of the Skyline northwest of Highway 9 is located within the Midpeninsula Regional Open Space District, which provides open space services to portions of Santa Clara, San Mateo, and Santa Cruz counties. That small area is also located within County Service Area 11, which provides minor financial support for the Santa Cruz County Department of Park, Open Space, and Cultural Services.





### Alba Park, Recreation and Parkway District

The Alba Park, Recreation and Parkway District was formed in 1954. It maintains the former Alba School as a library and community center. Also known as the Little Red Schoolhouse, the facility is located 2 miles up (west) Alba Road from Highway 9 in Ben Lomond. Its five-member board of directors serve four-year terms.

**Table 2 - Alba Recreation and Park District Board of Directors**

Board of Directors:	Title	Term Expiration	Compensation
Cindy Fairhurst-Thorpe	Director	Dec. 2017	None
Maggi Ghaffari	Director	Dec. 2017	None
Daniel Thorpe	Director	Dec. 2019	None
Amber Selene Turpin	Director	Dec. 2019	None
Steven Young	Director	Dec. 2017	None

The Alba Park, Recreation and Parkway District meets at 6:30 p.m. on the first Tuesday of the month at the Alba Schoolhouse at 12070 Alba Road, Ben Lomond.

The interior capacity of the meeting room ranges from 20 people seated at tables, to 50 people standing at a mixer. The rental rate for the hall is \$25 per hour. The schoolhouse property is owned by the San Lorenzo Valley School District. The Park District has leased the property until May 2028. The rate of \$1 per year was prepaid when the lease was executed on May 6, 2003. Information concerning the Alba Schoolhouse and booking its use is available on the District's website:

<http://albaschoolhouse.com/>.

**Table 3 - Alba Recreation and Park District – Financial Summary**

Finances	FY 02-03 Actual	FY 03-04 Actual	FY 12-13 Actual	FY 13-14 Actual	FY 14-15 Actual
<b>Sources</b>					
Interest	\$80	\$56	\$60	\$66	\$86
Contributions and Donations	\$1,904	\$1,726	\$426	\$422	\$273
Rents	\$0	\$0	\$1,485	\$1,490	\$810
Other	\$0	\$0	\$958	\$0	\$0
<b>Total Sources</b>	<b>\$1,984</b>	<b>\$1,782</b>	<b>\$2,928</b>	<b>\$1,978</b>	<b>\$1,169</b>
<b>Uses</b>					
Services & Supplies	\$969	\$1,912	\$1,450	\$1,622	\$1,589
Fixed Assets	\$0	\$0	\$0	\$0	\$0
<b>Total Uses</b>	<b>\$969</b>	<b>\$1,912</b>	<b>\$1,450</b>	<b>\$1,622</b>	<b>\$1,598</b>
<b>Net Surplus/(Deficit)</b>	<b>\$1,015</b>	<b>(\$130)</b>	<b>\$1,479</b>	<b>\$356</b>	<b>(\$419)</b>
<b>Fund Balance, end of year</b>	<b>\$3,650</b>	<b>\$3,619</b>	<b>\$16,710</b>	<b>\$18,189</b>	<b>\$18,545</b>

Division 76450

## Facilities of the Alba Park, Recreation and Parkway District



The Alba Schoolhouse  
12070 Alba Road  
Ben Lomond



## Audits

As is typical with districts with very small budgets, the Alba Park, Recreation and Parkway District has a hard time complying with audit recommendations. The County Auditor last performed an audit<sup>3</sup> of the District in 2010 and issued a management letter on March 25, 2010. That audit noted that from the previous audit, thirteen of the recommendations had not been implemented, one had been partially implemented, and one had been implemented (posting meeting agendas at least 72 hours in advance of the meeting to comply with the Brown Act.). In the 2010 management letter<sup>4</sup>, the County Auditor made sixteen recommendations. Recommendations included:

- All payments be initiated through an invoice or a claim.
- Include in purchasing policies a requirement that expenditures be approved by the Board of Directors at a board meeting,
- That the Board adopt preliminary and final budgets on the deadlines specified in state law,
- That the Board adopt a policy regarding insurance coverage and maintain proof of insurance.

## Organizational Options

With 48 parcels and 220 residents, the Alba Park, Recreation and Parkway District is believed to be the smallest Recreation and Park District in the State of California. There are three potential changes of organization that are available and could continue the public use of the Alba Schoolhouse.

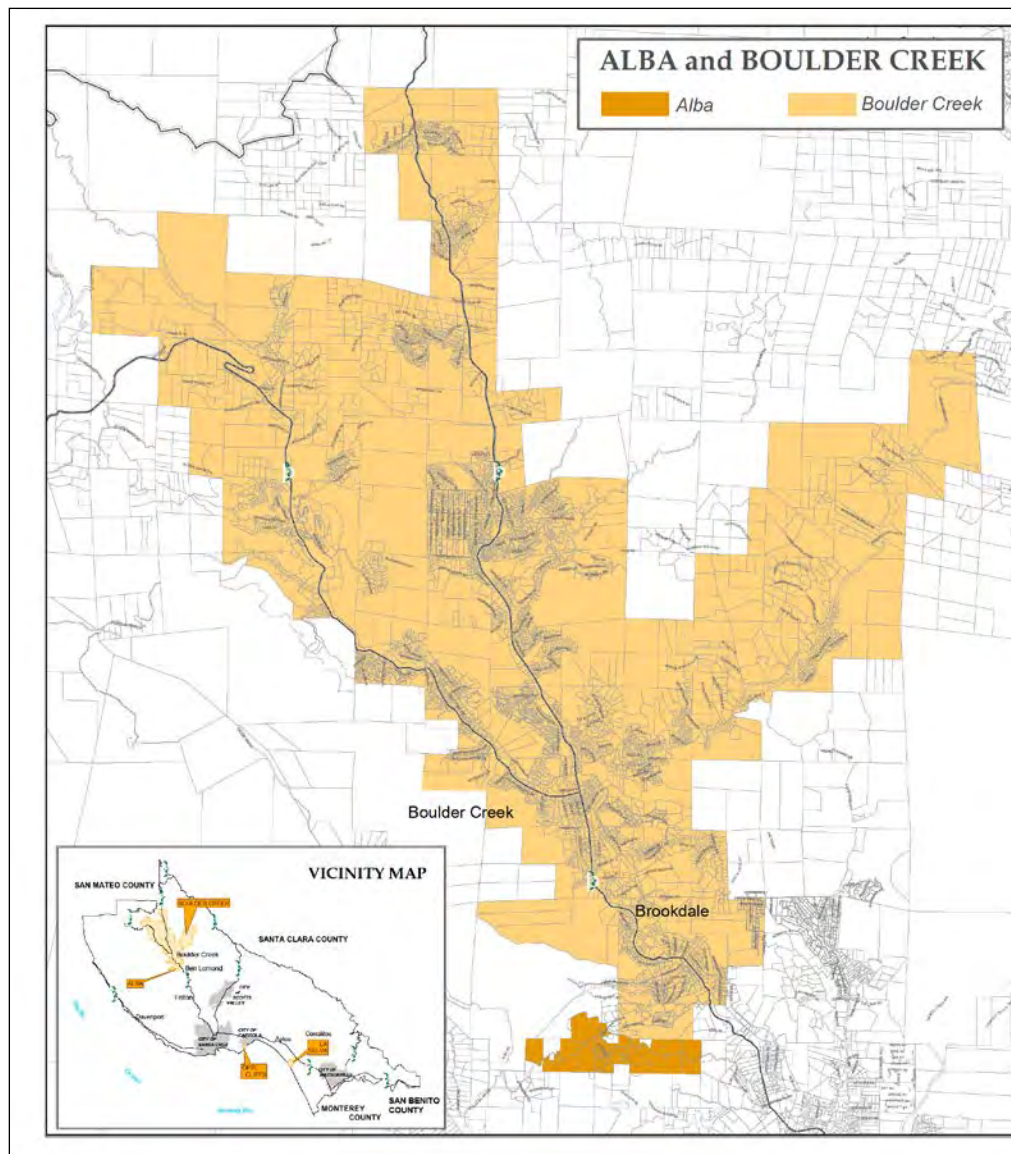
### (1) Boulder Creek Recreation and Park District

The Alba Park, Recreation and Parkway District is located in northern Ben Lomond. As shown on the following map, the Alba district is adjacent to the Boulder Creek Park and Recreation District, which serves Boulder Creek and Brookdale. The Boulder Creek district also manages a rental hall and could operate the Alba Schoolhouse. The Alba district does not have a property tax; therefore the Boulder Creek District would have to review the assets and liabilities of annexing Alba and operating the Alba Schoolhouse.

<sup>3</sup> Report on Audit of Alba Recreation District for the years ended June 30, 2004 through 2008, County of Santa Cruz Auditor-Controller, March 2010.

<sup>4</sup> March 25, 2010 Management Letter from the County Auditor to the Board of Directors of the Alba Recreation District.





## (2) County Parks

The Santa Cruz County Parks, Open Space and Cultural Services Department provides recreation and park services to the unincorporated areas of the County outside the four recreation and park districts. It has the expertise to manage the Alba Schoolhouse. As with the Boulder Creek Recreation and Park District, County Parks would have to review the cash flow and how the schoolhouse fits into their programs. The Alba community would have to consider whether their community's interests would be respected as part of a large agency.

## (3) Park Hall

Another organizational option for the Alba District to dissolve and merge its functions into the Park Hall Trust which operates Park Hall, a meeting room and performance space located at 9400 Mill Street in downtown Ben Lomond. In 1923, Park Hall was donated by the Brooks family into a trust. All property owners and residents within 1 ½ miles of Park Hall are eligible to serve on



the non-profit board and participate in decisions of the trust, as provided for in the language of the trust:

"The Said Trustees above named, and their successors, receive and accept this conveyance with the understanding that the said above described property shall be used for the best interests and benefit of the community of Ben Lomond, and with the further covenant upon their part that in the matter of the use or the sale, or other disposition of said property, they will be controlled by a majority vote of the citizens of said Ben Lomond, present and voting at a town meeting duly called by posting notices in three prominent places in said Town, ten days before the holding of any such meeting. At any such meeting said citizens of Ben Lomond may, by a majority vote, name a successor to any Trustee who may have died or resigned, and may also authorize, direct and compel the sale or other disposition of said property, or any part thereof. By "citizens of Ben Lomond" is meant any and all persons residing or owning property within a radius of 1-1/2 miles of the herein above described property."

Park Hall has a capacity of 250 people. It is the home of the Mountain Community Theater and is available for rental for weddings, concerts, and other community uses. Park Hall's organizational information follows:

- Website: <http://parkhall.benlomond.org>
- Main Phone: (831) 336-2278
- Physical Address: 9400 Mill Street, Ben Lomond, CA
- Mailing Address: P.O.Box 1027, Ben Lomond, CA 95005
- Park Hall Manager: Sheila Bongiovan, [Sheila@BenLomond.org](mailto:Sheila@BenLomond.org) or (831) 345-3835.
- Park Hall Trustees:
  - Ann Scott
  - Lyle Troxell – (831) 419-9659
  - Cathy Smith – (831) 247-3797
  - Dick Mills
  - Gil Sanchez
  - Denise Gorham
  - Steve Edmonds

### **Sphere of Influence**

As shown on the following map, the current Sphere of Influence for the Alba Recreation and Park District is coterminous with its current boundaries. That means that when LAFCO took that action in 2008, LAFCO expected that the District would continue in existence and not change its boundaries.

In the current review, the LAFCO staff has not identified any potential additions or deletions to the District's Sphere of Influence.



## Boulder Creek Recreation and Park District

Formed in 1959, the Boulder Creek Recreation and Park District service area contains approximately 16 square miles with the District primarily serving the communities of Boulder Creek and Brookdale. The District's four facilities are:

- Lisbeth Ann Garrahan Park, 15530 Highway 9 in north Boulder Creek, Playfield, Playgrounds, Picnic Areas, Skateboard Ramp, Walking Path, Exercise Equipment
- Junction Park on Middleton Avenue at the junction of Boulder Creek and the San Lorenzo River, Picnic Area, River Access, Small Lawn
- Barbara Day Park on East Lomond Street at the dam site on San Lorenzo River, Passive Recreation, River Access
- Recreation Hall and office, 13333 Middleton Avenue, Boulder Creek, Office, Recreation Hall, Playground

The Boulder Creek Recreation and Park District leases the Boulder Creek Recreation Hall from the Boulder Creek Fire Protection District for the sum of \$1 for a twenty-five year period that ends in 2018. At expiration, the Recreation District has the option to renew the lease for another 25 years for the additional sum of \$1. The Recreation District also has the option to purchase the building for \$1 if the Fire District is placed in control of persons outside the Boulder Creek community due to a consolidation, dissolution, or bankruptcy.

**Table 4 – Boulder Creek Park and Recreation District Board of Directors**

Board of Directors:	Title	Term Expiration	Compensation
Tess Fitzgerald	Director	Dec. 2016	None
George Galt	Director	Dec. 2018	None
Diana Hamilton	Director	Dec. 2018	None
Kimberly Main	Director	Dec. 2016	None
Brian Valdivia	Director	Dec. 2016	None

The District Manager is Hallie Greene (831-588-5628, [BCRPD2@gmail.com](mailto:BCRPD2@gmail.com)).

The District's website: bcprd. <http://www.bcrpd.org>.

The District Board meets at 7:00 p.m. on the first Monday of each month in the Recreation Hall at 13333 Middleton Avenue, Boulder Creek.



## Facilities of the Boulder Creek Recreation and Park District



**Graham Park**

**Recreation Hall**



**Junction Park**



## Finance

**Table 5 -- Boulder Creek Recreation and Park District – Financial Summary**

<b>Finances</b>	<b>FY 02-03 Actual</b>	<b>FY 03-04 Actual</b>	<b>FY 12-13 Actual</b>	<b>FY 13-14 Actual</b>	<b>FY 14-15 Actual</b>
<b>Sources</b>					
1% Property Tax	\$114,265	\$123,459	\$143,821	\$149,937	\$164,886
Service Charges	\$19,839	\$17,409	\$39,769	\$75,805	\$95,868
Park Dedication Fees	\$2,000	\$12,874	\$20,153	\$19,905	\$0
Rents and Concessions	\$3,708	\$1,966	\$21,378	\$20,994	\$24,886
Interest	\$8,965	\$6,025	\$1,793	\$1,839	\$2,319
Other Revenue, Contributions	\$5,693	\$1,693	\$3,207	\$3,456	6,609
<b>Total Sources</b>	<b>\$154,469</b>	<b>\$163,426</b>	<b>\$230,120</b>	<b>\$271,935</b>	<b>\$294,367</b>
<b>Uses</b>					
Salaries & Employee Benefits	\$75,439	\$82,024	\$127,040	\$162,337	\$185,704
Services & Supplies	\$59,567	\$54,748	\$81,872	\$93,218	\$91,083
Fixed Assets	\$2,572	\$21,646	\$19,572	\$21,705	\$20,347
Contingencies	\$0	\$0	\$0	\$0	\$0
<b>Total Uses</b>	<b>\$137,578</b>	<b>\$158,419</b>	<b>\$228,484</b>	<b>\$277,260</b>	<b>\$297,139</b>
<b>Net Surplus/(Deficit)</b>	<b>\$16,892</b>	<b>\$5,008</b>	<b>\$1,637</b>	<b>(\$5,325)</b>	<b>\$2,766</b>
<b>Fund Balance, end of year</b>	<b>\$472,577</b>	<b>\$477,584</b>	<b>\$529,719</b>	<b>\$531,356</b>	<b>\$526,031</b>

*Division 76480*

## Audits

Since 2010, the Boulder Creek Recreation and Park District has had two audits<sup>5</sup> prepared. The 2012 audit had three recommendations. These recommendations were apparently implemented since the 2014 audit did not contain any recommendations for improvements in the District's financial procedures.

Since the last service review, each of the three parks has been upgraded using some state grant funds.

## Organizational Options

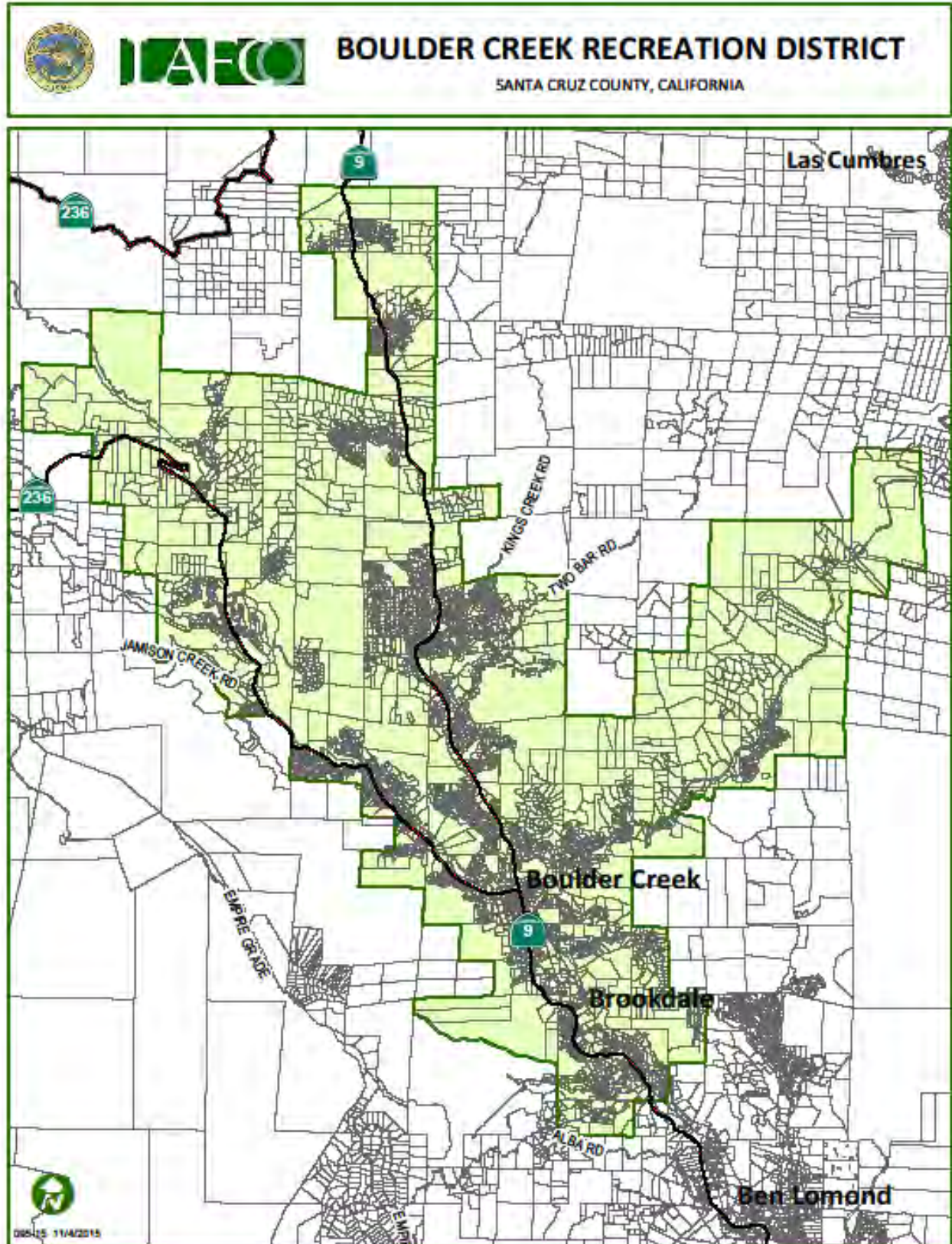
The adjacent Alba Park, Recreation and Parkway District is quite small and has insufficient funding to operate in full compliance with the myriad of state laws that apply to independent districts. One of the options for reorganizing Alba is to consolidate with the Boulder Creek Recreation and Park District (see page 7-8 earlier in this report). If approached by Alba, the Boulder Creek Recreation and Park District should evaluate the consolidation for its effects upon that district's governance and operations.

<sup>5</sup> Boulder Creek Recreation and Park District, Financial Statements and Independent Auditor's Report, June 30, 2011 and 2010, Patricia A. Beckwith, CPA, February 21, 2012

Boulder Creek Recreation and Park District, Financial Statements and Independent Auditor's Report, June 30, 2013 and 2012, Fechter & Company, September 8, 2014

## Sphere

The Boulder Creek Recreation and Park District's Sphere of Influence, last reviewed by LAFCO in 2008, is contiguous with the District's current boundary. LAFCO staff has identified no areas to consider adding or deleting from the District's Sphere.



## La Selva Beach Recreation and Park District

Formed in 1953, the La Selva Beach Recreation and Park District serves the community of La Selva Beach. Facilities include a clubhouse and playground on Estrella Avenue, Triangle Park on La Playa Blvd., open space at the entrance of the community near the corner of San Andreas Road and La Playa Blvd., road medians on Alta Drive, and a bluff strip. The District is governed by a five-person board:

**Table 6 -- La Selva Beach Recreation and Park District Board of Directors**

Board of Directors:	Title	Term Expiration	Compensation
Marni Cook	Director	Dec. 2018	None
John Hunt	Director	Dec. 2018	None
Dagmar Leguillon	Director	Dec. 2016	None
Heiko Roppel	Director	Dec. 2016	None
Jakob Roppel	Director	Dec. 2016	None

The Board of Directors meets the second Wednesday of each month at 7:00 p.m. in the District Office, 314 Estrella Avenue, La Selva Beach.

