



THE

Highlander

Jan/Feb 2022

The Rural Bonny Doon Association Newsletter

RBDA Virtual Public Meeting *Panel Discussion on Trail Building in Cotoni-Coast Dairies National Monument*

Wednesday, March 16, 7:30 p.m. - Zoom Video Conference Meeting

The Bureau of Land Management (BLM) and Santa Cruz Mountain Trail Stewardship (SCMTS, formerly Mountain Bikers of Santa Cruz) have begun developing the initial 19 miles of recreational trails in the Cotoni-Coast Dairies National Monument. Trail-building is underway on both the south and north side of Bonny Doon Road. The 5,800 acre public land was secured as a project of the BLM in 2017, and the BLM has partnered with the local SCMTS group to build a total of 30 miles of multi-use trails. Please join the RBDA for a public meeting on Wednesday, March 16 at 7:30 p.m. to learn more about the trail building in Cotoni-Coast Dairies National Monument and engage with a panel of experts on the unique challenges of managing public activities on this land.

Matt De Young is the Executive Director of the Santa Cruz Mountains Trail Stewardship (SCMTS). SCMTS works to improve and maintain trail access in the Santa Cruz Mountains region. They have designed, funded, built, and maintained trails at Wilder Ranch, Pogonip, Delaveaga,

Soquel Demonstration State Forest, The Glenwood Preserve, Fall Creek, Calero County Park, The Bonny Doon Ecological Reserve, and many other parks in the region. Their current focus is on trail construction at Cotoni-Coast Dairies where in partnership with the BLM they are funding and building out the trail network to open the property to public access.

Benjamin Blom is the Field Manager for the Bureau of Land Management Central Coast Office. A native of Massachusetts, Blom began his BLM career in Grand Junction, Colorado, where he served as the planning lead for the Dominguez-Escalante National Conservation Area. Since