### Clubhouse and Playground on Estrella Avenue





## Facilities of the La Selva Beach Recreation and Park District



Playground next to Clubhouse



Clubhouse



Triangle Park



Table 7 -- La Selva Beach Recreation and Park District – Financial Summary

Finances	FY 02-03 Actual	FY 03-04 Actual	FY 12-13 Actual	FY 13-14 Actual	FY 14-15 Actual
<b>Sources</b>					
1% Property Tax	\$68,016	\$72,789	\$105,940	\$103,214	\$110,759
Park Dedication Fees from County	\$30,344	\$14,958	\$0	\$0	\$0
Rents & Concessions	\$41,346	\$45,306	\$33,091	\$52,150	\$43,584
Interest	\$2,133	\$582	\$1,234	\$880	\$1,320
Other Revenue, Contributions	\$1,000	\$3,000	\$82,319	\$2,251	\$830
<b>Total Sources</b>	<b>\$142,839</b>	<b>\$136,635</b>	<b>\$222,584</b>	<b>\$158,495</b>	<b>\$156,493</b>
<b>Uses</b>					
Salaries & Employee Benefits	\$16,401	\$18,164	\$23,358	\$25,706	\$25,043
Services & Supplies	\$68,553	\$58,989	\$114,085	\$92,267	\$81,992
Fixed Assets	\$134,057	\$31,084	\$5,500	\$23,278	\$6,065
<b>Total Uses</b>	<b>\$219,011</b>	<b>\$108,237</b>	<b>\$142,943</b>	<b>\$140,796</b>	<b>\$113,100</b>
<b>Net Surplus/(Deficit)</b>	<b>(\$76,172)</b>	<b>\$28,398</b>	<b>\$79,641</b>	<b>\$17,699</b>	<b>\$43,393</b>
<b>Fund Balance, end of year</b>	<b>\$33,130</b>	<b>\$61,529</b>	<b>\$176,761</b>	<b>\$256,402</b>	<b>\$274,101</b>

Division 76525

### Audits

As it typical with small agencies, the La Selva Beach Recreation and Park District has a hard time complying with the recommendations of audits. The District's last two audits<sup>6</sup> were prepared by the County Auditor. Management letter accompanied both audits, The 2012 management letter contained 22 recommendations. The 2014 management letter subsequently noted that 9 recommendations had been implemented, 3 recommendations had been partially implemented, 9 recommendations had not been implemented, and 1 recommendation was ongoing. The 2014 management letter contained 19 recommendations, including that:

- The Board adopt preliminary and final budgets by the deadlines specified in State law, and documents such actions in the Board minutes,
- All budgets adjustments need to have Board approval and be documented in the Board meeting minutes.
- The Board carefully review insurance requirements for contracts to assure that all certifications and endorsements are complete and accurate, and obtain proof of insurance.
- The Board adopt a policies and procedures manual to help ensure that procedures are handled consistently with there is staff or Board turnover.

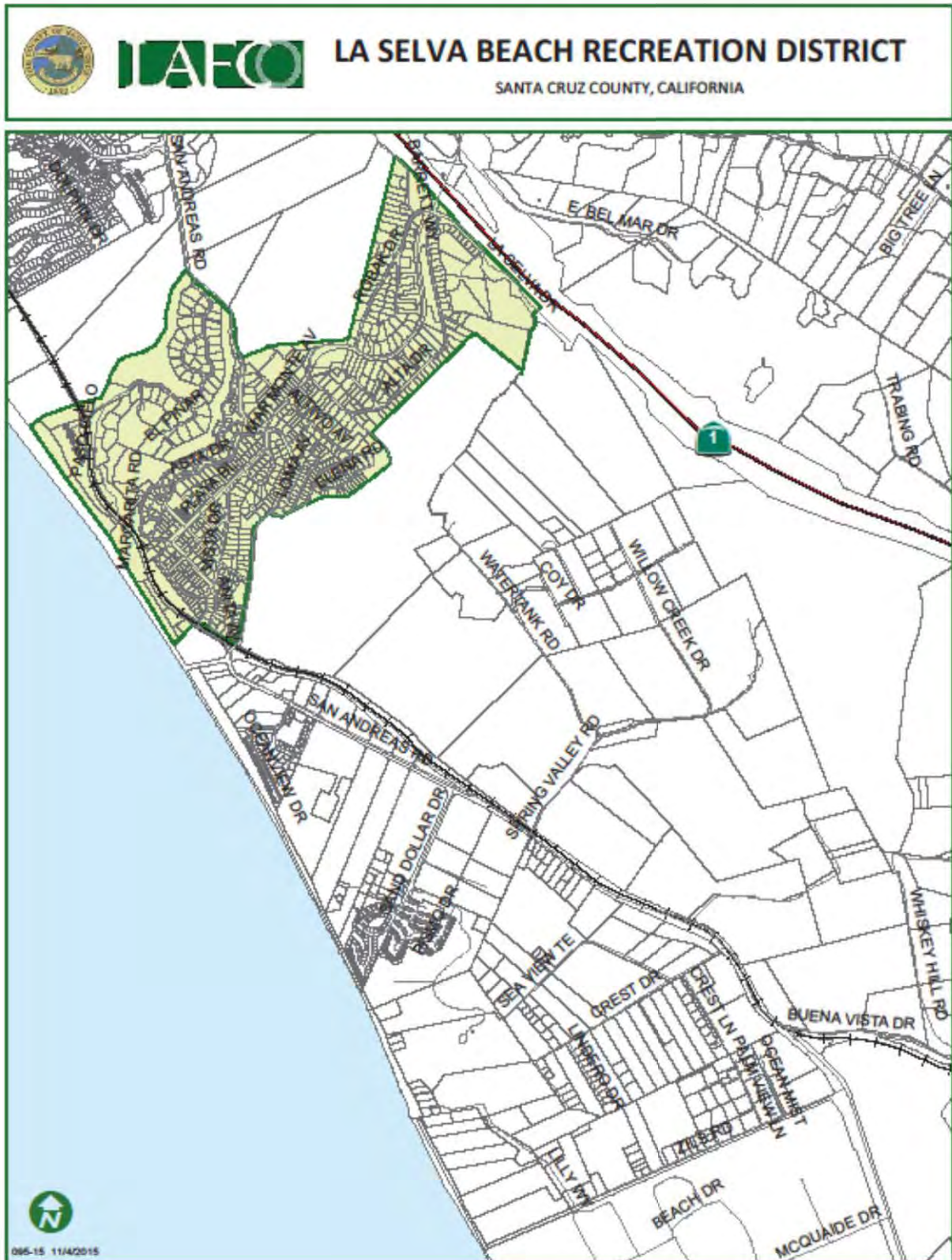
### Organizational Options

The District is functioning well and no organizational options have been studied for this service review.

<sup>6</sup> Report on Audit of La Selva Beach Recreation and Park District for the years ended June 30, 2011 and 2010, County of Santa Cruz Auditor-Controller, June 2012.  
Report on Audit of La Selva Beach Recreation and Park District for the years ended June 30, 2013 and 2012, County of Santa Cruz Auditor-Controller, April 2014.

## Sphere

The La Selva Beach Recreation and Park District's Sphere of Influence, last reviewed by LAFCO in 2008, is contiguous with the District's current boundary. In the previous round of service and sphere reviews, the potential of annexing down the coast to include Place de Mer, Sand Dollar, and Canyon del Sol was considered and rejected because it would not generate any property tax revenues for the District. LAFCO staff has identified no areas to consider adding or deleting from the current review of the District's Sphere.



## Opal Cliffs Recreation District

Formed in 1949, the Opal Cliffs Recreation District operates a 0.3 acre park at 4520 Opal Cliff Drive, Santa Cruz. The park contains several parking spots, an entrance gate, a coastal viewing area, and a walkway down the cliff to Privates Beach. Keys to operate the gate are available from a local surf shop. The annual key rentals cost \$50 for district property owners and \$100 for others. In accordance with Coastal Commission requirements, anyone may purchase a single day pass for \$5 at a nearby surf shop. The District is governed by a five-person board of directors:

**Table 8 -- Board**

Board of Directors:	Title	Term Expiration	Compensation
Michael Carlton	Director	Dec.2017	None
David Cook	Director	Dec. 2019	None
Ted Donnelly	Director	Dec. 2017	None
John Griffith	Director	Dec. 2019	None
Craig Springbett	Director	Dec. 2019	None

## Finance

**Table 9 -- Opal Cliffs Recreation District – Financial Summary**

Finances	FY 02-03 Actual	FY 03-04 Actual	FY 12-13 Actual	FY 13-14 Actual	FY 14-15 Actual
<b>Sources</b>					
1% Property Tax	\$1,606	\$1,665	\$3,186	\$3,128	\$3,937
Service Charges	\$10,440	\$7,114	\$69,930	\$77,750	\$42,450
Park Dedication Fees from County	\$18,350	\$40			\$0
Interest	\$35	(\$29)	\$77	\$161	\$389
Other Revenue	(\$66)		\$33	\$128	\$167
<b>Total Sources</b>	<b>\$30,365</b>	<b>\$8,750</b>	<b>\$73,226</b>	<b>\$81,157</b>	<b>\$46,943</b>
<b>Uses</b>					
Services & Supplies	\$29,633	\$14,720	\$57,209	\$46,205	\$14,467
Fixed Assets	\$4,930	\$0	\$0	\$0	\$0
<b>Total Uses</b>	<b>\$34,563</b>	<b>\$14,720</b>	<b>\$57,209</b>	<b>\$46,205</b>	<b>\$14,467</b>
<b>Net Surplus/(Deficit)</b>	<b>(\$4,198)</b>	<b>(\$5,970)</b>	<b>\$16,017</b>	<b>\$34,952</b>	<b>\$32,476</b>
<b>Fund Balance, end of year</b>	<b>\$256</b>	<b>(\$5,714)</b>	<b>\$15,459</b>	<b>\$31,476</b>	<b>\$66,428</b>

Division 76535



## Facilities of the Opal Cliffs Recreation District

Gate



Viewing Area at Top of Cliff

Stairs to Beach





## Audits

As is typical with districts with very small budgets, the Opal Cliffs Recreation District has a hard time complying with audit recommendations. Since 2009, the County Auditor has performed three audits<sup>7</sup> of the District in 2010, 2012, and 2014 and has issued a management letter<sup>8</sup> with each audit. The 2014 management letter noted that of 15 recommendations:

- 2 recommendations had been partially implemented
- 11 recommendations had not been implemented
- progress on 2 recommendations could not be evaluated because the District did not keep records on ethics training, and the Auditor was unable to audit petty cash expenditures.

In the 2014 management letter, the County Auditor made 32 recommendations. Recommendations included:

- 1) Adopt a schedule of regular meeting and make it available to the public.
- 2) Post meeting agendas in compliance with the Brown Act.
- 3) Adopt preliminary and final budgets by the deadlines specified in State law.
- 4) Submit all expenditure documentation (invoices, receipts) to the County Auditor-Controller for their processing and payment.
- 5) Maintain records of certificates of insurance.
- 6) Continue working with the Consultant the District Board hired to draft and adopt policies and procedures to process key card inventory, other revenues, expenditures, and petty cash.
- 7) Prepare and maintain minutes of Board meetings.
- 8) Hold meetings at least once every three months.
- 9) Require applications to be completed before key cards are issued.
- 10) Reconcile key card sales to revenues collected by surf shop.
- 11) Hire a bookkeeper.

## Organizational Options

The Opal Cliffs Recreation District is wholly located within the City of Capitola's Sphere of Influence. If Opal Cliffs annexes to the City of Capitola, the Opal Cliffs Recreation District should dissolve and the City of Capitola should maintain the beach access.

Another organizational option would be for the Opal Cliffs Recreational District to dissolve and for County Service Area 11 (County Park) to annex Opal Cliffs and maintain the beach access. County Parks maintains other beach access facilities in nearby Live Oak

<sup>7</sup> Report on Audit of Opal Cliffs Recreation and Park District for the years ended June 30 2009 and 2008, County of Santa Cruz Auditor-Controller, June 2010.

Report on Audit of Opal Cliffs Recreation and Park District for the years ended June 30 2011 and 2010, County of Santa Cruz Auditor-Controller, September 2012.

Report on Audit of Opal Cliffs Recreation and Park District for the years ended June 30 2013 and 2012, County of Santa Cruz Auditor-Controller, November 2014.

<sup>8</sup> Management Letters from County Auditor-Controller to Board of Directors of the Opal Cliffs Recreation and Park District dated June 14, 2010; September 24, 2012; and November 17, 2014.

Opal Cliffs Recreation District's Sphere of Influence, last reviewed by LAFCO in 2008, is a zero sphere of influence, meaning that LAFCO expects that the District will go out existence at some point in the future. LAFCO staff has identified no changes for the Commission to consider in the current review.



## Opal Cliffs Areal



## Comparison of Districts

**Table 10**  
**Recreation Program Expenditures Per Capita**

District	Population Estimate 2010	Number of Parcels	Assessed Tax Roll Value	Parcel Acres <sup>i</sup>	Expenditures in FY 14-15	Expenditures per Capita
Alba	220	48	\$16,455,550	205	\$1,598	\$7.26
Boulder Creek	7,748	6,714	\$1,250,642,405	10,785	\$297,139	\$38.35
La Selva	1,613	814	\$365,747,786	331	\$113.100	\$70.12
Opal Cliffs	690	438	\$267,660,427	66	\$14,467	\$20.97

**Table 11**  
**Recreation Program Expenditures Per Capita**

District	Expenditures per Capita FY 04-05	Expenditures per Capita FY 14-15	% Change in 10 years
Alba Park, Recreation and Parkway District	\$10.63	\$7.26	-32%
Boulder Creek Recreation and Park District	\$13.75	\$38.35	179%
La Selva Beach Recreation and Park District	\$108.00	\$70.12	-35%
Opal Cliffs Recreation District	Not Calculated	\$20.97	Not Calculated

The County of Santa Cruz collects park dedication fees<sup>9</sup> upon the issuance of residential building permits. The purpose of the fee is to develop or rehabilitate community parks and recreation facilities. The fees collected in each recreation and park district are sequestered for use by the appropriate district. The County disburses the fees to a district upon request, and credits interest annually.

**Table 12 -- Park Dedication Fees**

District	Building Type	Fee Per Bedroom
Alba and Boulder Creek	Single-Family	\$800
	Multi-Family	\$600
Opal Cliffs and La Selva	Single-Family	\$1,000
	Multi-Family	\$750

**Table 13 -- Park Dedication Fund (County Trust)**

District	Fees Collected in FY 14-15	Balance 7/1/15
Alba Park, Recreation and Parkway District	\$0	\$481
Boulder Creek Recreation and Park District	\$6,400	\$7,410
La Selva Beach Recreation and Park District	\$0	\$61,838
Opal Cliffs Recreation District	\$0	\$6,645

### Growth and Population

Using the US Census and County mapping, LAFCO estimates the population of each district as follows:

**Table 14 -- District Population**

District	Population Estimate 2010
Alba	220
Boulder Creek	7,748
La Selva	1,613
Opal Cliffs	690

In general, the Santa Cruz County unincorporated area is projected to have slow to moderate growth over the next twenty years. The projections are as follows:

<sup>9</sup> Government Code 66477



**Table 15 – County Population**

Public Agency	2010	2015	2020	2025	2030	2035	Annual Growth Rate
Santa Cruz County (unincorporated)	129,739 *	133,790 **	132,318 ***	134,879 ***	139,601 ***	144,227 ***	0.42% ***

*Sources:*

*\*2010 US Census*

*\*\*State of California; Department of Finance E-5 Population Estimates for January 1, 2015*

*\*\*\*AMBAG 2014 Regional Growth Forecast; June 11, 2014*

Based upon the park dedication fees collected in the last two years, all of the districts are experiencing low or no growth.

### **Disadvantaged Communities**

State law<sup>10</sup> requires that LAFCOs address disadvantaged unincorporated communities within or contiguous to the subject agency's sphere of influence. The purpose is to evaluate the feasibility of extending public services to poor communities. A community is defined<sup>11</sup> as disadvantaged if it has an annual median household income that is less than 80 percent of the statewide annual median household income. In 2014, the California statewide median household income was \$61,094<sup>12</sup>, and 80% of that was \$48,875. None of the four recreation and park districts contain or abut any of the disadvantaged census tracts in Santa Cruz County. In its planning activities, the County of Santa Cruz has not identified any disadvantaged areas within these four districts or contiguous to their spheres of influence.

### **Santa Cruz LAFCO Policies**

Santa Cruz LAFCO has a policy that it maintains a file of agency mission statements and meeting rules. These can be accessed by agency boards and community members when discussing agency goals and board meeting procedures.

### **Determinations**

After public comment on this draft report, LAFCO staff will prepare and circulate a set of service review and sphere of influence determinations for each of the four recreation and park districts. After the public hearings, the Commission will adopt resolutions containing the final determinations. State law requires that the determinations address seven subjects in the service review and four subjects in the sphere review.

<sup>10</sup> Government Code §56430 for service reviews, and Government Code section 56425(e) for sphere reviews.

<sup>11</sup> Water Code §79505.5.

<sup>12</sup> U.S. Census Bureau, 2009-2013 American Community Survey 5-Year Estimates.

### **Service Review Determinations<sup>13</sup>**

#### ***1) Population and Growth***

Using city general plans, the county general plan, and regional projections.

#### ***2) Disadvantaged Unincorporated Communities***

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

#### ***3) Capacity of Facilities***

Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged communities within or contiguous to the sphere of influence.

#### ***4) Financial Ability of Agencies***

Financial ability of agencies to provide services.

#### ***5) Shared Facilities***

Status of, and opportunities for, shared facilities.

#### ***6) Accountability***

Accountability for community service needs, including governmental structure and operational efficiencies.

#### ***7) Matters Required by Local LAFCO Policies***

Santa Cruz LAFCO has adopted a policy that it will inquire whether public agencies have adopted meeting rules and a mission statement. LAFCO maintains a file of meeting rules that is available for review by any local agency.

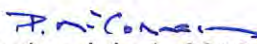
### **Sphere of Influence Determinations<sup>14</sup>**

<sup>13</sup> Government Code Section 56430

<sup>14</sup> Government Code Section 56425(e)

- 1) The present and planned land uses in the area, including agricultural and open-space lands.*
- 2) The present and probable need for public facilities and services in the area.*
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.*
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.*



Date: February 23, 2016 for March 2<sup>nd</sup> Agenda  
To: LAFCO Commissioners  
From: Patrick M. McCormick, Executive Officer   
Subject: Proposed Budget for Fiscal Year beginning July 1, 2016

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*Summary: State law requires that LAFCO adopt a proposed budget no later than May 1<sup>st</sup> and a final budget no later than June 15<sup>th</sup>. The staff has noticed a public hearing for March 2<sup>nd</sup> in order for the Commission to consider the proposed budget.*

*Staff Recommendation: Conduct a public hearing, discuss the work program, give direction to staff for further evaluation of budget options, and continue consideration of the budget to the next meeting on April 6<sup>th</sup>.*

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State law (Attachment B—Government Code 56381) specifies the budget process. It requires LAFCO to hold two noticed public hearings and adopt a proposed budget by May 1 and a final budget by June 15.

After LAFCO adopts a final budget, the County Auditor is required to apportion LAFCO net operating expenses (new funding) into thirds. The County pays a third. The four Cities pay a third, pro-rated by their total operating revenues as published by the State Controller. The twenty-four Independent Special Districts pay a third, pro-rated by their operating revenues as published by the State Controller.

### **STATE MANDATES**

The Local Government Reorganization Act of 2000 requires that each LAFCO process all boundary change applications that are submitted, prepare service reviews before or concurrently with sphere of influence reviews, and review spheres of influence every five years for all cities and districts subject to LAFCO's boundary regulation. Text of the laws can be found in Attachment C. The State does not provide any funding for LAFCOs. During the recession, LAFCO reduced its budget and depleted reserves to assist the funding agencies in responding to their budget difficulties. LAFCO is now behind schedule in completing service reviews and sphere of influence updates. Over the last several years, LAFCO has been incrementally rebuilding its reserves with the most improvement in the last two years.

The Status List for the sphere and service reviews is Attachment D.



## WORK PROGRAM

The Commission annually reviews its work program (Attachment E) during the budget review.

The Commission is continuing to hold public hearings on the current round of service and sphere of influence reviews. The approach in the recent years has been for staff to prepare these documents for agencies as prioritized by the Commission, and to advance studies for individual agencies if boundary change applications are filed. The professional services reserve of \$100,000 is available to contract with consultants to prepare some service and sphere reviews. It has not yet been used in the current round of reviews. In order to estimate how many service reviews can be prepared with that reserve, the staff has put together municipal service review costs conducted around the state during the last three years:

### COSTS TO PERFORM MUNICIPAL SERVICE REVIEWS USING CONSULTANTS 2013-2016

<u>Cost</u>	<u>LAFCO</u>	<u>\$ per agency</u>	<u>\$ per city</u>	<u>\$ per district</u>	<u>Description</u>
\$75,000	Alameda	\$3,800		\$3,800	21 special districts including 12 CSAs
\$75,000	Santa Clara	\$5,000	\$5,000		15 cities
\$80,000	Yolo	\$5,300		\$5,300	15 fire protection districts
\$67,000	San Mateo	\$8,400			8+ agencies (4 cities, 4+ districts)
\$43,000	Nevada	\$8,600			5 water agencies (2 cities, 3 districts)
\$40,000	Nevada	\$10,000			4 wastewater agencies (2 cities, 2 districts)
\$60,000	Sonoma	\$10,000		\$10,000	6 fire agencies (1 city, 2 districts, county, tribe, CAL Fire)
\$62,000	Napa	\$12,400	\$14,000	\$7,000	5 agencies (3 cities, 2 districts)
\$40,000	Yolo	\$10-13,000			\$40,000 for typical MSR for 3-4 agencies
\$35,000	Fresno	\$30,000		\$30,000	1 large city
\$38,000	San Mateo	\$38,000		\$38,000	1 complicated and contentious district

The per agency cost can be summarized as \$4,000 for a basic level of complexity, \$10,000 for moderately complex agencies, and \$30,000 for complex agencies. Per agency cost is lower when many agencies are grouped into a single contract. Using these estimates, the Commission's professional services reserve could pay for studies of 25 simple agency studies, 10 moderately complex agency studies, or 3 complex agency studies. The State law requires that certain subjects be analyzed and that a series of determinations be made (such as adequacy of services, opportunities to share services, and accountability). Each LAFCO has wide discretion to vary the scope of each service review. Costs increase with complexity.

The requirement for the preparation of municipal service reviews was added into State law in 2000. There now has been fifteen years of experience with them both locally and statewide. This helps to predict where simple service reviews can be prepared, and where more complex studies will be needed. The following worksheet estimates some costs for consultants to complete the current round of service reviews. The range of costs is derived from the costs survey. The inventory of service reviews can be found in Attachment D. Although the Commission may wish to prioritize staff-prepared reviews differently than in its current work program, the worksheet presumes that in the next fiscal year, staff will prepare five service reviews that are currently under preparation or

will be required to consider the pending or anticipated boundary change applications filed with LAFCO in FY 2016-17.

LAFCO has responsibility to review the services of 82 local agencies in Santa Cruz County. Service reviews have been completed in the last five years for 15 agencies. Using the priorities in the current work program, 5 service reviews are tentatively scheduled to be prepared by staff in FY 2016-17. That leaves 62 agencies' reviews to be prepared. Several approaches are presented to estimate costs if consultants are used to complete the service reviews. In the final column, staff has estimated a likely hybrid cost based upon the complexity of the actual mix of agencies in the respective categories.

#### WORKSHEET OF CONSULTANT COST ESTIMATES

<u>Category</u>	<u># of Agencies</u>	<u>Basic</u> <u>\$4,000</u> <u>per</u> <u>agency</u>	<u>Moderate</u> <u>\$10,000</u> <u>per</u> <u>agency</u>	<u>Complex</u> <u>\$30,000</u> <u>per</u> <u>agency</u>	<u>Staff Estimate</u> <u>Hybrid</u>
Cities	1	\$4,000	\$10,000	\$30,000	\$15,000
Fire Districts	12	\$48,000	\$120,000	\$360,000	\$60,000
Water Districts	4	\$16,000	\$40,000	\$120,000	\$50,000
Sanitation Districts	7	\$28,000	\$70,000	\$210,000	\$40,000
Miscellaneous	2	\$8,000	\$20,000	\$60,000	\$20,000
County Service Areas	36	\$144,000	\$360,000		\$40,000
Total	62	\$248,000			\$225,000

#### AGENCIES USED FOR WORKSHEET ESTIMATE

<u>Cities</u>	<u>Fire</u>	<u>Water</u>	<u>Sanitation</u>	<u>Misc.</u>	<u>County Services Area</u>
Capitola	Aptos/La Selva	Central	Davenport	Port District	3 Aptos Seascape
	Aromas	PVWMA	Freedom	Mid-Pen Open	11 County Parks
	Ben Lomond	Soquel Creek	County Sanitation		38 Sheriff's Patrol
	Boulder Creek	CSA 54 Summit West	CSA 2 Place de Mer		53 Mosquito/Vector
	Branciforte		CSA 5 Sand Dollar		plus 32 road CSAs
	Central		CSA 7 B.C. County Club		
	CSA 4 Pajaro Dunes		CSA 20 Trestle Beach		
	CSA 48 County Fire				
	Felton				
	Pajaro Valley				
	Scotts Valley				
	Zayante				

To begin the budget review, the staff has prepared a status quo budget that involves a 2% increase over the current fiscal year in the county, city, and district contributions. At the March meeting, the Commission should discuss work program priorities and whether to accelerate the number of service and sphere reviews that can be done using the current approach. Options for increasing the number of studies that can be performed are outlined below.

- (A) Increase the level of funding from agency contributions. Doubling the professional services budget to \$200,000 would require increasing the agencies' annual contributions 30% from \$337,600 to \$437,600.
- (B) For the staff-prepared reviews, utilize a simpler format and process so that more reviews can be performed in a year.
- (C) Shift some funding to augment the consultant-prepared reviews. For instance, the Commission could decide not accelerate paying down the PERS Pension Side Fund. That would free \$20,000 in both the current and next fiscal year that could be shifted from pensions to professional services.
- (D) Use part of the \$110,000 litigation reserve in the attorney services account.

Based upon applications which have been filed in the office or which have a high to moderate likelihood of being filed in 2016 – 2017, there are three service reviews that would be prioritized using the priorities in the current work program.

<u>Agency</u>	<u>Sphere Amendment</u>	<u>Service Review</u>	<u>Area</u>
San Lorenzo Valley Water	No	2014	E. Zayante
<b>Scotts Valley Water</b>	Yes	<b>Needed</b>	Monte Fiore +
<b>City of Scotts Valley</b>	Yes	<b>Needed</b>	Glen Canyon +
<b>City of Watsonville</b>	No	<b>Needed</b>	Pippin
City of Santa Cruz	No	2011	Carbonera

If the current priorities are applied in FY 16-17, staff would prepare these service reviews, while scoping and conducting consultant selection for the projects which the Commission chooses to contact for the work.

## PROPOSED BUDGET DOCUMENTS

The proposed budget is detailed in the following documents:

- Multi-year spreadsheet (Attachments F and G)
- Narrative, line-item explanation of FY 2016-17 budget (Attachment H)
- Revenues, re-budgets, and new funding (Attachment I)
- LAFCO budgets 2006-2016 (Attachment J)
- LAFCO reserves 2006-2016 (Attachment K)

## LEGISLATION TO PONDER

Going forward, the Commission may want to consider whether to propose to CALAFCO that the 5-year review cycle for spheres of influence be changed to 8 or 10 years. At least in the slow growth rates experienced and projected in the Monterey Bay area, not much changes in 5 years. A longer review cycle would help to control LAFCO's future costs without sacrificing the oversight and the big-picture functions intended in the State law.

## RECOMMENDATION

It is RECOMMENDED that the Commission:

1. Conduct a public hearing on the proposed budget, discuss the work program, give staff direction on budget approach (\*\*ow) and additional information, and continue consideration of the proposed budget to the next meeting on April 6, 2016.

cc: County of Santa Cruz  
Board of Supervisors  
Auditor-Controller  
County Administrative Officer  
Cities:  
Capitola  
Santa Cruz  
Scotts Valley  
Watsonville  
24 Independent Special Districts

### Attachments:

- A. Draft Resolution No. 2016-2 Adopting a Proposed Budget
- B. Government Code Section 56381 Regarding LAFCO Funding
- C. Government Code Sections Regarding Sphere and Service Review Timelines
- D. Sphere and Service Review Status List
- E. Work Program Recommendation
- F. Multi-Year Spreadsheet Expenses
- G. Multi-Year Spreadsheet Revenues
- H. Narrative, Line-Item Budget for FY 2016-17
- I. Revenues, Re-Budgets, and New Funding
- J. Budget Chart 2006-2016
- K. Reserves Chart 2006-2016



**ATTACHMENT A**

**LOCAL AGENCY FORMATION COMMISSION OF SANTA CRUZ COUNTY  
RESOLUTION NO. 2016-2**

On the motion of Commissioner  
Duly seconded by Commissioner  
The following resolution is adopted:

**ADOPTING A PROPOSED BUDGET  
FOR THE FISCAL YEAR BEGINNING JULY 1, 2016**

\*\*\*\*\*

WHEREAS, the Santa Cruz Local Agency Formation Commission wishes to provide for a budget to fulfill its purposes and functions that are set by State law;

NOW, THEREFORE, the Santa Cruz Local Agency Formation Commission does hereby resolve, determine, and order as follows:

1. In accordance with Government Code section 56381(a), the Commission adopts a proposed budget for the fiscal year beginning July 1, 2016 in the amount of \$701,100 with the net amount to be funded by the participating agencies of \$337,600.
2. The Executive Officer is directed to transmit the proposed budget to the County Auditor, the county, the cities, and the independent districts as specified in Government Code section 56381(a), and to notice a public hearing for the purpose of adopting a final budget pursuant to state law.
3. The budget will allow the Commission to fulfill the programs and purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act because it will increase its budget to prepare the required studies in a timely manner.

PASSED AND ADOPTED by the Santa Cruz Local Agency Formation Commission this second day of March 2016 by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
ROGER W. ANDERSON, CHAIRPERSON

Attest:

Approval as to form:

\_\_\_\_\_  
Patrick M. McCormick  
Executive Officer

\_\_\_\_\_  
T. Brooke Miller  
LAFCO Counsel

**ATTACHMENT B**  
**GOVERNMENT CODE SECTION 56381**  
**LAFCO BUDGETING**

**56381.** (a) The commission shall adopt annually, following noticed public hearings, a proposed budget by May 1 and final budget by June 15. At a minimum, the proposed and final budget shall be equal to the budget adopted for the previous fiscal year unless the commission finds that reduced staffing or program costs will nevertheless allow the commission to fulfill the purposes and programs of this chapter. The commission shall transmit its proposed and final budgets to the board of supervisors, to each city, and to each independent special district.

(b) After public hearings, consideration of comments, and adoption of a final budget by the commission pursuant to subdivision (a), the auditor shall apportion the net operating expenses of a commission in the following manner:

(1) (A) In counties in which there is city and independent special district representation on the commission, the county, cities, and independent special districts shall each provide a one-third share of the commission's operational costs.

(B) The cities' share shall be apportioned in proportion to each city's total revenues, as reported in the most recent edition of the Cities Annual Report published by the Controller, as a percentage of the combined city revenues within a county, or by an alternative method approved by a majority of cities representing the majority of the combined cities' populations.

(C) The independent special districts' share shall be apportioned in proportion to each district's total revenues as a percentage of the combined total district revenues within a county. Except as provided in subparagraph (D), an independent special district's total revenue shall be calculated for nonenterprise activities as total revenues for general purpose transactions less intergovernmental revenue and for enterprise activities as total operating and nonoperating revenues less intergovernmental revenue, as reported in the most recent edition of the "Special Districts Annual Report" published by the Controller, or by an alternative method approved by a majority of the agencies, representing a majority of their combined populations. For the purposes of fulfilling the requirement of this section, a multicounty independent special district shall be required to pay its apportionment in its principal county. It is the intent of the Legislature that no single district or class or type of district shall bear a disproportionate amount of the district share of costs.

(D) (i) For purposes of apportioning costs to a health care district formed pursuant to Division 23 (commencing with Section 32000) of the Health and Safety **Code** that operates a hospital, a

health care district's share, except as provided in clauses (ii) and (iii), shall be apportioned in proportion to each district's net from operations as reported in the most recent edition of the hospital financial disclosure report form published by the Office of Statewide Health Planning and Development, as a percentage of the combined independent special districts' net operating revenues within a county.

(ii) A health care district for which net from operations is a negative number may not be apportioned any share of the commission's operational costs until the fiscal year following positive net from operations, as reported in the most recent edition of the hospital financial disclosure report form published by the Office of Statewide Health Planning and Development.

(iii) A health care district that has filed and is operating under public entity bankruptcy pursuant to federal bankruptcy law, shall not be apportioned any share of the commission's operational costs until the fiscal year following its discharge from bankruptcy.

(iv) As used in this subparagraph "net from operations" means total operating revenue less total operating expenses.

(E) Notwithstanding the requirements of subparagraph (C), the independent special districts' share may be apportioned by an alternative method approved by a majority of the districts, representing a majority of the combined populations. However, in no event shall an individual district's apportionment exceed the amount that would be calculated pursuant to subparagraphs (C) and (D), or in excess of 50 percent of the total independent special districts' share, without the consent of that district.

(F) Notwithstanding the requirements of subparagraph (C), no independent special district shall be apportioned a share of more than 50 percent of the total independent special districts' share of the commission's operational costs, without the consent of the district as otherwise provided in this section. In those counties in which a district's share is limited to 50 percent of the total independent special districts' share of the commission's operational costs, the share of the remaining districts shall be increased on a proportional basis so that the total amount for all districts equals the share apportioned by the auditor to independent special districts.

(2) In counties in which there is no independent special district representation on the commission, the county and its cities shall each provide a one-half share of the commission's operational costs. The cities' share shall be apportioned in the manner described in paragraph (1).

(3) In counties in which there are no cities, the county and its special districts shall each provide a one-half share of the commission's operational costs. The independent special districts'

share shall be apportioned in the manner described for cities' apportionment in paragraph (1). If there is no independent special district representation on the commission, the county shall pay all of the commission's operational costs.

(4) Instead of determining apportionment pursuant to paragraph (1), (2), or (3), any alternative method of apportionment of the net operating expenses of the commission may be used if approved by a majority vote of each of the following: the board of supervisors; a majority of the cities representing a majority of the total population of cities in the county; and the independent special districts representing a majority of the combined total population of independent special districts in the county. However, in no event shall an individual district's apportionment exceed the amount that would be calculated pursuant to subparagraphs (C) and (D) of paragraph (1), or in excess of 50 percent of the total independent special districts' share, without the consent of that district.

(c) After apportioning the costs as required in subdivision (b), the auditor shall request payment from the board of supervisors and from each city and each independent special district no later than July 1 of each year for the amount that entity owes and the actual administrative costs incurred by the auditor in apportioning costs and requesting payment from each entity. If the county, a city, or an independent special district does not remit its required payment within 60 days, the commission may determine an appropriate method of collecting the required payment, including a request to the auditor to collect an equivalent amount from the property tax, or any fee or eligible revenue owed to the county, city, or district. The auditor shall provide written notice to the county, city, or district prior to appropriating a share of the property tax or other revenue to the commission for the payment due the commission pursuant to this section. Any expenses incurred by the commission or the auditor in collecting late payments or successfully challenging nonpayment shall be added to the payment owed to the commission. Between the beginning of the fiscal year and the time the auditor receives payment from each affected city and district, the board of supervisors shall transmit funds to the commission sufficient to cover the first two months of the commission's operating expenses as specified by the commission. When the city and district payments are received by the commission, the county's portion of the commission's annual operating expenses shall be credited with funds already received from the county. If, at the end of the fiscal year, the commission has funds in excess of what it needs, the commission may retain those funds and calculate them into the following fiscal year's budget. If, during the fiscal year, the commission is without adequate funds to operate, the board of supervisors may loan the commission funds. The commission shall appropriate sufficient funds in its budget for the subsequent fiscal year to repay the loan.



## ATTACHMENT C

### TIMELINES FOR SPHERES AND MUNICIPAL SERVICE REVIEWS CALIFORNIA GOVERNMENT CODE

#### SPHERES

56425. (a) In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies subject to the jurisdiction of the commission to advantageously provide for the present and future needs of the county and its communities, the commission shall develop and determine the sphere of influence of each city and each special district, as defined by Section 56036, within the county and enact policies designed to promote the logical and orderly development of areas within the sphere.

....

(g) On or before January 1, 2008, and every five years thereafter, the commission shall, as necessary, review and update each sphere of influence.

#### MUNICIPAL SERVICE REVIEWS

56430. (a) In order to prepare and to update spheres of influence in accordance with Section 56425, the commission shall conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission. The commission shall include in the area designated for service review the county, the region, the subregion, or any other geographic area as is appropriate for an analysis of the service or services to be reviewed, and shall prepare a written statement of its determinations with respect to each of the following:

- (1) Growth and population projections for the affected area.
- (2) The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
- (3) Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.
- (4) Financial ability of agencies to provide services.
- (5) Status of, and opportunities for, shared facilities.
- (6) Accountability for community service needs, including governmental structure and operational efficiencies.
- (7) Any other matter related to effective or efficient service delivery, as required by commission policy.

....

(e) The commission shall conduct a service review before, or in conjunction with, but no later than the time it is considering an action to establish a sphere of influence in accordance with Section 56425 or 56426.5 or to update a sphere of influence pursuant to Section 56425.

## ATTACHMENT D

### SPHERE AND SERVICE REVIEWS

Status as of February 22, 2016

Agency	Date of First Sphere	Last Sphere Review Completed	Last MSR Completed	Tentative Schedule MSR and Sphere
<b>CITIES</b>				
Capitola	1975	2008	2007	
Santa Cruz	1983	2008	2011	
Scotts Valley	1985	2008	2007	2016
Watsonville	1977	2008	2007	2016
<b>FIRE AGENCIES</b>				
Aptos/La Selva	1977	2008	2007	
Aromas	1989	2008	2007	
Ben Lomond	1994	2008	2007	
Boulder Creek	1994	2008	2007	
Branciforte	1987	2008	2007	
Central	1987	2008	2007	
County Service Area 4-Pajaro Dunes	1989	2008	2007	
County Service Area 48-County Fire	1985	2008	2007	
Felton	1994	2008	2007	
Pajaro Valley	1989	2008	2007	
Scotts Valley	1976	2008	2007	
Zayante	1994	2008	2007	

**ATTACHMENT D**

Agency	Date of First Sphere	Last Review Completed	Last MSR Completed	Tentative Schedule MSR and Sphere
<b>WATER AGENCIES</b>				
Central	1986	1993	2007	
Lompico	1985	2008	2014	
Pajaro Valley Water Management			2007	
San Lorenzo Valley	1985	2008	2014	
Scotts Valley	1985	1993	2007	2016
Soquel Creek	1986	2010	2007	
CSA 54 Summit West	1996	2008	2007	
<b>RECREATION AND PARK DISTRICTS</b>				
Alba Park, Rec., and Parkway District	1988	2016	2016	
Boulder Creek Recreation and Park District	1988	2016	2016	
La Selva Recreation and Park District	1990	2016	2016	
Opal Cliffs Recreation Dist.	1998	2016	2016	

## ATTACHMENT D

Agency	Date of First Sphere	Last Sphere Review Completed	Last MSR Completed	Tentative Schedule MSR and Sphere
<b>SANITATION DISTRICTS</b>				
Davenport	1984	2008	2007	
Freedom	1975	2011	2007	
Salsipuedes	1987	2016	2016	
Santa Cruz Co. Sanitation District	1983	2011	2007	
2 Place de Mer	1988	2008	2007	
5 Sand Dollar	1988	2008	2007	
7 Boulder Creek Country Club	1985	2008	2007	
10 Rolling Woods	1984	2008	2013	
12 Septic Maintenance	1988	1992	2007	2016
20 Trestle Beach	1988	2008	2007	
57 Graham Hill	2001	2008	2013	
<b>MISCELLANEOUS INDEPENDENT DISTRICTS</b>				
Mid-Pen. Reg. Open Space		2008	2007	
Pajaro Valley Cemetery	1988	2015	2015	
Reclamation District 2049	1988	2008	2007	2016
Resource Conservation District	1983	2015	2015	
Santa Cruz Port District	1991	1991	2007	



## ATTACHMENT D

Agency	Date of First Sphere	Last Sphere Review Completed	Last MSR Completed	Tentative Schedule MSR and Sphere
<b>COUNTY SERVICE AREAS</b>				
2 (under sanitation)				
3 Aptos Seascapes	1983	2008	2007	
4 (under fire)				
5 (under sanitation)				
7 (under sanitation)				
9 County Public Works	1985	2015	2015	
10 (under sanitation)				
11 County Parks	1985	2008	2007	
12 (under sanitation)				
13 Hutchinson Road	1988	2005	2007	
15 Huckleberry Woods	1988	2008	2014	
16 Robak Road	1988	2008	2007	
17 Empire Acres	1988	2008	2007	
20 (under sanitation)				
21 Westdale	1988	2008	2007	

## ATTACHMENT D

Agency	Date of First Sphere	Last Sphere Review Completed	Last MSR Completed	Tentative Schedule MSR and Sphere
<b>COUNTY SERVICE AREAS (continued)</b>				
22 Kelly Hill	1988	2008	2007	
23 Old Ranch Road	1988	2008	2007	
24 Pine Ridge	1988	2008	2007	
25 Viewpoint Road	1988	2008	2007	
26 Hidden Valley	1988	2008	2007	
28 Lomond Terrace	1988	2008	2007	
30 Glenwood Acres	1988	2008	2007	
32 View Circle	1983	2008	2007	
33 Redwood Drive	1983	2008	2007	
34 Larsen Road	1983	2008	2007	
35 Country Estates	1983	2008	2007	
36 Forest Glen	1983	2008	2007	
37 Roberts Rd.	1983	2008	2007	
38 Extended Police (Sheriff)	1985	2008	2007	
39 Reed Street	1983	2008	2007	
40 Ralston Way	1983	2008	2007	
41 Loma Prieta Drive	1983	2008	2007	
42 Sunlit Lane	1983	2008	2007	
43 Bonita Encino	1983	2008	2007	

## ATTACHMENT D

Agency	Date of First Sphere	Last Sphere Review Completed	Last MSR Completed	Tentative Schedule MSR and Sphere
<b>COUNTY SERVICE AREAS (continued)</b>				
22 Kelly Hill	1988	2008	2007	
23 Old Ranch Road	1988	2008	2007	
24 Pine Ridge	1988	2008	2007	
25 Viewpoint Road	1988	2008	2007	
26 Hidden Valley	1988	2008	2007	
28 Lomond Terrace	1988	2008	2007	
30 Glenwood Acres	1988	2008	2007	
32 View Circle	1983	2008	2007	
33 Redwood Drive	1983	2008	2007	
34 Larsen Road	1983	2008	2007	
35 Country Estates	1983	2008	2007	
36 Forest Glen	1983	2008	2007	
37 Roberts Rd.	1983	2008	2007	
38 Extended Police (Sheriff)	1985	2008	2007	
39 Reed Street	1983	2008	2007	
40 Ralston Way	1983	2008	2007	
41 Loma Prieta Drive	1983	2008	2007	
42 Sunlit Lane	1983	2008	2007	
43 Bonita Encino	1983	2008	2007	

## ATTACHMENT D

Agency	Date of First Sphere Adoption	Last Sphere Review Completed	Last MSR Completed	Tentative Schedule MSR and Sphere
<b>COUNTY SERVICE AREAS (continued)</b>				
44 Sunbeam Woods	1983	2008	2007	
46 Pinecrest Dr.	1983	1983	2007	
47 Braemoor	1985	2008	2007	
48 (under fire agencies)				
50 The Vineyard	1987	2008	2007	
51 Hopkins Gulch	1989	2008	2007	
52 Pleasant Valley	1990	2008	2007	
53 Mosquito Abatement	1992	2008	2007	
54 (under water agencies)				
55 Riverdale Park	1996	2008	2007	
56 Felton Grove	1997	2008	2007	
57 (under sanitation)				
58 Ridge Road	2001	2008	2007	
59 McGaffigan Mill Road	2002	2008	2007	
60 Huckleberry Woods	2015	2015	2015	



## **ATTACHMENT E**

### **Work Program**

**Last Reviewed March 4, 2015**

#### **--Highest Priority**

- Complete processing of Lompico Reorganization (likely time frame: Feb. – June 2015)
- Assist public in questions about boundary change procedures (Feb. 2015 – June 2016)
- Complete eight small districts service and sphere reviews (February – June 2015)
- Process new applications (February 2015 – June 2016)
- Assist Personnel Committee in annual review (February – June 2015)

#### **--Second Priority**

- Complete consultations and Commission determination whether to initiate major study (April - August 2015)
- Conduct consultant selection for major study (August – October 2015)
- Assist consultant in major study (October 2015 – June 2016)
- Prepare next set of in-house service and sphere reviews (October 2015 – June 2016)

#### **--Third Priority**

- Participate in CALAFCO Training Panels (February – September 2015)
- Update Indemnification Policy (April 2015)
- Update Employment Policy (May 2015 – June 2016)
- Participate with Regional Water Management Forum and water agencies in organizing a regional water forum (January – June 2016)

#### **--Beyond June 30, 2016**

- Use in-house staff as time permits, and consultants to complete all service reviews and sphere updates by June 30, 2017.

## BUDGET UNIT 702000

EXPENDITURES DESCRIPTION	13-14 BUDGET	13-14 ACTUAL	14-15 BUDGET	14-15 ACTUAL	15-16 BUDGET	15-16 ESTIMATE	16-17 PROPOSED
Regular Pay	\$188,000	\$171,378	\$193,700	\$168,908	\$226,600	\$187,800	\$236,700
Overtime Pay	2,000	187	2,000	-37	2,000	200	2,000
Extra Help	1,000	0	1,000	0	1,000	0	1,000
Sick Leave	3,000	0	3,000	445	2,000	400	2,000
Holiday Pay	7,400	8,548	8,500	7,877	8,600	8,300	8,600
Social Security	13,200	13,804	13,500	13,755	14,500	14,900	15,000
PERS	30,000	31,952	33,400	33,522	56,500	56,000	60,000
Insurances	36,200	35,535	37,500	39,385	41,800	45,200	49,700
Unemployment	400	350	400	322	400	400	400
Workers Comp	700	736	900	749	1,000	1,000	1,000
<b>Salaries Sub.Tot.</b>	<b>\$281,900</b>	<b>\$262,490</b>	<b>\$293,900</b>	<b>\$264,925</b>	<b>\$354,400</b>	<b>\$314,200</b>	<b>\$376,400</b>
Telecom	1,800	1,757	1,800	1,725	1,800	2,200	2,200
Office Equipment	1,000	168	500	172	300	200	200
Memberships	3,300	3,305	4,000	5,797	4,000	3,800	4,700
Hardware	0	0	0	0	1,200	1,400	0
Duplicating	2,400	791	2,400	699	900	1,000	1,000
PC Software	800	0	1,100	13	700	600	600
Postage	1,600	518	2,100	3,172	3,000	800	3,200
Subscriptions	800	0	800	290	600	400	400
Supplies	1,100	145	1,600	858	1,600	1,000	1,000
Accounting	1,200	1,034	1,100	887	1,100	1,100	1,100
Attorney	142,500	8,950	142,500	6,250	150,000	12,500	150,000
Data Process GIS	8,600	14,864	9,300	15,850	13,100	21,300	21,300
Director Fees	6,000	2,890	6,000	2,610	6,000	2,700	6,000
Surveyor	1,000	0	1,000	0	1,000	500	1,000
Prof. Services	45,000	0	75,000	0	100,000	1,600	100,000
Legal Notices	1,600	1,129	1,700	1,139	1,700	1,300	1,300
Rents	8,000	7,919	8,000	8,315	8,400	8,500	8,500
Misc. Expenses	3,000	3,013	3,000	2,973	5,900	5,100	5,100
Books	300	0	300	0	300	300	300
Air Fare	1,800	748	3,000	1,158	3,000	1,100	3,000
Auto Rental	0	0	0	0	0	100	200
Training	800	0	800	0	800	900	900
Lodging	3,500	5,199	5,200	1,569	5,200	3,800	5,200
Meals	400	0	400	199	400	400	400
Mileage	2,000	989	1,000	1,544	1,200	1,200	1,600
Travel-Other	1,000	66	200	173	200	200	200
Registrations	4,100	3,967	4,100	5,312	4,000	4,800	5,300
Principal on Lease	1,200	981	1,500	1,096	1,100	1,200	0
Interest on Lease	400	295	400	180	200	100	0
<b>Supplies Sub.Tot.</b>	<b>\$245,200</b>	<b>\$58,728</b>	<b>\$278,800</b>	<b>\$61,981</b>	<b>\$317,700</b>	<b>\$80,100</b>	<b>\$324,700</b>
Assets Sub.Tot.	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>TOTAL EXPENDITURES</b>	<b>\$527,100</b>	<b>\$321,218</b>	<b>\$572,700</b>	<b>\$326,906</b>	<b>\$672,100</b>	<b>\$394,300</b>	<b>\$701,100</b>

	13-14 BUDGET	13-14 ACTUAL	14-15 BUDGET	14-15 ACTUAL	15-16 BUDGET	15-16 ESTIMATE	16-17 PROPOSED
REVENUES							
Interest	1,000	1,307	1,200	2,182	1,900	2,500	2,500
Contributions from Other Governmental Agencies	367,385	418,274	331,000	280,112	331,000	331,000	337,600
LAFC Processing Fees	5,000	32,794	24,000	100,318	24,000	31,000	24,000
Medical Charges- Employee	2,100	2,221	2,300	2,221	2,300	2,400	13,100
Copy Charges	100	1	0	54	100	100	100
REVENUES	375,585	454,597	358,500	384,886	359,300	367,000	377,300
Re-budget from Fund Balance	151,515	151,515	214,200	214,200	312,800	312,800	323,800
<b>TOTAL REVENUES</b>	<b>\$527,100</b>	<b>\$606,112</b>	<b>\$572,700</b>	<b>\$599,086</b>	<b>\$672,100</b>	<b>\$679,800</b>	<b>\$701,100</b>

## ATTACHMENT H      NARRATIVE OF LINE ITEMS

### SANTA CRUZ LOCAL AGENCY FORMATION COMMISSION NARRATIVE BUDGET 2016-17

#### SALARIES & BENEFITS

51000      Regular Pay    \$236,700

Executive Officer - The current salary is \$10,116 per month.

Secretary-Clerk - The current salary is \$5,434 per month.

Salary Reserve - The budgeted amount allows for possible adjustments to staff salaries, cash out of administrative leave, and payment of unused leave upon termination of employment. It is budgeted as a lump sum of \$50,103.

The salaries total:

Executive Officer	\$121,389
Secretary-Clerk	\$65,208
Salary Reserve	\$50,103
Total	\$236,700

51005      Overtime Pay    \$2,000

The Secretary-Clerk works overtime during periods of major projects and night meetings.

51010      Extra Help    \$ 1,000

These funds will be used if needed for temporary clerical assistance during the Secretary-Clerk's absence. Five days, \$200 per day.

51015      Sick Leave    \$2,000

Sick leave is budgeted as a lump sum.

51035      Holiday Pay    \$8,600

Holiday pay is budgeted as a lump sum.

52010      Social Security    \$15,000

This figure is calculated at the rate of 7.65% of each salary.



## ATTACHMENT H      NARRATIVE OF LINE ITEMS

52015      PERS      \$60,000

This amount covers the Commission's contributions to the Public Employees Retirement System. The Commission matches the benefit levels provided to comparable County employees. Effective July 1, 2016 the employer's share will be 8.880% of salaries plus a \$22,662 payment of unfunded liability. On September 24, 2016, the Commission's pick up of the Secretary-Clerk employee contribution will decrease from 3.5% to 0%. This amount includes a second year of making a \$20,000 payment to reduce the side fund liability.

52010      Employee Insurance      \$49,700

This amount provides for health insurance through PERS and for dental, eye care, life insurance, and limited disability insurance through the County's program. The employees pay part of these costs. The employees' contributions are budgeted as revenue, and reduce the net cost of this benefit to the Commission from the gross amount shown in this line item by approximately \$13,100 in FY 2016-17. The total line item is based upon estimates provided by the vendors and is 10.0% above the estimated FY 2015-16 amount

53015      Unemployment      \$400

This is budgeted at the same amount as the estimated FY 2015-16 amount.

54010      Workers' Comp.      \$1,000

The Commission obtains this coverage from the Special District Risk Management Authority. The FY 2016-17 amount is an estimate of SDRMA dues and premiums, net of any credits.

SUBTOTAL SALARIES AND BENEFITS

\$376,400

### SUPPLIES AND SERVICES

61220      Telecom      \$2,200

The telephone cost is calculated at the highest expenditure over the last three years.

61725      Maintenance of Office Equipment      \$200

This amount represents the extra copies cost as well as maintenance of the copier and other office equipment.

## ATTACHMENT H      NARRATIVE OF LINE ITEMS

- 62020      Memberships      \$4,700  
This amount provides for membership in the California Associations of LAFCOs and the California Special Districts Association.
- 62111      Computer Hardware      \$0  
Neither of the two computers in the office is scheduled for replacement this year.
- 62214      Duplicating      \$1,000  
This amount provides for production photocopying of reports done at the county's duplicating shop or at a local printing shop. It is budgeted at the highest expenditure during the last three years.
- 62219      Software      \$600  
This is budgeted at the highest amount over the last three years.
- 62221      Postage      \$3,200  
This is the cost of mailing notices and regular correspondence. It is budgeted at the highest expenditure during the last three years.
- 62222      Subscriptions      \$400  
It is budgeted at the highest expenditure during the last three years.
- 62223      Supplies      \$1,000  
It represents office supplies. It is budgeted at the highest expenditure of the last three years.
- 62301      Accounting and Auditing      \$1,100  
This amount is the cost of accounting services from the County Auditor. It includes payroll, vendor payments, and auditing. It is budgeted at the highest expenditure during the last three years.
- 62304      Attorney      \$150,000  
This amount represents routine legal services from County Counsel's office or a private law firm (\$40,000), and a litigation reserve (\$110,000).
- 62325      Data Processing      \$21,300  
The County Information Services Department charges LAFCO with its share of the staffing overhead used to support LAFCO's computers, printers, and access to the County's geographic

## ATTACHMENT H      NARRATIVE OF LINE ITEMS

mapping system, accounting, fiscal, and other data bases.  
The amount is budgeted at the estimated FY 15-16 costs.

- 62327    Director Fees    \$6,000  
This amount is calculated based upon seven commissioners and four alternates being paid a meeting stipend for eleven meetings per year.
- 62330    Surveyor    \$1,000  
This amount covers map checking by the County Surveyor and map prints from the County Public Works Department.
- 62381    Professional Services    \$100,000  
This amount provides for outside assistance when preparing spheres of influence, municipal service reviews, reorganization studies, and other special studies. The Local Government Reorganization Act requires LAFCO to prepare municipal service reviews and update all spheres periodically.
- 62420    Legal Notices    \$1,300  
This amount is used to pay for public hearing notices and other legal advertising. It is calculated at the highest expenditure during the last three years.
- 62610    Rents    \$8,500  
The County charges LAFCO rent for its office on the third floor of the Governmental Center. The annual rent is \$7,925 with no additional costs. Additionally, the County charges LAFCO to store LAFCO's old records in the County warehouse and to retrieve them when requested. This amount is calculated at the current year costs.
- 62856    Miscellaneous Expenses    \$5,100  
This object is used for paying web-hosting costs, State Board of Equalization filing fees, California Department of Fish and Wildlife environmental fees. It is calculated at the highest expenditure over the last three years.
- 62890    Books    \$300  
This entry is used to purchase books and other written materials. The budgeted amount is budgeted as a lump sum.

## ATTACHMENT H      NARRATIVE OF LINE ITEMS

- 62910      Airfare      \$3,000  
Airfare is used to attend meetings that are in distant locales in California, usually southern California. The budgeted amount is estimated at ten round trip flights at \$300 per trip.
- 62912      Auto Rental      \$200  
The budgeted amount is estimated at 2 trips, 2 days, \$50 per day.
- 62914      Education and Training      \$900  
This represents staff development courses and seminars. It is budgeted at three classes of \$300 each.
- 62922      Lodging      \$5,200  
Lodging is budgeted to allow Commissioners and staff members to attend training sessions and meetings. It is budgeted as a lump sum.
- 62924      Meals      \$400  
Meals are budgeted at the highest expenditure over the last three years.
- 62926      Mileage      \$1,600  
This includes mileage for staff delivery of agendas, office errands, and allowance for Commissioners and staff to attend conferences, seminars, CALAFCO Board meetings, and other meetings. It is budgeted at the highest expenditure over the last three years.
- 62928      Travel Other      \$200  
These are miscellaneous travel costs such as train fares, bus fares, parking, and bridge tolls.
- 62930      Registrations      \$5,300  
Workshop and conference registrations are budgeted to pay for Commissioners and staff members to attend conferences and workshops. It is budgeted at the highest expenditure over the last three years.
- 74230      Principal on Lease      \$0  
The copier lease was paid off in FY 2015-16.
- 74470      Interest on Lease      \$0  
The copier lease was paid off in FY 2015-16.



**ATTACHMENT H      NARRATIVE OF LINE ITEMS**

SUBTOTAL SUPPLIES AND SERVICES    \$317,700

RECAP OF PROPOSED BUDGET:

SALARIES AND BENEFITS	\$376,400
SUPPLIES AND SERVICES	\$324,700
FIXED ASSETS	<u>\$        0</u>
TOTAL	\$701,100

## ATTACHMENT I REVENUES, RE-BUDGETS, AND NEW FUNDING 2016-17

### RECAP OF PROPOSED BUDGET:

SALARIES AND BENEFITS	\$376,400
SUPPLIES AND SERVICES	\$324,700
FIXED ASSETS	\$ 0
TOTAL	\$701,100

### CALCULATION OF AMOUNT OF NEW FUNDING

#### MAJOR ASSUMPTIONS:

- Maintain litigation reserve
- Continue with service review and sphere update program using available staff time
- Utilize professional services reserve to contact with consultants to accelerate preparation of service and sphere reviews

TOTAL BUDGET	\$701,100
RE-BUDGET FROM FUND BALANCE	<u>-\$323,800</u>
TOTAL TO BE FUNDED IN FY 2016-17	\$377,300

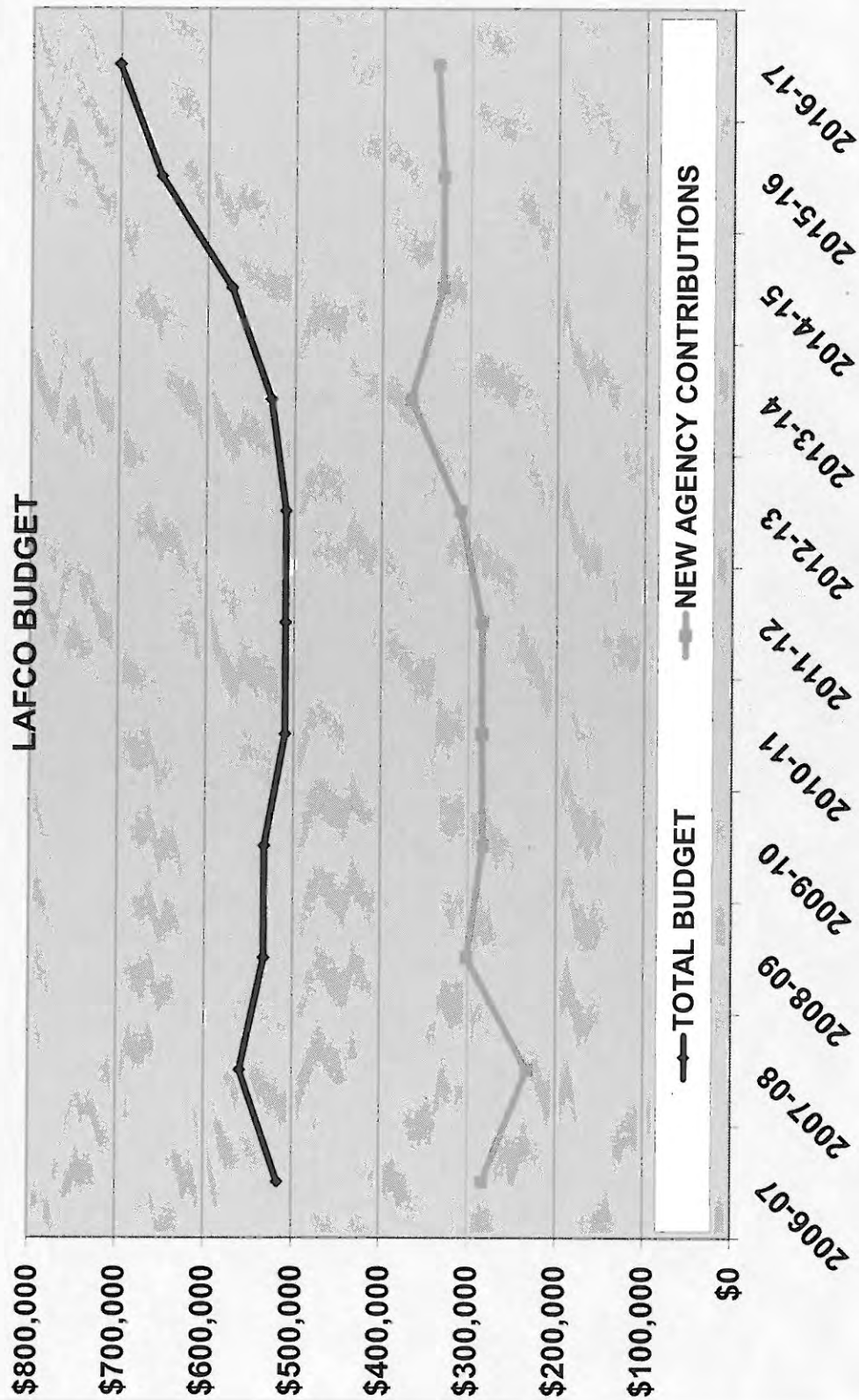
REVENUE HISTORY	Actual 13-14	Actual 14-15	YTD 2/19/16	Proposed FY 16-17
Application Processing Fee	\$32,794	\$100,318	\$4,970	\$24,000
Interest	\$1,307	\$2,182	\$1,864	\$2,500
Employee Health	\$2,221	\$2,221	\$1,318	\$13,100
<u>Copy Charges</u>	<u>\$1</u>	<u>\$54</u>	<u>\$109</u>	<u>\$100</u>
Total	\$36,323	\$104,775	\$8,251	\$39,700

### CALCULATION OF CONTRIBUTIONS TO BE PAID BY FUNDING AGENCIES:

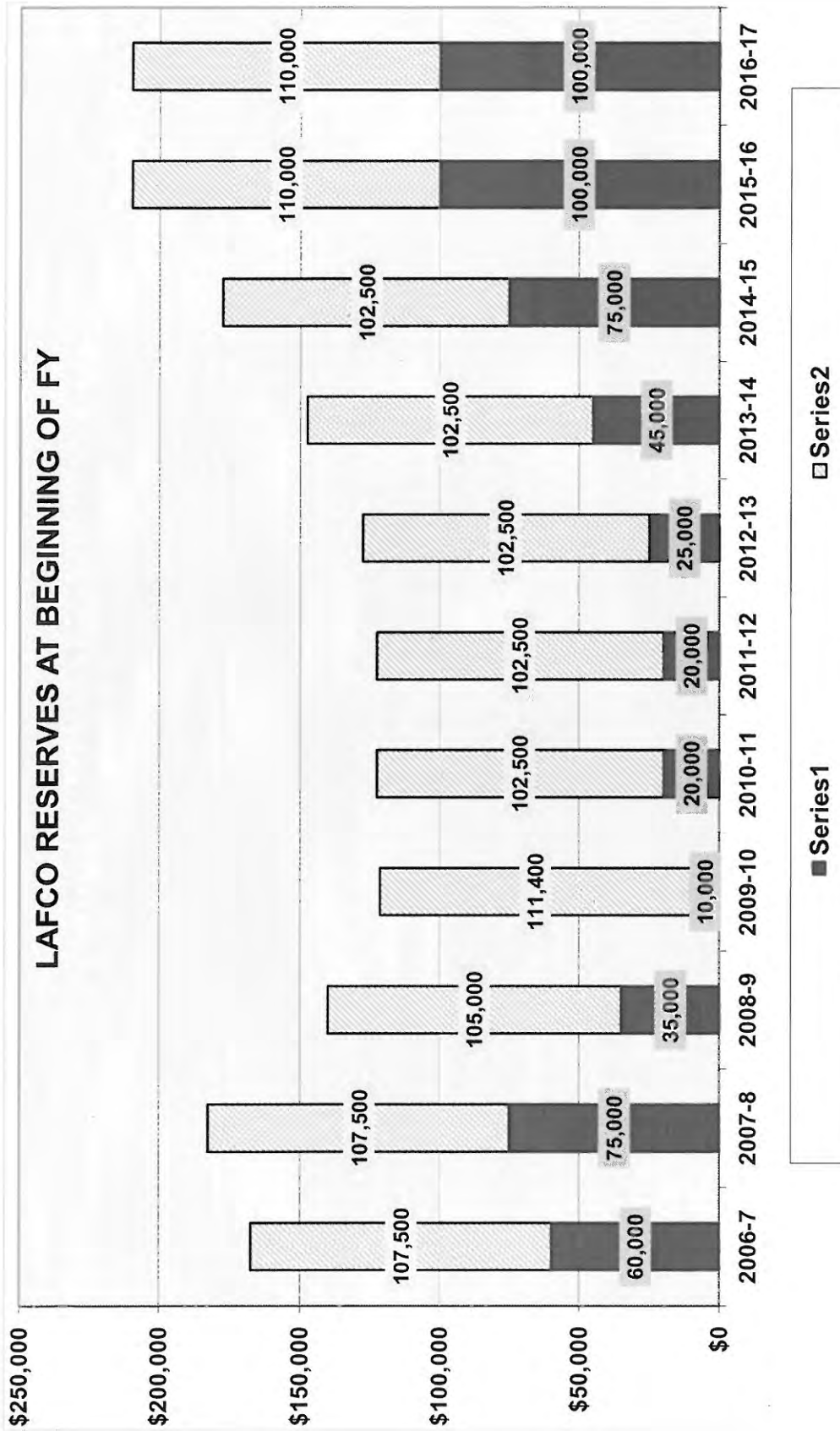
TOTAL TO BE FUNDED IN FY 2016-17	\$377,300
<u>BUDGETED REVENUES</u>	<u>-\$ 39,700</u>
DUES TO BE PAID BY FUNDING AGENCIES *	\$337,600

\* Subject to increase by Auditor's charges.

EXHIBIT J



# EXHIBIT K







## Side Fund Liability in PERS Pension Plan

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*Date: February 22, 2016 for March 2, 2016 Agenda*

*Summary: The Commission will consider making an additional payment on its PERS Pension Side Fund.*

*Staff Recommendation: Direct that a onetime payment of \$20,000 be made now to reduce the PERS Side Fund*

*Submitted by: Patrick McCormick, Executive Officer* 

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The Commission contracts with the California Public Employees' Retirement System (PERS) to provide pensions to its employees. In 2003, PERS put Santa Cruz LAFCO and other local agencies with few employees into a pool. At that time, since each agency's pension plan did not have the same level of funding and liabilities, PERS established a side fund for each agency with a debit or credit based upon how an agency's funding varied from the pool average. Santa Cruz LAFCO's funding was below average, and PERS set up a side fund in which Santa Cruz LAFCO owed the pool. The annual interest charged on the side fund is 7.50%. The side fund is being paid off slowly with the amortization period scheduled to end in 2033. On June 30, 2015, the side fund had a balance of \$127,629.

PERS allows agencies to make lump sum payments to reduce their side fund. Last spring during budget review, the Commission increased its budget with the intent of making a side fund payment each spring if sufficient progress is being made in its multi-year work program, and adequate reserves can be carried forward.

The side fund payment has been agendized after the budget hearing on March 2, 2016.

A work sheet is attached showing a payment schedule to eliminate the side fund in five years. PERS requires a minimum side fund payment in FY 2016-17 of \$9,926. It appears that the Commission can make an additional \$20,000 - \$30,000 side fund payment at this time from the FY 2015-16 budget. If the Commission can eliminate the side fund by extra payments over the next 5 years, the Commission will save more than \$100,000 over the next 19 years.

The staff RECOMMENDATION is that the Commission direct that a onetime payment of \$20,000 be made now to reduce the PERS Side Fund. It is further RECOMMENDED that the Commission consider lump sum payments annually until the side fund is eliminated.

Attachment:

Work Sheet to Amortize the Side Fund in Five Years

Amortizing the June 30, 2015 UAL  
 Future Gains/Losses will create positive and negative unfunded liabilities in future valuations.

		n	5 years	
		i	7.50% interest rate	Payroll
		s	3.00% payroll growth	\$
	Balance		Payment	
0	\$ 127,629		\$ 28,776	172,244
1	107,365		29,639	177,412
2	84,687		30,529	182,734
3	59,386		31,444	188,216
4	31,238		32,388	193,862
5	0			199,678
				205,669
				211,839



## AMENDMENTS TO MEETINGS RULES

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*Date: February 22, 2016 for March 2, 2016 Agenda*

*Summary: The Commission will consider amendments to its meeting rules.*

*Staff Recommendation: Adopt Draft Resolution No. 2016-3 amending meeting rules.*

*Submitted by: Patrick McCormick, Executive Officer* *P.M.C.*

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The Commission last reviewed its meeting rules in 2008. The Commission recently decided to change its regular meeting time from 9:30 a.m. to 10:00 a.m. The meeting time is specified in the Meeting Rules. Since the Meeting Rules need to be changed, the Commission's Legal Counsel and I have reviewed the document and are recommending some other changes that modernize and clarify the rules.

The staff RECOMMENDS that the Commission receive public comment and adopt Draft Resolution No. 2016-3 amending the Meeting Rules.

Attachments:

- Red Line of Changes
- Draft Resolution No. 2016-3
- Clean Copy of Changes

SANTA CRUZ LOCAL AGENCY FORMATION COMMISSION  
RESOLUTION NO. 2016-3

On the motion of Commissioner  
duly seconded by Commissioner  
the following resolution is adopted:

AMENDING MEETING RULES

\*\*\*\*\*

WHEREAS, the Local Agency Formation Commission of Santa Cruz County does hereby RESOLVE, ORDER, AND DETERMINE as follows:

- (1) Government Code Section 56375(i) authorizes each LAFCO to make and enforce regulations for the orderly and fair conduct of hearings by the Commission.
- (2) The Commission maintains set of rules to govern the conduct of its meetings.
- (3) The Commission has reviewed its meeting rules on March 2, 2016..
- (4) The Commission hereby amends its meeting as shown on the attached Exhibit A, effective March 3, 2016.

PASSED AND ADOPTED by the Local Agency Formation Commission of Santa Cruz County this 2<sup>nd</sup> day of March, 2016.

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
ROGER W. ANDERSON, CHAIRPERSON  
Local Agency Formation Commission of Santa Cruz County

Attest:

\_\_\_\_\_  
Patrick M. McCormick, Executive Officer

Approved as to form:

  
\_\_\_\_\_  
T. Brooke Miller, LAFCO Counsel



## **Exhibit A, LAFCO Resolution No. 2016-3**

### **MEETING RULES**

#### **SANTA CRUZ LOCAL AGENCY FORMATION COMMISSION**

***LAST REVISED MARCH 2, 2016***

***BY SANTA CRUZ LAFCO RESOLUTION NO. 2016-3***

#### **1. TIME AND PLACE OF MEETINGS**

The Local Agency Formation Commission of the County of Santa Cruz shall hold regular meetings on the first Wednesday of each month, except July, at the hour of 10:00 o'clock A. M. in the Board of Supervisors Chambers in the County Governmental Center, 701 Ocean Street, Santa Cruz, California.

#### **2. AGENDA**

The agenda packet shall be available for the Commissioners by the Thursday evening, six days preceding the meeting. The agenda may be amended up to 72 hours in advance of the meeting, in accordance with the Brown Act.

The Chairperson or the Chairperson's designee shall determine the appropriate content of the agenda and arrange the order of the agenda or may delegate the same to the Executive Officer; provided, a majority of the Commission may direct the placement of any item on a future agenda by action taken in a noticed public meeting of the Commission.

All reports, communications, resolutions, or other matters to be submitted to the Commission shall be submitted to the Executive Officer not later than 12:00 o'clock noon on the Monday, nine days preceding a regular Commission meeting.

Items not on the agenda should not be considered at the scheduled meeting, but should be set for the next available meeting, unless the Commission grants its consent for urgent matters consistent with the Ralph M. Brown Act (Government Code Section 54950.5 *et seq.*).

The agenda shall be organized in the following manner:

1. Roll Call
2. Adoption of Minutes
3. Oral Communications
4. Public Hearings
  - a. Continued Items
  - b. Newly Scheduled Hearings
5. Other Business
6. Written Correspondence
7. Press Articles
8. Adjournment

### 3. ELECTION OF CHAIRPERSON

The Commission shall, at its first regular meeting in January of each year, or as may be duly continued by action of the Commission, choose one of its members to serve as Chairperson and one of its members to serve as Vice-Chairperson, to serve the balance of the calendar year or until the election of their successors.

Should the office of Chairperson or Vice-Chairperson become vacant during the calendar year, the Commission shall, at the meeting at which the vacancy occurs, choose a successor to fill the vacancy for the balance of that calendar year, or until the election of a successor.

### 4. CHAIRPERSON TO PRESIDE

The Chairperson shall preside at the meetings of the Commission. If the Chairperson is absent or unable to act, the Vice-Chairperson shall serve until the Chairperson returns or is able to act. The Vice-Chairperson has all of the powers and duties of the Chairperson while acting as Chairperson.

### 5. QUORUM

A majority of the regular members of the Commission shall constitute a quorum for the transaction of business. Alternate members, when seated in place of regular members, shall be considered a regular member for quorum determination. When there is no quorum the Chairperson or Vice-Chairperson, or if no Commissioners are present, the Executive Officer shall adjourn the meeting.

### 6. MAJORITY VOTE

An affirmative vote of at least four members of the Commission, including alternate members when seated in place of regular members, shall be required to approve any motion before the Commission.

### 7. READING OF MINUTES

Unless a Commissioner requests a reading of the minutes, the Commission may approve minutes without formal reading if the Executive Officer has previously furnished each member with a draft of the minutes.

### 8. RULES OF DEBATE

A. Sturgis Rules of Order shall be followed by the Commission to the fullest extent possible; provided, procedural failure shall not invalidate an otherwise legal act of the Commission. In addition, the Chairperson may second motions and enter into debate regarding all Commission items.

B. Every member desiring to speak shall address the Chairperson, and, upon recognition by the Chairperson, shall speak to the question under debate.

9. MANNER OF ADDRESSING THE COMMISSION--TIME LIMIT

All persons addressing the Commission shall step up to the podium, give their name, geographical area (or City) of residence, and interest in the area under consideration in an audible tone for the records, and unless further time is granted by the Commission, shall limit their address to three minutes. The Chairperson, unless otherwise changed by a motion and vote from the Commission, may set a different time limit. All remarks shall be addressed to the Commission as a body and not to any member thereof. No person, other than the Chairperson and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Commission, without permission of the Chairperson. No question shall be asked of a Commissioner or staff member except through the Chairperson.

10. METHOD OF VOTING

The Commission shall vote by voice vote, unless one Commissioner requests a roll call vote.

Roll call voting shall be random with the Chairperson voting last.

Unless a member of the Commission states that the Commissioner is disqualified or abstaining from voting, the silence shall be recorded as an affirmative vote.

11. ABSTAINING FROM VOTING

No Commissioner shall abstain from voting without first notifying the Chairperson of the Commissioner's intent to abstain from the vote.

12. DISQUALIFICATION FROM VOTING

Whenever any Commissioner is disqualified from voting, that Commissioner shall announce his or her disqualification to the extent required by law, step from the dais and may then participate to the extent permitted by the California Political Reform Act.

13. ALTERNATE COMMISSIONERS

Whenever present at a Commission meeting, Alternate Commissioners shall take part in all of the proceedings of the Commission, but shall not vote on any matter before the Commission nor attend a closed session unless seated in place of an absent or disqualified regular member of the Commission.

14. ORAL COMMUNICATIONS

The Commission will hear presentations from the public not to exceed three minutes on subjects within the Commission's jurisdiction and not on the agenda that day. No action will be taken by the Commission on any matter presented at that time. The

Chairperson, subject to a motion and direction from the Commission, may set a different time limit.

15. SUMMARY ADJOURNMENT

The Chairperson is empowered to summarily, and without motion, second, or voting, declare a meeting of the Commission adjourned if the Chairperson is unable to enforce the proper decorum of a meeting.

16. RESOLUTION

No resolution shall be adopted by the Commission unless it is presented before the Commission in writing and read aloud. When each Commissioner has received a copy of the resolution, the reading of the resolution is automatically waived unless a Commissioner specifically requests that it is read.

17. SPECIAL COMMITTEES

The Commission may appoint special committees at any time for any lawful purpose of the Commission. Unless otherwise directed by the Commission, all special committees shall be appointed by the Chairperson, subject to approval of the Commission.

18. PROTESTS AND DISSENTS BY COMMISSIONERS

Any Commissioner shall have the right to have the reasons for his or her dissent from, or protest against, any action of the Commission, entered in the minutes.

19. POSTING NOTICES

Posting of official notices of the Commission, notices of public hearings, and any other official papers of the Commission where posting is required by law, shall be posted on the Official Bulletin Board of the Santa Cruz Local Agency Formation Commission at the County Governmental Center at 701 Ocean Street, Santa Cruz, California.

These official postings shall also be placed on the Commission's website [www.santacruzlafco.org](http://www.santacruzlafco.org).

Should the Commission hold a public hearing at any other location than its regular place of meeting, then, in addition to the posting of notice on the Official Bulletin Board above listed, posting shall be made upon or near the door to the stated place of meeting.



20. DOCUMENTS SUBMITTED AFTER AGENDA PACKET IS DISTRIBUTED

Materials related to an item on this agenda submitted to the Commission after agenda packet distribution are available to the public at the LAFCO office and during the meeting at the meeting location. Each agenda shall include a statement that the public may review these materials at the Commission office or during the meeting at the meeting location.

21. ATTENDANCE AT MEETINGS

Should any Commissioner or Alternate Commissioner be absent for three consecutive regular meetings of the Commission without valid excuse, the Chairperson shall, through the Executive Officer, notify the appointing authority of such unexcused absences.

--end--



## AMENDMENTS TO MEETINGS RULES

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*Date: February 22, 2016 for March 2, 2016 Agenda*

*Summary: The Commission will consider amendments to its meeting rules.*

*Staff Recommendation: Adopt Draft Resolution No. 2016-3 amending meeting rules.*

*Submitted by: Patrick McCormick, Executive Officer*

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The Commission last reviewed its meeting rules in 2008. The Commission recently decided to change its regular meeting time from 9:30 a.m. to 10:00 a.m. The meeting time is specified in the Meeting Rules. Since the Meeting Rules need to be changed, the Commission's Legal Counsel and I have reviewed the document and are recommending some other changes that modernize and clarify the rules.

The staff RECOMMENDS that the Commission receive public comment and adopt Draft Resolution No. 2016-3 amending the Meeting Rules.

Attachments:

- Red Line of Changes
- Draft Resolution No. 2016-3
- Clean Copy of Changes

## MEETING RULES -- PROPOSED 2016 AMENDMENTS

### SANTA CRUZ LOCAL AGENCY FORMATION COMMISSION

~~LAST REVISED APRIL 2, 2008~~ MARCH 2, 2016

BY SANTA CRUZ LAFCO RESOLUTION NO. ~~2008-10~~ 2016-3

#### 1. TIME AND PLACE OF MEETINGS

The Local Agency Formation Commission of the County of Santa Cruz shall hold regular meetings on the first Wednesday of each month, except July, at the hour of ~~9:30~~ 10:00 o'clock A. M. in the Board of Supervisors Chambers in the County Governmental Center, 701 Ocean Street, Santa Cruz, California.

#### 2. AGENDA

The agenda packet shall be available for the Commissioners by the Thursday evening, six days preceding the meeting. The agenda may be amended up to 72 hours in advance of the meeting, in accordance with the Brown Act.

The Chairperson or the Chairperson's designee shall determine the appropriate content of the agenda and arrange the order of the agenda or may delegate the same to the Executive Officer; provided, a majority of the Commission may direct the placement of any item on a future agenda by action taken in a noticed public meeting of the Commission.

All reports, communications, resolutions, or other matters to be submitted to the Commission shall be submitted to the Executive Officer not later than 12:00 o'clock noon on the Monday, nine days preceding a regular Commission meeting.

Items not on the agenda should not be considered at the scheduled meeting, but should be set for the next available meeting, unless the Commission grants its consent for urgent matters consistent with the Ralph M. Brown Act (Government Code Section 54950.5 *et seq.*).

The agenda shall be organized in the following manner:

1. Roll Call
2. Adoption of Minutes
3. Oral Communications
4. Public Hearings
  - a. Continued Items
  - b. Newly Scheduled Hearings
5. Other Business
6. ~~Commissioners' Business~~
7. ~~Written Correspondence~~
8. ~~Press Articles~~
9. ~~Adjournment~~

- 6. Written Correspondence
- 7. Press Articles
- 8. Adjournment

### 3. ELECTION OF CHAIRPERSON

The Commission shall, at its first regular meeting in January of each year, or as may be duly continued by action of the Commission, choose one of its members to serve as Chairperson and one of its members to serve as Vice-Chairperson, to serve the balance of the calendar year or until the election of their successors.

Should the office of Chairperson or Vice-Chairperson become vacant during the calendar year, the Commission shall, at the meeting at which the vacancy occurs, choose a successor to fill the vacancy for the balance of that calendar year, or until the election of a successor.

### 4. CHAIRPERSON TO PRESIDE

The Chairperson shall preside at the meetings of the Commission. If the Chairperson is absent or unable to act, the Vice-Chairperson shall serve until the Chairperson returns or is able to act. The Vice-Chairperson has all of the powers and duties of the Chairperson while acting as Chairperson.

### 5. QUORUM

A majority of the regular members of the Commission shall constitute a quorum for the transaction of business. Alternate members, when seated in place of regular members, shall be considered a regular member for quorum determination. When there is no quorum the Chairperson or Vice-Chairperson, or if no Commissioners are present, the Executive Officer shall adjourn the meeting.

### 6. MAJORITY VOTE

An affirmative vote of at least four members of the Commission, including alternate members when seated in place of regular members, shall be required to approve any motion before the Commission.

### 7. READING OF MINUTES

Unless a Commissioner requests a reading of the minutes, the Commission may approve minutes without formal reading if the Executive Officer has previously furnished each member with a draft of the minutes.

### 8. RULES OF DEBATE

A. Sturgis Rules of Order shall be followed by the Commission to the fullest extent possible; provided, procedural failure shall not invalidate an otherwise legal act of



the Commission. In addition, the Chairperson may second motions and enter into debate regarding all Commission items.

B. Every member desiring to speak shall address the Chairperson, and, upon recognition by the Chairperson, shall speak to the question under debate.

#### 9. MANNER OF ADDRESSING THE COMMISSION--TIME LIMIT

All persons addressing the Commission shall step up to the podium, give their name, geographical area (or City) of residence, and interest in the area under consideration in an audible tone for the records, and unless further time is granted by the Commission, shall limit their address to three minutes. The Chairperson, unless otherwise changed by a motion and vote from the Commission, may set a different time limit. All remarks shall be addressed to the Commission as a body and not to any member thereof. No person, other than the Chairperson and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Commission, without permission of the Chairperson. No question shall be asked of a Commissioner or staff member except through the Chairperson.

#### 10. METHOD OF VOTING

The Commission shall vote by voice vote, unless one Commissioner requests a roll call vote.

Roll call voting shall be random with the Chairperson voting last.

Unless a member of the Commission states that the Commissioner is disqualified or abstaining from voting, the silence shall be recorded as an affirmative vote.

#### 11. ABSTAINING FROM VOTING

No Commissioner shall abstain from voting without first notifying the Chairperson of the Commissioner's intent to abstain from the vote.

#### 12. DISQUALIFICATION FROM VOTING

Whenever any Commissioner is disqualified from voting, that Commissioner shall announce his or her disqualification to the extent required by law, step from the room dias and may then participate to the extent permitted by the California Political Reform Act.

#### 13. ALTERNATE COMMISSIONERS

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Should any Commissioner or Alternate Commissioner be absent for three consecutive regular meetings of the Commission without valid excuse, the Chairperson shall, through the Executive Officer, notify the appointing authority of such unexcused absences.

--end--



Date: February 22, 2016 for March 2<sup>nd</sup> Agenda  
To: Commissioners  
From: Executive Officer   
Subject: Public Member and Public Alternate Application Process

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*Summary: The Public Member and Public Alternate terms end May 2, 2016. State law and local policy outline a process to make the appointments. Staff has advertised these positions.*

*Recommendation: Direct staff to advertise the vacancies.*

---

The terms of the Public Member and Public Alternate end May 2, 2016. The next terms last until May 2020--four years.

Government Code Section 56325 states that the public member and alternate are appointed by a majority vote of the other members of the commission (two city, two county, and two district) and must get at least one vote from a commissioner in each of these appointing categories. Government Code Section 56331 states that the public members and public alternates may not be employees or officers of the County of Santa Cruz, any city within the county, or any special district within the county.

In addition to the statutory provisions, Santa Cruz LAFCO has adopted the attached policy that specifies the appointment process. The next step in the appointment process is the Commission directing the staff to advertise the vacancies. Staff intends to set a March 28, 2016 application deadline.

Under the Commission's policy, the Commission would act on April 6<sup>th</sup> in one of the following ways:

- a. Make an appointment from the list of candidates,
- b. Invite all candidates to make oral presentations at a subsequent LAFCO meeting, or
- c. Reopen the application period.

Attachments: Appointment Policy  
Government Code Sections 56325 and 56331  
Draft Call for Nominations



## **Policy Regarding Appointment of Public Member and Alternate**

### **Exhibit A**

Santa Cruz LAFCO Resolution No. 2004-6

1. When the public member or public alternate position becomes vacant during a term, or two months in advance of either of these terms ending, the Chairperson and Executive Officer shall place on the agenda a memo advising the Commission of the need to advertise for candidates to apply for the position.
2. At the meeting, the Commission shall direct staff to advertise the vacancy and receive applications. Unless the Commission gives alternate directions:
  - a. The staff will advertise the vacancy as soon as possible on the LAFCO website and in at least two newspapers of general circulation which jointly have broad coverage throughout Santa Cruz County. The notice shall include a summary of the qualifications for the position as specified in Government Code Section 56331 (e.g., can't be an officer or employee of the county, city, or district).
  - b. The deadline for applications shall be at least 21 days following the meeting at which the Commission authorizes the advertising.
  - c. Persons interested in the position shall apply by completing a form provided by LAFCO staff and returning the form to the LAFCO office before the deadline.
3. The Executive Officer shall compile the applications and present them to the Commission as part of the agenda of the meeting following the application deadline.
4. A candidate may withdraw an application before or after the application deadline. If a candidate withdraws an application after the deadline, the candidate shall not be considered for the appointment unless the Commission votes to reopen the process and the person reapplies.
5. Upon receiving and reviewing the application, the Commission in open session by majority vote shall choose one of the following three courses of actions:
  - a. To make an appointment from the list of candidates,
  - b. To invite all candidates to make oral presentations at a subsequent LAFCO meeting, or
  - c. To reopen the application period.

## GOVERNMENT CODE

### 56325.

There is hereby continued in existence in each county a local agency formation commission. Except as otherwise provided in this chapter, the commission shall consist of members appointed as follows:

(a) Two appointed by the board of supervisors from their own membership. The board of supervisors shall appoint a third supervisor who shall be an alternate member of the commission. The alternate member may serve and vote in place of any supervisor on the commission who is absent or who disqualifies himself or herself from participating in a meeting of the commission.

If the office of a regular county member becomes vacant, the alternate member may serve and vote in place of the former regular county member until the appointment and qualification of a regular county member to fill the vacancy.

(b) Two appointed by the cities in the county, each of whom shall be a mayor or council member, appointed by the city selection committee. The city selection committee shall also appoint one alternate member who shall also be a mayor or council member and shall be appointed and serve pursuant to Section 56335. The city selection committee is encouraged to appoint members to fairly represent the diversity of the cities in the county, with respect to population and geography.

(c) Two presiding officers or members of legislative bodies of independent special districts appointed by the independent special district selection committee pursuant to Section 56332. The independent special district selection committee shall also appoint a presiding officer or member of the legislative body of an independent special district as an alternate member who shall be appointed and serve pursuant to Section 56332. The independent special district selection committee is encouraged to make appointments that fairly represent the diversity of the independent special districts in the county, with respect to population and geography.

(d) **One representing the general public appointed by the other members of the commission. The other members of the commission may also appoint one alternate member who shall serve pursuant to Section 56331.**

**Appointment of the public member and alternate public member shall be subject to the affirmative vote of at least one of the members appointed by each of the other appointing authorities. Whenever a vacancy occurs in the public member or alternate public member position, the commission shall cause a notice of vacancy to be posted as provided in Section 56158. A copy of this notice shall be sent to the clerk or secretary of the legislative body of each local agency within the county. Final appointment to fill the vacancy may not be made for at least 21 days after the posting of the notice.**

**56331.**

When appointing a public member pursuant to Sections 56325, 56326, and 56329, the commission may also appoint one alternate public member who may serve and vote in place of a regular public member who is absent or who disqualifies himself or herself from participating in a meeting of the commission.

If the office of a regular public member becomes vacant, the alternate member may serve and vote in place of the former regular public member until the appointment and qualification of a regular public member to fill the vacancy.

**No person appointed as a public member or alternate public member pursuant to this chapter shall be an officer or employee of the county or any city or district with territory in the county, provided, however, that any officer or employee serving on January 1, 1994, may complete the term for which he or she was appointed.**



## STATUS OF PROPOSALS as of February 22, 2016

<u>LAFCO APPLICATIONS</u>	<u>DATE</u>	<u>STATUS</u>
EAST ZAYANTE / RIVERA ANNEXATION to SAN LORENZO VALLEY WATER DISTRICT LAFCO No. 958	8/26/15	Received
<u>LAFCO HEARINGS</u>	<u>DATE</u>	<u>STATUS</u>
EXTRATERRITORIAL WATER SERVICE to 525 BLAKERIDGE LANE, CORRALITOS from CITY of WATSONVILLE LAFCO No. 959	3/2/16	Hearing
RECREATION and PARK DISTRICTS' SERVICE and SPHERE REVIEWS	3/2/16	Hearing
<u>LAFCO HEARINGS COMPLETE</u>	<u>DATE</u>	<u>STATUS</u>
LOMPICO REORGANIZATION LAFCO No. 953		Extension approved to 8/6/16





Date: February 23, 2016 for March 2nd Agenda

To: LAFCO Commissioners

From: Patrick M. McCormick, Executive Officer *pmc*

Subject: Connecting the Drops Forum

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*Summary: LAFCO co-sponsored a water forum.*

*Recommendation: Informational.*

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On January 28, 2016, approximately 200 Santa Cruz County residents attended an educational water forum co-sponsored by Santa Cruz LAFCO. The presenters were the water supply and resource management agencies from around the county. The theme was that the agencies are working together to address major water resource challenges. Information, including the full video, is available on the website of the Santa Cruz Integrated Regional Water Management Plan:

<http://www.santacruzirwmp.org/DROPS>



GIANG T. NGUYEN  
HEALTH SERVICES AGENCY DIRECTOR

# County of Santa Cruz

## HEALTH SERVICES AGENCY

1080 EMELINE AVENUE, SANTA CRUZ, CA 95060  
TELEPHONE: (831) 454-4000 FAX: (831) 454-4770

January 19, 2016

Board of Supervisors  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95060

**SUBJECT: Water Resources Management Status Report for 2015**

Dear Members of the Board:

The Health Services Agency (HSA) Environmental Health Division is submitting its Water Resources Management Status Report for 2015 (2015 Status Report) (attached). This calendar year 2015 Status Report summarizes eight facets of countywide water resource management that include: 1) Drought Response and Water Conservation; 2) Water Supply and Groundwater Management; 3) Small Water Systems; 4) Water Quality; 5) Watershed Health and Aquatic Habitat; 6) Stormwater and Flood Management; 7) Integrated Regional Water Management (IRWM) - Santa Cruz Region; and 8) IRWM- Pajaro Region. Following are highlights for drought, water supply, and regional water management planning.

### Drought Response

2015 was the fourth calendar year of a critical drought in California. In 2015, the severity of the drought in Santa Cruz county was reduced from 'Exceptional' drought level 5 of 5, to "Extreme" drought level 4, as determined in the U.S. Drought Monitor, sponsored by the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Department of Agriculture. December 2014 rains helped to fill the City of Santa Cruz Loch Lomond reservoir to 83% of capacity. However, total winter season rains were insufficient to provide significant groundwater recharge and countywide streamflows continued to remain at historically low levels. Rains so far in the 2015-16 water year (October through September), and the predicted El Nino conditions for 2016 hold promise for some relief from the drought, but water supply conditions in the county will remain tenuous pending long term management actions.

For 2015, all large public water systems in the county continued to implement water rationing, use restrictions, and/or encouragement of voluntary conservation to address impacts of the drought and to comply with increased State requirements for reduction of water use. County residents responded heroically to the need to save water and Santa Cruz county achieved some of the highest levels of water use reduction in the state, with decreases of 28.6% in the City of Santa Cruz service area, and 23-31% in other jurisdictions. The 2015 Status Report includes a table

that itemizes conservation restrictions and achievements in 2015 for State and local water management agencies (Report Appendix A). Countywide water consumption for 2014 is also provided in a table lists 2014 water use, and significant reductions achieved since 2013 in both 2014 and 2015 (Report Appendix B). The Status Report additionally includes a graph that depicts water production for large water systems over time from 1984 through 2014 (Report Appendix C). This graph illustrates a substantial decrease in water use in 2013 and 2014 compared to a steady upward trend over the prior 28 years.

In 2015, the County adopted emergency measures to limit excessive outdoor watering and responded to reports of excessive or unpermitted water use at private residences, commercial properties, and agricultural operations throughout the county. For the approximately 130 small public water systems within the county, only eight needed to purchase water or use back-up supplies, and only two experienced water quality issues. These ten systems were dependent on surface water. Santa Cruz county continues to face water supply shortfalls during normal years as well as during current and future droughts. All of the county's major water agencies are continuing to explore future water supply options

### **Milestones in Water Supply Management**

A number of key actions regarding water management occurred in 2015 at the State and local level:

#### **State:**

- January 1, 2015: the California Sustainable Groundwater Management Act of 2014 took effect, providing local agencies the responsibility and authority to manage groundwater pumping and conduct activities needed to eliminate overdraft by 2040.
- April 1, 2015: The Governor issued Executive Order B-29-15, through February 28, 2016, mandating water use restrictions necessary to achieve a 25% reduction in statewide potable urban water use from 2013 levels. Emergency regulations to achieve these reductions were adopted by the State Water Resources Control Board on May 5, 2015.
- November 13, 2015: The Governor issued the fifth in a series of drought-related Executive Orders that stem from provisions in two successive 2014 Proclamations. Executive Order B-36-15, extended the term of the State's urban water use drought restrictions from February 28 to October 31, 2016 if drought conditions persist through January 2016.

#### **County of Santa Cruz and Local Water Agencies:**

- May 19, 2015: The Board of Supervisors received an HSA report on Sustainable Groundwater Management and authorized the County to join a Joint Powers Authority for management of the Soquel-Aptos Groundwater Basin.
- June 9, 2015: The Board of Supervisors adopted the County of Santa Cruz Steelhead and Coho Salmon Conservation Strategy 2015, which commits County departments to implement actions to support restoration of steelhead and salmon in county streams.
- June 23, 2015: The Board of Supervisors adopted an urgency ordinance declaring a state of drought emergency in Santa Cruz County and requiring further restrictions on non-essential water use, and adopted an ordinance requiring metering and reporting of water use by all small water systems with 5-199 connections.
- November 24, 2015: Santa Cruz City Council adopted a Water Supply Advisory Committee recommended strategy for water conservation and enhanced groundwater storage plans with

- backup options using advanced treated recycled water or desalinated water.
- November 30, 2015: Soquel Creek Water District released its Community Water Plan that describes the District's approach to attaining sustainability by 2040.
- January 12, 2016: The Board of Supervisors considered a report and recommendations to support sustainable management efforts in the Mid-County Groundwater Basin and the Santa Margarita Groundwater Basin.

### **Regional Collaboration: Connecting the Drops**

The large majority of the water resource management efforts in 2015 involved collaboration among entities including water supply agencies, land use agencies, stormwater management agencies, private water users, and non-governmental organizations. HSA staff continues to work closely with these stakeholders to provide a comprehensive and integrated approach to countywide water resources management resulting in a substantial number of collaborative projects to address significant water resources issues. These collaborative efforts, involving various agencies and numerous facets of water management, will be highlighted at an upcoming public forum on January 28, 2016 entitled "Connecting the Drops", sponsored by the County, the Local Agency Formation Commission, and the various partner agencies.

### **Conclusion**

In calendar year 2015, a wide range of water supply and conservation measures achieved significant progress in addressing the fourth year of statewide drought. The Health Services Agency will submit the next annual status report in January 2017.

Sincerely,



Giang T. Nguyen  
Health Services Agency Director

Attachment: Santa Cruz County Water Resources Management Status Report for 2015.

Cc: County of Santa Cruz Public Works Department  
County of Santa Cruz Planning Department  
County of Santa Cruz Water Advisory Commission  
Santa Cruz Local Agency Formation Commission  
City of Santa Cruz Water Department  
Lompico County Water District  
San Lorenzo Valley Water District  
Scotts Valley Water District  
Soquel Creek Water District  
Central Water District  
Pajaro Valley Water Management Agency



## **Santa Cruz County Water Resources Management Status Report for 2015**

Santa Cruz county continues to address major water resource challenges. The four year drought of 2012-15 greatly diminished streamflow and available water supplies, but water agencies and their customers were able to substantially reduce demand in order to accommodate the shortfall. Most of the county's groundwater basins are being pumped in excess of sustainable yield and the major water supply agencies do not have sufficient supplies to meet current and future demand. Historic salmon and steelhead populations have been greatly diminished by reductions in streamflow, increased erosion and sedimentation, barriers to migration, and removal of large woody material from streams. Coastal water quality has been degraded by urban runoff and leaky sewer systems. The natural benefits of wetlands, floodplains, riparian corridors, and groundwater recharge areas have been significantly diminished by land development and agricultural use. The County and its partner agencies continue to conduct a range of efforts to address these and other water resource challenges.

Following is a summary of eight topic areas of 2015 water resource management:

1. Drought Response and Water Conservation
2. Water Supply and Groundwater Management
3. Small Water Systems
4. Water Quality
5. Watershed Health and Aquatic Habitat
6. Stormwater and Flood Management
7. Integrated Regional Water Management (IRWM) – Santa Cruz Region
8. IRWM- Pajaro Region

### **1. Drought Response and Water Conservation**

- a) 2015 was the fourth year of an extreme drought in California and Santa Cruz county. Drought conditions moderated somewhat from exceptional drought to extreme drought in 2015, due to about 50% more rain and twice as much runoff in 2015 than 2014. Surface storage in Loch Lomond reservoir recovered to 83% as a result of generous December rain and runoff, as well as pumping approximately 250 million gallons from the Felton Diversion on the San Lorenzo River up to Loch Lomond. However, little groundwater recharge occurred and groundwater levels continued to decline in much of the county. Streamflow in the San Lorenzo River, the primary water source for the City of Santa Cruz service area, continued to be at a 77-year historically low level. Other streams dried up or were at extremely low levels. Groundwater levels in mid-county did recover somewhat as a result of the reduced pumping resulting from water conservation, although this may only be temporary, pending long term impacts of the drought.
- b) All large public water systems (over 199 connections) in the county continued to implement water rationing, use restrictions, and/or encouragement of voluntary conservation in 2015 to address the impacts of the drought and to comply with increased State requirements for reduction of water use. A table is provided that lists State and local water use restrictions which applied within Santa Cruz county in 2015 along with water savings achieved by the restrictions since 2013 (Appendix A).

- c) Significant water conservation was achieved by large public water systems in 2014 and 2015. A table is provided that lists 2014 water use, and reductions achieved since 2013 in both 2014 and 2015 (Appendix B). Additionally, a graph is provided that depicts water production for large water systems over time from 1984 through 2014 (Appendix C). As illustrated on the graph, water production was substantially lower in 2013 and 2014 compared to a steady upward trend from 1884 through 2012. Water use reductions were greater in 2015 than 2014, primarily as a result of increased voluntary customer actions. Santa Cruz county saw some of the highest levels of water use reduction in the state, with reductions of 28.6% in Santa Cruz City and 23-31% in other county jurisdictions (as cumulative savings June-October 2015 compared to 2013). For October 2015, Santa Cruz City had the lowest per capita residential water use in the Central Coast area and the 8<sup>th</sup> lowest in the state, at a rate of 40.6 residential gallons/ per capita/ per day (R-GPCD). Soquel had the sixth lowest residential water use in the Central Coast at 53.3 R-GPCD. (Source: State Water Resources Control Board, Urban Water Supplier Dataset.)
- d) Although all large water systems reduced their water use significantly, Lompico County Water District and seven small public water systems experienced serious shortfalls requiring purchased water, backup supplies, or severe curtailment. These were all systems using surface water or springs. Two small public water systems using surface water also reported deterioration of water quality as a result of the drought. Systems served by groundwater were able to adequately meet demands. The number of well permit applications in 2014 and 2015 was up about 30% over pre-drought levels, but there were fewer applications in 2015 (59) than in 2014 (67). There were not reports of increased number of wells going dry.
- e) The County of Santa Cruz adopted additional emergency measures to limit excessive outside watering. County staff responded to reports and observations of excessive or unpermitted water use at private residences, commercial properties and agricultural operations throughout the county. Staff also performed follow-up checks to monitor the implementation of agricultural water conservation measures required as a condition of agricultural well permits.
- f) County staff have participated with all of the countywide water agencies in the Water Conservation Coalition of Santa Cruz County to increase outreach and education to the public. The Coalition participated in numerous tabling events including Earth Day and the County Fair, produced a Water Conservation Guide which was sent to tens of thousands of county residences, and maintained the website [www.watersavingtips.org](http://www.watersavingtips.org).
- g) HSA has recently received a \$99,000 grant from the Department of Conservation for the development of a voluntary Rotational Cover Crop Plan for the Pajaro Valley, in partnership with the Resources Conservation District and the Community Water Dialogue. This project will evaluate methods to encourage voluntary cover-cropping and fallowing, with expected results of reductions in overall groundwater use.
- h) The County of Santa Cruz updated the Water Efficient Landscape Ordinance in Chapter 13.13 of the Santa Cruz County Code to establish stricter standards for landscape water application.

## 2. Water Supply and Groundwater Management

- a) In November 2015 the City of Santa Cruz Council adopted recommendations from its Water Supply Advisory Committee to pursue a strategy of water conservation and enhanced groundwater storage, with a back-up option of advanced treated recycled water or desalinated water. Enhanced groundwater storage will involve working with Scotts Valley and Soquel Creek Water Districts to increase groundwater storage through water exchanges, in lieu recharge and aquifer storage and recovery wells. This strategy, if it proves technically feasible, would contribute to recovery of the groundwater basins and provide additional stored water for the City during dry periods, particularly multi-year droughts.
- b) The Soquel Creek Water District worked with community stakeholders to develop a Community Water Plan, which includes: promoting water conservation and water neutral development to reduce groundwater extractions; implementing groundwater management programs to protect the aquifers; and seeking supplemental water supplies to meet water needs.
- c) The Sustainable Groundwater Management Act of 2014 (SGMA) went into effect on January 1, 2015. This landmark state legislation will provide local agencies greatly increased authority and responsibility to eliminate overdraft of groundwater basins. It mandates formation of Groundwater Sustainability Agencies by 2017 and development of Groundwater Sustainability Plans by 2020 to achieve groundwater sustainability by 2040. HSA is actively working with local water agencies to pursue sustainability for the three major groundwater basins in the county as follows:
  - i. The Pajaro Valley Water Management Agency is the designated Groundwater Sustainability Agency for the Pajaro Valley Basin with its current boundaries.
  - ii. For the Mid-County (Soquel-Aptos) Basin, management is being pursued by a Joint Powers Agency consisting of the County of Santa Cruz, City of Santa Cruz, Soquel Creek Water District and Central Water District. The governing board includes three private well representatives. A basin boundary modification request is being submitted to the state to formally designate the basin boundaries.
  - iii. Management of the Santa Margarita Basin is being pursued as a joint effort with the County, the Scotts Valley Water District, and the San Lorenzo Valley Water District. A basin boundary modification request is being submitted to the state to formally designate the basin boundaries.
- d) The County, Soquel Creek Water District, and Central Water District have continued a series of meetings for private groundwater users and other interested stakeholders in the mid-county groundwater basin, to discuss basin management issues and engage non-municipal pumpers in long term management of the basin.
- e) Soquel Creek Water District has identified injection of advanced purified water into the groundwater basin as one of the preferred options to support basin recovery. The District is working with the County Sanitation District under a state grant and is near completion of a feasibility study to evaluate various options for recycled water use.

- f) Soquel Water District and the City of Santa Cruz Water Department both completed new wells in the 41<sup>st</sup> Avenue area that will allow shifting of pumping inland away from the coast to further reduce the threat of seawater intrusion.
- g) The City of Santa Cruz Water Department and Soquel Creek Water District reached agreement to undertake an initial effort to provide in lieu recharge during the coming winter. The two agencies agreed to a 5 year pilot study/water transfer agreement using the existing 8-inch bi-directional 1,000 gallon per minute (gpm) intertie at Soquel's O'Neill Ranch facility. It is anticipated that California Environmental Quality Act requirements will be satisfied in time to begin in lieu deliveries of water from the City's North Coast sources as early as February 2016. This agreement does not include provisions for returning water from Soquel to the City in the event of a drought. However, the City Council's approved water supply augmentation strategy provides direction for the two agencies to begin discussions about longer term water exchanges and transfers.
- h) Soquel Creek Water District completed construction of two new pump stations to facilitate movement of potable water between service areas, increasing potential for water exchange, and increasing overall system reliability and flexibility. The District also commissioned the first permitted hexavalent chromium treatment facility, reducing concentrations to well below new state MCL requirements. The District secured a full scale hexavalent chromium removal equipment procurement contract for a 2,000 gpm facility that is expected to come on line in 2017.
- i) The County submitted a grant application to the Department of Water Resources for \$250,000 to assist with outreach and Groundwater Sustainability Plan Development for the Mid-County Groundwater Basin. If approved, funds will be used for further development of a groundwater model for the basin, update of the database on wells and non-municipal water users, outreach and services targeted to private well owners, and maintenance of the website [www.midcountygroundwater.org](http://www.midcountygroundwater.org).
- j) The Scotts Valley Water District completed an update of the groundwater model for the Santa Margarita Groundwater Basin that will help determine groundwater management objectives and options, including the effects of water exchange and enhanced recharge. The District is completing an evaluation of the feasibility of using advanced treated recycled water for enhanced recharge.
- k) Scotts Valley Water District made recycled water available for pick up by water customers.
- l) The San Lorenzo Valley Water District and the Scotts Valley Water District completed construction of emergency interties connecting the two districts and the four subareas of the San Lorenzo District. These interties can eventually be used for conjunctive management and water exchange, but not until a full evaluation of fishery and other environmental impacts is completed. The fisheries assessment is underway.
- m) County staff continued to work with the Local Agency Formation Commission (LAFCO), San Lorenzo Valley Water District, and Lompico County Water District to pursue an effort to make capital improvements and merge the two Districts in order to address substantial deficiencies in water quality and reliability. Although a bond election failed to get two-thirds approval by one vote, formation of an alternative assessment district is currently in progress.



- n) The County, City of Santa Cruz, and San Lorenzo Valley Water District are conducting a project to identify and better understand the occurrence of karst geology, which has the potential to store and transmit significant amounts of water, but which is very susceptible to adverse impacts from overlying land use. This work should be completed in 2016 and could potentially result in recommendations to update County policies to provide increased water resource protection in karst areas.
- o) The presence of naturally elevated levels of hexavalent chromium in excess of the new state drinking water standards that occur in south county groundwater will create expensive treatment challenges for the City of Watsonville, Soquel Creek Water District (SqCWD), Central Water District, and some small water systems that draw water from the Aromas Formation aquifer. SqCWD has worked with consultants to develop a new treatment approach and is one of the first in the state to receive a permit for a treatment plant for hexavalent chromium.
- p) The County continues to coordinate submission of groundwater level data to the State's 'CASGEM' groundwater monitoring program. County staff also implement a cooperative program to monitor private well levels in the inland mid-county area.

### **3. Small Water Systems**

- a) County staff continue to effectively assist and direct over 130 water systems to maintain compliance and meet the ongoing needs of the people and communities, which rely upon them regarding water quality, quantity, treatment, distribution, water system organization, and evolving compliance requirements. The Drinking Water program met and exceeded its routine water system permitting and inspection goals established with the State Water Resources Control Board.
- b) The County of Santa Cruz adopted new requirements for metering and reporting of water use by all small water systems, with individual connection meters required for systems with 15 or more connections by 2018. This will provide additional information for assessment of rural water use and provide the County and the water systems with tools to minimize excessive water use. Systems were advised and consulted during the preparation and adoption of these new requirements and staff has provided support for compliance. Staff worked with the Rural Community Assistance Corporation to host a community educational class in 2016, entitled "Optimizing Water meters for Increased Water Efficiency".
- c) County staff established the Small Water Systems Forum to help build technical, managerial, and financial capacity among the small water systems within the community. Four quarterly meetings were held on various subjects, including: water conservation, drought status, current themes in drinking water, hexavalent chromium standards and compliance, recycled/greywater, water quality database inquiry, new treatment technologies, Electronic Annual Reporting, legislative updates, metering/water use data and ordinance changes, loan sources, rate setting, insurance/liability for water systems, and small water system involvement in the Sustainable Groundwater Management Act.

- d) Staff developed and promulgated information on new compliance requirements related to drought, metering, electronic annual reporting of system information, and hexavalent chromium standards.

#### **4. Water Quality**

- a) County staff continue to work with the State, City of Santa Cruz, City of Capitola, and the County Sanitation District to implement projects and conduct monitoring to assess public health threats, reduce bacterial contamination, and improve beach water quality.
- b) County staff continued to participate with the City of Santa Cruz, Save the Waves Coalition, Surfrider Foundation, Sierra Club, and Coastal Watershed Council in the Cowell Beach Working Group, which has been meeting monthly to better understand and control the elevated bacteria levels at Cowell Beach, which have resulted in it being named as one of the most polluted beaches in the state. City improvements have eliminated any significant sources of human contamination and efforts will now target pigeons residing under the wharf.
- c) County staff continue to participate with the Coastal Watershed Council, Surfrider Foundation and City of Santa Cruz in the San Lorenzo Alliance Water Quality Working Group, which has been seeking to evaluate the sources of elevated bacteria in the lower San Lorenzo River. A recent investigation used multiple lines of evidence to conclude that there was minimal human contribution to the elevated bacteria levels observed in 2014.
- d) County staff maintain ongoing efforts for water quality protection through septic system management, monitoring, and investigation, funded by County Service Area (CSA) 12. In 2015, staff continued work with the Onsite Sewage Disposal Technical Advisory Committee to update the County's onsite wastewater management program and sewage disposal ordinance to bring it into compliance with new state septic system requirements. Properly functioning onsite sewage systems are a good method of groundwater recharge and contribute to approximately 10% of the San Lorenzo River's summer baseflow.
- e) Public Works Department staff have received grant funds to upgrade the sewer systems near Nobel Gulch, Soquel Creek, and Neary Lagoon in order to eliminate potential sewer leaks and sources of contamination to Cowell and Capitola beaches.
- f) County staff continue to work with the City of Watsonville and the Resource Conservation District (RCD) to monitor harmful algae blooms in Pinto Lake. This work also includes maintaining warning signs, and assessing and controlling sources of nutrients that may be stimulating the blooms. The City and RCD have received grant funds to implement measures to reduce nutrient loading in 2016.
- g) The San Lorenzo Lagoon experienced a harmful algal bloom in 2015. The County worked with the City of Santa Cruz and researchers from the University of California at Santa Cruz to monitor the lagoon and post warning signage before conditions were relieved by manual breaching and the onset of fall rains.

## 5. Watershed Health and Aquatic Habitat

- a) Steelhead and coho salmon are two anadromous salmonid species that have historically occurred in county watersheds but have experienced a severe drop in numbers as a result of habitat and watershed degradation. Coho are designated as endangered and steelhead are designated as threatened under the federal Endangered Species Act.
- b) National Oceanographic and Atmospheric Administration (NOAA) Fisheries is the federal agency that oversees the status and recovery of our nation's marine and anadromous species. NOAA Fisheries has launched a "Species in the Spotlight: Survive to Thrive" campaign and has identified eight NOAA species as the nation's most at risk of extinction. Central California Coastal (CCC) coho salmon is one of the eight identified. In early 2016, NOAA Fisheries will launch their 5-Year Species Spotlight Plan for CCC Coho Salmon and perform outreach to stakeholders and partners regarding federal initiatives for coho salmon protection. Since most of our watersheds are privately owned, the recovery of coho salmon in Santa Cruz county will depend on broad based community efforts and collaboration with NOAA. NOAA completed the coho recovery plan in 2013 and is now circulating the draft steelhead recovery plan for final comments.
- c) Environmental Health staff completed the development of the Steelhead and Coho Salmon Conservation Strategy, which was approved by the Board in June 2015. The Steelhead and Coho Salmon Conservation Strategy describes 19 key actions to protect and improve stream habitat that can be implemented by HSA, Public Works, Planning, Parks, and the Agricultural Commissioner's Office within the next three years, as well as 13 ongoing actions.
- d) County staff continued to work with water agencies to maintain annual sampling of stream habitat and juvenile salmonids in four watersheds: San Lorenzo, Soquel, Aptos and Pajaro. In 2015, steelhead numbers were critically low throughout the four watersheds in the fourth year of the drought. Coho salmon were found in the Soquel watershed for the first time since 2008, showing that conservation efforts in the Scott Creek watershed are helping to boost adult numbers, with fish straying to nearby watersheds. The City of Santa Cruz continued monitoring fish downstream of their diversions and found coho juveniles in Laguna Creek for the first time in ten years.
- e) The City of Santa Cruz and San Lorenzo Valley Water District continued efforts to monitor streamflow and habitat conditions downstream of their diversions in an effort to establish objectives for habitat improvement.
- f) Environmental Health staff coordinated with the Department of Public Works to provide an update of the County of Santa Cruz Stream Crossing Inventory and Fish Passage Evaluation. The County has completed 11 fish passage projects since 2002.
- g) County staff continued to implement the Large Woody Material Management Program to maintain large wood for habitat value in county streams without increasing flood risks or jeopardizing public safety. With existing El Nino conditions, staff have been responding to requests, participating in several outreach events, and coordinating with resource agencies and the Public Works Department on response to anticipated increased occurrence of large woody material.

- h) Staff from the County Planning Department and the HSA Environmental Health Division continued to meet with other regulatory agencies to coordinate effective approaches to environmental code compliance. Environmental Health staff provided recommendations to the Cannabis Cultivation Choices Committee on ways to avoid adverse environmental impacts.
- i) The Resource Conservation District continued to work with landowners and agency partners to complete habitat improvement projects through the Integrated Watershed Restoration Program (IWRP). These projects included wetland restoration, fish barrier removal, rural road upgrades, stream habitat improvement, managed recharge assessment, stormwater management and community education.
- j) As a part of an interim agreement with the fishery agencies, during 2015, the City of Santa Cruz released significant more flow for fish than in previous droughts in Laguna Creek, the lower San Lorenzo River, and other streams.
- k) The City of Santa Cruz conducted a number of efforts, including ongoing lagoon monitoring, hosting the first annual State of the San Lorenzo River Symposium, and pursuing illegal stream diversions on critical streams.
- l) County staff are participating with the Coastal Watershed Council, City of Santa Cruz, and other entities in the San Lorenzo River Alliance, which is seeking to improve water quality and reinvigorate community engagement with the lower river and the watershed. The County has also participated in recent efforts to launch "San Lorenzo 2025", which is a targeted lobbying effort to secure substantial funding to restore fish habitat in the San Lorenzo River Watershed.

## **6. Stormwater and Flood Management**

- a) County Public Works Department (DPW) staff continue to maintain operation of the Automated Local Evaluation in Real Time (ALERT) flood warning system. In September, 2015, DPW, received notice of a grant award of \$100,000 from the State's "Flood Emergency Response Program" to upgrade the ALERT system field stations, radio and internet communications network, and base station software to the ALERT 2 platform. This work will be completed in partnership with the Monterey County Water Resources Agency in the Summer of 2016.
- b) The County, City of Watsonville, and other entities continue to pursue implementation of a project with the Army Corps of Engineers to significantly upgrade the flood conveyance system to provide an adequate level of flood protection for the Pajaro River, Salsipuedes Creek, and Corralitos Creek.
- c) County staff continue to implement the County's stormwater management program and update the program to address evolving state and federal requirements.
- d) The County, City of Santa Cruz, and Scotts Valley Water District received Proposition 84 stormwater grant funds to implement projects that reduce stormwater runoff and increase groundwater recharge by infiltrating runoff from impervious surfaces. The County



completed two projects in 2015, one at the Heart of Soquel Park and one at Brommer Street Park. The City also completed a parking lot retrofit on Cedar Street.

- e) The County and local water agencies are working with Ecology Action of Santa Cruz to implement a grant to promote use of low impact development measures and rainwater catchment to reduce stormwater runoff.
- f) County Staff partnered with the Resource Conservation District to hold a Winter Preparedness workshop for rural homeowners in anticipation of a wet winter.

## **7. Integrated Regional Water Management (IRWM) – Santa Cruz Region**

- a) Santa Cruz Region partner agencies continue to work together on integrated regional water management, with the Regional Water Management Foundation (RWMF) serving as a hub for the 11 partner agencies. In 2015, two new partner agencies, the Cities of Capitola and Scotts Valley, became signatories to the IRWM memorandum of agreement. All of the partner agencies contribute funding to support ongoing work of the RWMF to coordinate and administer efforts and position the region for future funding from the state. The County contributes \$15,000 of the total \$80,000 fund
- b) The IRWM Santa Cruz Region applied for drought funding under Proposition 84 to help expand recycled water use in Davenport, help fund treatment for hexavalent chromium in Soquel Creek Water District and replace aging wells for the City of Santa Cruz water supply. The application scored well, and tentatively will receive partial funding.
- c) The Santa Cruz Region is working with other regions in the Central Coast funding area to develop a plan for future equitable distribution of Proposition 1 IRWM funds. This has the potential to provide greater certainty regarding availability of future funds.

## **8. IRWM - Pajaro Region**

- a) County staff also participate actively in the Pajaro IRWM program, which encompasses the entire 1,300 square mile Pajaro River watershed. The Pajaro IRWM includes water supply and flood management projects throughout the Pajaro Valley, as well as water quality and habitat restoration projects in the Pajaro Valley outside the Watsonville Slough system. The Pajaro IRWM is led by Santa Clara Valley Water District, San Benito County Water District, and the Pajaro Valley Water Management Agency (PVWMA).
- b) PVWMA and its partners received approximately \$5 million in drought relief funding under Proposition 84. This will help fund expanded storage and distribution for recycled water irrigation and improved irrigation efficiency. As a part of the drought relief funding, the City of Watsonville was awarded a \$3.2M grant to upgrade its Corralitos surface water treatment plant. This upgrade will: (1) allow the City to treat and distribute water in the winter time; (2) reduce the amount of groundwater used in the winter time; and (3) enhance stream flow to benefit fisheries.

- c) PVWMA received ratepayer approval of pumping fees to fund implementation of their updated Basin Management Plan, which will implement projects to reduce groundwater pumping by 12,000 af/yr.
- d) The Community Water Dialog, a community stakeholder group, continued to promote agricultural grower and community support for a variety of efforts to implement managed groundwater recharge projects, improved irrigation efficiency, and community support for improved groundwater basin management.
- e) The Resource Conservation District has worked with the agricultural community to implement a variety of outreach, technical assistance, and cost-sharing programs to reduce water use, promote groundwater recharge, and improve water quality.

End.

2015 Water Use Restrictions in Santa Cruz County and Residential Water Savings From 2013 to 2015 (June to October)		
Agency	Restrictions	Residential Water Savings Accomplished in Gallons/per person/per day (R-GPCD)
<b>State Requirements</b> for all non-agricultural users (April 2015)	<ul style="list-style-type: none"> <li>Prohibited use of potable water:               <ul style="list-style-type: none"> <li>Washing sidewalks and driveways;</li> <li>Allowing runoff when irrigating</li> <li>Using hoses with no shutoff nozzles to wash cars;</li> <li>Decorative water features that do not recirculate the water;</li> <li>Irrigating outdoors during and within 48 hours following measureable rainfall;</li> <li>Irrigation of ornamental turf on public street medians;</li> <li>Irrigation outside of newly constructed homes and buildings that is not delivered by drip or micro-spray systems;</li> <li>Restaurants serving water to their customers unless requested</li> </ul> </li> <li>Hotels and motels must offer their guests the option to not have their linens and towels laundered daily.</li> </ul>	<b>Objective of 25%</b>
<b>State Requirements</b> for water purveyors >3000 connections (May 2015)	<ul style="list-style-type: none"> <li>Mandated restrictions between 4%-36%, assigned to each system, depending on water savings to date</li> </ul>	<b>27%</b>  <b>87 R-GPCD</b>
<b>State Requirements</b> for commercial, institutional, industrial users with independent water source, and water systems 15-3000 connections (May 2015)	<ul style="list-style-type: none"> <li>Limit outside watering to 2 days per week or 25% reduction in water use</li> </ul>	<b>Pending</b> (TBD in 2016)
<b>County of Santa Cruz</b> (No mandated reduction levels)	<ul style="list-style-type: none"> <li>No wasteful water use</li> <li>No operating ornamental fountain or cooling system that doesn't re-circulate water</li> <li>Outdoor water Restrictions               <ul style="list-style-type: none"> <li>No hosing off of hardscapes</li> <li>No irrigation run-off</li> <li>Shut-off nozzle required on hoses</li> <li>Leaks must be repaired within 24 hours</li> <li>Limit outside watering to 2 days per week for 15 minutes</li> <li>No spray irrigation 10am-5pm</li> </ul> </li> </ul>	<b>Not measured.</b>

Agency	Restrictions	Residential Water Savings Accomplished in Gallons/per person/per day (R-GPCD)
<b>Scotts Valley Water District</b> (State mandated reduction of 16% from 2013 levels)	<ul style="list-style-type: none"> <li>• Stage 1 (of 3) Water shortage</li> <li>• Irrigation limited to 2 days per week</li> <li>• Permanent Water Waste Prohibition               <ul style="list-style-type: none"> <li>○ No irrigation 10am-5pm,</li> <li>○ No hosing off of hardscapes</li> <li>○ Shut-off nozzle required on hoses</li> <li>○ No irrigation run-off</li> <li>○ Recycled water available for pick up by customers</li> </ul> </li> </ul>	<p><b>28%</b></p> <p><b>70 R-GPCD</b></p>
<b>City of Santa Cruz Water Department, May 2015</b> (State Mandated reduction of 8% from 2013 levels)	<ul style="list-style-type: none"> <li>• Stage 3 (of 5) Water Shortage Emergency</li> <li>• No wasteful water use</li> <li>• Restaurants cannot serve water to their customers unless requested</li> <li>• Hotels and motels must offer their guests the option to not have their linens and towels laundered daily</li> <li>• Outdoor water Restrictions               <ul style="list-style-type: none"> <li>○ Residential swimming pools may not be filled</li> <li>○ No spray irrigation 10am-5pm</li> <li>○ No hosing off of hardscapes or exteriors except for painting or sale</li> <li>○ Shut-off nozzle required on hoses</li> <li>○ No irrigation run-off</li> <li>○ Water service at visitor facilities only on request</li> <li>○ No irrigation after rainfall</li> </ul> </li> <li>• Leaks must be repaired within 24 hours</li> </ul>	<p><b>28%</b></p> <p><b>41 R-GPCD</b></p>
<b>Soquel Creek Water District</b> (State mandated reduction of 8% from 2013 levels)	<ul style="list-style-type: none"> <li>• Stage 3 (of 5) Water Shortage Emergency</li> <li>• No wasteful water use</li> <li>• Restaurants cannot serve water to their customers unless requested</li> <li>• Hotels and motels must offer their guests the option to not have their linens and towels laundered daily</li> <li>• No carwash, ornamental fountain, or cooling equipment that doesn't re-circulate water</li> <li>• Outdoor water Restrictions               <ul style="list-style-type: none"> <li>○ No Watering 10am-8 pm</li> <li>○ No watering while raining</li> <li>○ No hosing off of hardscapes</li> <li>○ No irrigation run-off</li> <li>○ Shut-off nozzle required on hoses</li> <li>○ Leaks must be repaired within 72 hours</li> </ul> </li> <li>• 200% Water Demand Offset for new connections</li> </ul>	<p><b>26%</b></p> <p><b>53 R-GPCD</b></p>



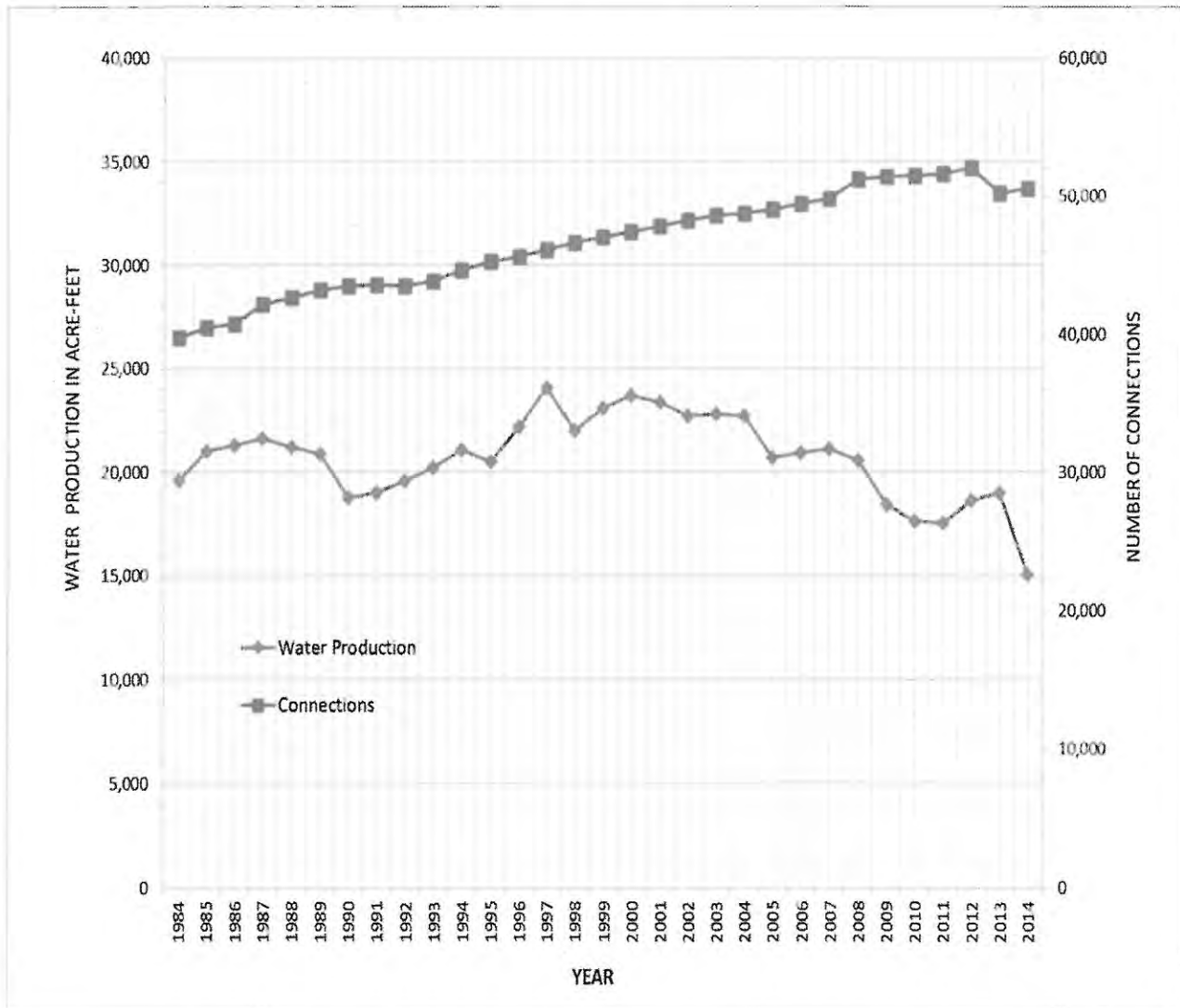
Agency	Restrictions	Residential Water Savings Accomplished in Gallons/per person/per day (R-GPCD)
<b>San Lorenzo Valley Water District</b>  (State mandated reduction of 12% from 2013 levels)	<ul style="list-style-type: none"> <li>• Stage 2 (of 4) Water Restrictions</li> <li>• No wasteful water use</li> <li>• Restaurants cannot serve water to their customers unless requested</li> <li>• Hotels and motels must offer their guests the option to not have their linens and towels laundered daily               <ul style="list-style-type: none"> <li>○ Outdoor spray watering 3 days only</li> <li>○ No spray irrigation 10am-5pm</li> <li>○ No hosing off of hardscapes or exteriors except for painting or sale</li> <li>○ Shut-off nozzle required on hoses</li> <li>○ No irrigation run-off</li> <li>○ Residential swimming pools may not be filled</li> </ul> </li> <li>• Leaks must be repaired within 24 hours</li> </ul>	<b>28%</b>  <b>70 R-GPCD</b>
<b>City of Watsonville</b>  (State mandated reduction of 20% from 2013 levels)	<ul style="list-style-type: none"> <li>• Permanent Water Wise Use</li> <li>• 20% voluntary reduction</li> <li>• Limit outside watering to 2 days per week</li> <li>• Permanent Water Waste Prohibition               <ul style="list-style-type: none"> <li>○ No spray irrigation 9 am-5pm</li> <li>○ Shut-off nozzle required on hoses</li> <li>○ No irrigation run-off</li> </ul> </li> </ul>	<b>23%</b>  <b>62 R-GPCD</b>
<b>Central Water District</b>  (No mandated reduction for Less Than >3,000 connections)	<ul style="list-style-type: none"> <li>• Stage 2 (of 4) Water shortage</li> <li>• No operating washing equipment or ornamental fountain that doesn't re-circulate water</li> <li>• Outdoor watering restrictions               <ul style="list-style-type: none"> <li>○ Outdoor spray watering 2 days only</li> <li>○ No spray irrigation 10am-7pm</li> <li>○ Reduced irrigation of play and common areas</li> <li>○ No hosing off of hardscapes or exteriors</li> <li>○ Leaks must be repaired within 24 hours</li> <li>○ Shut-off nozzle required on hoses</li> </ul> </li> </ul>	<b>31%</b>  <b>115 R-GPCD</b>

Source: State Water Resources Control Board, Urban Water Supplier Dataset, October 2015. Savings are cumulative savings June through October 2015 compared to 2013. Residential use in gallons/per person/ per day is estimated for October 2015.

Note: Agencies have more extensive programs in effect. Agency websites should be consulted for the complete list of water use restrictions and water conservation efforts.

<b>Santa Cruz County Water Use 2014</b> <b>and Percentage Reductions From 2013 to 2014 and 2015</b>								
Water Supplier	Connections	Population	Water Use Volume (acre-feet/yr)	% Groundwater	% Surface Water	% Recycled Water	% Reduced in 2014 <sup>a</sup>	% Reduced in 2015 <sup>b</sup>
Santa Cruz City Water Dept.	24,300	94,887	8,046	7%	93%		24%	29%
Watsonville City Water Dept.	14,328	65,740	7,522	99%	1%		12%	23%
Soquel Creek Water District	14,390	37,720	3,474	100%			19%	30%
San Lorenzo Valley Water District	7,223	25,485	1,900	60%	40%		18%	28%
Scotts Valley Water District	3,735	10,509	1,399	87%		13%	16%	28%
Central Water District	812	2,700	457	100%			22%	31%
Lompico Creek Water District	496	1,600	59	98%	2%		23%	
Big Basin Water Company	596	1,967	127	24%	76%		30%	
Mount Hermon Association	497	1,238	138	100%			26%	
Forest Lakes Mutual Water Company	326	1,076	40	100%			20%	
Small Water Systems (5-199 connections) <sup>c</sup>	2,600	7,300	1,040	95%	5%			
Individual Users <sup>c</sup>	8,000	20,000	3,200	95%	5%			
Agricultural								
Mid-County & North-County <sup>c</sup>			2,400	75%	25%			
South County - Pajaro Valley (excludes Monterey County use) <sup>d</sup>			27,884	94%	0.4%	6%	6%	
Totals	Total Count		Total Volume (acre-feet/year)					
Total Connections & Population:	77,303	270,222						
Total Volume Use:			57,686	46,605	9,339	1,742		
				81%	16%	3%		
Total Non-Agricultural:			27,402	18,594	8,628	180		
Total Agricultural:			30,284	28,011	712	1,562		
<sup>a</sup> : Source: Annual reports submitted to State Division of Drinking Water. <sup>b</sup> : Source: State Water Resources Control Board, Urban Water Supplier Dataset, October, 2015. <sup>c</sup> : Estimated values. <sup>d</sup> : 2014 agricultural water use on the Monterey County side of the Pajaro Basin = 21,770 acre-feet.								

**Water Production  
for Northern Santa Cruz County Large Water Purveyors\*  
1984 to 2014**



\* Water Suppliers include:

- City of Santa Cruz
- Scotts Valley Water District
- San Lorenzo Valley Water District
- Lompico Water District
- Soquel Creek Water District
- Central Water District



# County of Santa Cruz

## General Services Department

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 Nancy Gordon, Director

**Meeting Date:** February 9, 2016  
**Date:** January 22, 2016  
**To:** The Board of Supervisors  
**From:** Nancy Gordon, General Services Director  
**Subject:** County Fire Funding Options

On January 26, 2016 your Board directed staff to return today with an updated report on the options for future financing of Santa Cruz County Fire CSA 48 (County Fire).

### **COUNTY FIRE SERVICE BACKGROUND**

County Fire is a combination department comprised of paid and volunteer personnel that was established in 1948 when the Board of Supervisors entered into a cooperative agreement with the California Department of Forestry and Fire Protection (CAL FIRE) to provide fire protection and department management in the rural areas of Santa Cruz County. County Fire utilizes ten fire stations to protect over 24,000 residents and 9,958 parcels within its 286 square miles responding to over 2,200 emergency incidents a year.

The County Fire Department is responsible for structural fire protection, first responder emergency medical services, technical rescue, public fire safety education, and inspection services for unincorporated areas of the County that are not included in an autonomous fire district. Operational and support services provided include the purchase and maintenance of fire apparatus, equipment, and safety gear; fire station construction and maintenance oversight; training coordination and delivery; emergency communications; and administration of volunteer firefighter benefits and workers' compensation programs.

CAL FIRE staffs and maintains seven fire stations during fire season, typically June through October. Five of these stations remain open throughout the rest of the year under an Amador agreement that allows cost sharing between the state and county. The average yearly personnel cost for one fire station is approximately \$945,106. The state covers roughly 75% of these costs while the county covers 25%. County Fire volunteer companies are collocated at two of these state facilities. There are five other



districts located in Santa Cruz County.

The renewed pursuit of increased revenue through a special election for the property owners in CSA 48 is another option. Another sustained public education effort may generate more interest for a special tax increase in light of recent economic recovery. The last polling of CSA 48 residents occurred in January of 2011 to ascertain the impact of focused public education on local voter sentiment and the feasibility of proceeding with a special election. While the results of the poll showed an increase in public awareness of County Fire and appreciation of the fire and emergency medical services received, the poll also revealed a significant reduction of support for any type of tax measure to obtain adequate operational funding for CSA 48, and decidedly less than the two-thirds vote required. However, it is staff's preliminary assessment is that the tax represents the best measure to address the structural deficit and ensure the appropriate level of funding for the public safety of residents and visitors to Santa Cruz County. Any effort to pursuing this option must include a comprehensive public education campaign to ensure voters understanding of the ongoing deficit issue and its fire service delivery ramifications.

In view of the ongoing recovery from the recession, County general funds are not available for allocation to County Fire operations. Proposition 172 funds have been allocated pursuant to the agreement with the Fire agencies and any additional funds would result in reductions to other public safety agencies including the Sheriff, DA and Probation.

At this time, it is estimated that approximately \$1.4 million dollars would be necessary to maintain the current County Fire service level and begin the work effort necessary to address deferred maintenance and equipment purchases. Reduced amounts would begin to address the shortfalls, although not completely.

Cost savings derived from closing a County Fire station(s) would vary somewhat depending upon the station; however, many additional factors would have to be considered such as activity levels, population density, threat assessment, response times, physical proximity to other fire agencies, Insurance Services Office (ISO) impacts, and volunteer support. If the County considered a station during the non-fire season, the total number of county funded firefighters could be reduced from 18 to 14, saving the County roughly \$315,000. Emergency service delivery would be deferred solely to the appropriate volunteer company and/or a nearby local fire agency. Understanding that while volunteers provide an invaluable service, their average response rate is 52% and in envisioning one or more station closures, their response rate and times would be extended. It may be possible for local agencies to respond to incidents, but response times would, in most cases, be dramatically extended and there would be contract costs associated that would partially, if not fully negate, cost savings.

It is therefore RECOMMENDED that your Board:

1. Accept this report on future funding options for County Fire;
2. Direct County Fire staff to provide briefing materials to the boards of local fire protection districts regarding the County Fire funding issue to their solicit input;
3. Consult with LAFCO on possibility of an updated study regarding the Santa Cruz County organization of fire service delivery;
4. Direct staff to return to your Board on or before June 14, 2016 with updates on changes in the State budget impacting local CAL FIRE contract; and
5. Direct staff to return during budget hearings with costs and schedule options for a possible special election, including polling and a comprehensive public education campaign.

**Submitted by:**

  
Name: Gordon, General Services Director 1/23/2016

**Recommended:**

Susan A. Mauriello, County Administrative Officer

## WATER DEMAND DROPS

Production at levels comparable to 1977 drought

## LOWEST IN DECADES

By Jessica A. York

[jyork@santacruzsentinel.com](mailto:jyork@santacruzsentinel.com) @ReporterJess on Twitter

**SANTA CRUZ >>** Marking a recent steadily declining trend in water use, Santa Cruz water consumption dropped last year to a level not matched since 1977, during the city's last major drought.

Customers' water use last dropped this low when the city's population hovered just less than 40,000 residents. By 2010, according to U.S. Census data, Santa Cruz had expanded to just shy of 60,000 and has continued a slow climb upward since then. A total of about 92,000 customers in and outside of the city's borders are served annually by the water system.

Before the 1976-1977 drought, customers without mandated consumption restrictions last used a similar amount of water in 1965, said department spokeswoman Eileen Cross, as the UC Santa Cruz was in its earliest months.

"We are using the same amount of water we used in 1965, even though the population has increased significantly," Cross said.

The population then was about 35,000.

In 2015, the second consecutive year the city has implemented mandatory water rationing accompanied by hundreds of thousands in escalating fines for overuse, the highest daily water production was about twothirds of a nondrought year, according to the Santa Cruz Water Department.

Unlike the 4 percent water consumption drop since 2014, however, the cost of running the city's water system has remained static, Water Department Director Rosemary Menard said.



With little runoff from the recent storms, Loch Lomond water level has a way to go before filling to capacity. An algae bloom has turned the reservoir water a bright green.

DAN COYRO — SANTA CRUZ SENTINEL

The city's largest drinking water storage facility, Loch Lomond Reservoir near Zayante, also has a steep climb to refill and allow the city a comfortable buffer in the face of continued drought, department officials said this week. The reservoir, little replenished from recent storms, has turned green from an algae bloom.

"There is a relationship between the high fixed cost of units and selling fewer units. That's what we've been talking about with the Water Commission. We need to figure out how to make that up and also do more of the reinvestment in the system," Menard said. "It's not sustainable in the way that we've been doing it."

Unlike the dry January 2014, rainfall has remained a constant companion in weekly weather forecasts. As that rainfall continues, the city is looking to winter storms in coming months to bring the reservoir up to its 2.3 billion gallon capacity, officials said. Between April and January, the reservoir, the city's largest water storage facility, dropped from about 83 percent full to 66 percent full with customer consumption, city officials said.

The city is in the midst of a major planning process to create a water source that suffers less fluctuations in the face of droughts, such as tapping in to partnerships to access underground aquifer supplies.

Cross said though the reservoir often has recharged to capacity during winter and spring rains, it has not done so in recent years.

"We still have three months, feasibly, of wet weather, maybe more, where we can fill the reservoir," Cross said. "But we're not even close to filling the reservoir."

With several months remaining in the city's so-called "water year," running from Oct. 1 to Sept. 30, the city is in the midst of a "dry" year. The classification is based on runoff measured from the city's largest drinking water supply, the San Lorenzo River. The river's runoff will need to increase nearly 88 percent by the end of the wet season to be reclassified as a "normal" year, said Toby Goddard, Water Department administrative services manager.





<http://www.bizjournals.com/sanjose/news/2016/01/20/gilroy-expansion-off-the-table-for-now-in-new.html>

Jan 20, 2016, 11:23am PST

"Basically, it's simply a matter of giving everyone more time for input, more community involvement," said Skip Spiering, who represents a consortium of landowners just north of the current city limits. The plan now? To hold more community outreach meetings and wait for the completion of the city's general plan update, which is expected sometime this summer.

Map of the urban service area of the Dallas-Forth Worth Metropolitan Area. The map shows the Dallas Urban Service Area (DASA) and the Fort Worth Urban Service Area (FWUSA). Key features include Christiana High School, Summit Park Station, and the Texas Turnpike Authority. The legend indicates City Limits, Urban Service Area - existing, Urban Service Area - proposed, and Other Systems of Influence. A scale bar shows 0 to 10 miles.

The slashed and checked outline shows the expansion of Gilroy if a boundary change gets the go-ahead.

add 4,000 mostly single-family homes to the city. The expansion of the city's boundaries is the first step, and in December a deeply divided city council voted to apply to a government entity — the Local Area Formation Commission, or LAFCO — to do just that.

Last week, in an unprecedented move, LAFCO sued the city over its environmental impact report, saying it was inadequate. A competing group of property owners also sued the city on environmental grounds.

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The fight has become one of the most closely watched issues in regional land use because it touches on a huge issue of how southern Santa Clara County could and should develop. Opponents have said it will pave over priceless farmland for suburban sprawl, while proponents say Gilroy is growing and needs the additional land to remain a healthy community.

Spiering said the decision to withdraw the application came after a request from Gilroy Mayor Perry Woodward, who has been a vocal proponent of the proposal. Woodward didn't immediately return a phone call on Wednesday. The news release included a quote attributed to Woodward stating that he wanted more time for people to better understand "the benefits to our community" from the project.

"It's better to make sure that everybody is happy with the decisions," Spiering said. "I've been in this a long time. Anything that's perceived to be rushed, people get upset."

Spiering said the decision to delay the process could also blunt criticism that the project was being rushed. "One of biggest complaints is we were going on the (old) 2020 general plan plan and they're updating it and we were rushing the issue," Spiering said. "Now you can't say we're rushing the issue."

Technically, the city is the applicant to LAFCO for the boundary extension, and Spiering is simply withdrawing his request for the city to move the process forward.

Interim City Manager Ed Tewes said the council would meet next month to discuss the applicant's request in open session. There are no plans to re-open the city's environmental impact report on the project, he said. But he noted he would expect that the move would short circuit the lawsuit, which could have cost the city hundreds of thousands of dollars to defend.

"If they don't have a project they want to proceed with, then there's no sense to continue litigation that's unnecessary," Tewes said. "We believe it moots the lawsuit."

It's unclear whether the latest twist in the process would end up changing the proposed project in some way in response to community input, or simply buy the applicant more time to gain support.

Attention could also shift to the ballot box, where it's possible that both proponents and opponents could seek the binding opinion of voters.

I'll have more on the south county development scene in the weeks ahead.

**Nathan Donato-Weinstein**

Real Estate Reporter

Silicon Valley Business Journal



## 4,000 Home Development Off the Table

Posted: Thursday, January 21, 2016 11:01 am

Overwhelmed by public criticism and two lawsuits, the developers of the biggest housing project in Gilroy's history have pulled their application to take more time to sell it to the public.

Landowners proposed 4,000 homes including 1,500 units for "active seniors," two schools and parks for the 721-acre tract of farmland bordered by Monterey, Santa Teresa, Fitzgerald and Day roads.

The land would have to be annexed by the city and would need approval from the county's Local Agency Formation Commission (LAFCO). The city voted Dec. 7 to move forward.

However, the developers on Wednesday temporarily shelved the project, saying they were advised by Mayor Perry Woodward to do so.

"I asked the applicant to please rescind their application to allow for time for the city and greater community to better understand the proposal, the benefits to our community, how it gains local control and fits within the collective long-term vision of Gilroy's future," said Woodward, a supporter of the project, in a press release.

Added developer Skip Spiering: "By heeding the mayor's request to pull our application for consideration at this time, we have chosen to temporarily take a step back. We will continue to work with the city of Gilroy and the local community to help them understand the long-term vision of Rancho Los Olivos and will engage community leaders, stakeholders and neighbors as we complete the 2040 General Plan."

The developers of what could be a \$3 billion project involving 27 landowners, including Jeff Martin, who owns 400 of the 721 acres. In a big public relations push, they have changed the name from Rancho 101 to Rancho Los Olivos (Ranch of the Olives) and launched a website ([rancho-olivos.com](http://rancho-olivos.com)) and Facebook page (Rancho Los Olivos Community), looking to improve their image. They have also hired a public relations firm, Farmhouse Communications, spearheaded by Kristina Chavez Wyatt, who as communications director, led the unsuccessful oil company-funded opposition to San Benito County's 2014 anti-fracking referendum.

The City Council is divided 3-3 on the proposal, with a seventh member due to be selected Jan. 25. The



Map of the 721-acre proposed area



transportation, utilities, cumulative impacts to the above, growth-inducing impacts, and other types of environmental impacts, including construction-related and operational impacts.

LAFCO has also asked that the city pick up its legal fees, which could be considerable.

The second lawsuit, filed by developers Ken Kerley and Daniel Fiorio, argues that they were told not to pursue their plans to build housing in south Gilroy and then found the city approved the Rancho Los Olivos plan.

Their suit challenges the City Council's Dec. 7 decision to approve the 721-acre project and certify the environmental impact report, without first analyzing and mitigating potential environmental impacts.

The landowners' lawsuit also contends that the City Council's approval of the project causes the city's general plan to be "internally inconsistent," in violation of state planning and zoning laws.

Both suits also name the project's investors and landowners, including Martin Limited Partnership, Wren Investors LLC, and Mark Hewell.

Kerley and Fiorio are no strangers to City Hall. In July 2013 they were part of a consortium of landowners that submitted an application to amend the city's Urban Service Area to encompass approximately 150 acres in the unincorporated south Gilroy neighborhood district (called South Gilroy USA proposal in the lawsuit), where the two own property.

The petitioners allege that in January 2014, city staff provided them with an evaluation of the South Gilroy USA proposal and advised them to withdraw their application and not to resubmit until after the city adopted its 2040 general plan, which was then underway. The petitioners followed the recommendation and withdrew their application five days later.

In July 2014, the city accepted Martin Limited Partnership's application to add 721 acres into the city's USA boundary even as the city was still developing its 2040 general plan, contrary to the advice allegedly given to the South Gilroy USA landowners.

Approval of the 721-acre project is "premature and should await adoption of the 2040 general Plan," the lawsuit states.

The general plan was approved by the City Council on Jan. 4, clearing the way for an environmental review and final reading sometime this summer.

Interim City Administrator Ed Tewes said he expects that the lawsuits would be moot if the city agrees Monday to withdraw its request to annex the land for the project. He said council will also consider decertifying the environmental impact report it agreed to in December.

## Judge sides with developer in rejecting fees

Posted: Tuesday, February 9, 2016 8:04 pm

A judge Monday ruled against the county and in favor of a developer that challenged the justification of an “annexation fee” charged to builders since the turn of the century.

Award Homes, with plans to construct hundreds of homes locally, filed the lawsuit against the county and city claiming a \$9,500 “annexation fee” charged to builders for each residential lot has no legal justification.

Santa Clara-based Award Homes filed the lawsuit July 17 of last year at the San Benito County Superior Courthouse. The suit requested that the courts make a ruling on the charging of “annexation fees” and halt the practice.

That fee is a result of a tax-sharing agreement between the City of Hollister and San Benito County. According to the court records, the two government entities first developed the tax-sharing agreement—including the annexation fee—in 1999 at the height of Hollister’s last building boom before the current one.

Annexation is the process that involves one jurisdiction taking over domain of another municipality’s land. It tends to occur mostly along the edges of a city as it grows outward into a rural area.

The designated annexation fee was \$7,500 per unit under the 1999 agreement and increased to 9,500 per unit in an updated 2011 agreement, according to records.

The judge’s decision Monday could have wide implications not only on Award Homes’ projects, but also on other developers interested in building here. Those fees can add up quickly and could potentially play a role in whether a developer decides a particular project pencils out. With Hollister in growth mode right now, it also could result in a massive sway of revenue one way or the other for the county in the millions of dollars.

County supervisors Tuesday morning during closed session of their regular meeting voted 5-0 to file new trial motion and a notice of appeal, according to an announcement from the county counsel after the decision.

This week’s news also underscored a dynamic involving Hollister’s city attorney, which has a history of representing big developers at a time when housing construction is booming.



### Housing market

KB Home has been building near R.O. Hardin School along Line Street.

The city's contracted attorney from L&G, Brad Sullivan, is listed in court documents as one of three involved lawyers. The other two are Derek Cole representing the county as co-defendants with the city, and David Lanferman for Award Homes.

Even though Sullivan represented one of two defendants in the case, the attorney openly argued in favor of the plaintiff's case during an August interview with the Free Lance.

Sullivan at the time said San Benito might be the only county in the state that charges the annexation fees and mentioned that other developers—along with the California Building Industry Association—have been questioning the fees as well.

“We don't think it's enforceable, either,” he said at the time.

Award Homes argued in the lawsuit that there was never a study or nexus—government fees generally are mandated to correlate with specific costs—justifying the charges. The company in the suit refers to the fees as “illegal taxes” and unconstitutional. The lawsuit mentions that the company tried to work with the local entities and exhausted all of its administrative options.

Award Homes contends in the lawsuit it was “threatened with demands” from the defendants. The company mentions its 667-unit West of Fairview project, originally approved in 2000, and argues there was never a mention of such fees 15 years ago or when the plans were updated in 2012. Award Homes also is progressing on an 82-unit single-family residential project called Ladd Ranch south of Southside Road and west of Ladd Lane.

The company requested that the judge, Harry Tobias, declare the law as invalid, approve a temporary restraining order or preliminary injunction to halt the practice, and ultimately sign a permanent injunction against it. The company is also asking for attorney's fees and other litigation costs.

Those resolutions weren't laid out in minutes provided to the Free Lance following Monday's hearing, a victory for Award Homes.

Despite filing the official response denying the allegations, Sullivan wasn't optimistic last summer about the local government entities' chances in defending the lawsuit and the notion of annexation fees.

Sullivan, who pointed out how prior city and county management pushed through the charges, said the fees are “inconsistent with a general plan trying to encourage growth around the city.”

The West of Fairview project is proposed near Airline Highway and Fairview Road and has been in the works for more than two decades. Council members approved the 127-acre subdivision in October 2000 during a tense community debate over growth.

In mid-2001, the Local Agency Formation Commission, responsible for annexation of county property into city limits, delayed the project's momentum as it faced a 2003 deadline to get started. In May 2002, Award Homes filed a \$56 million lawsuit against LAFCO at around the time of the moratorium-inducing sewer spill.

*Look back for more.*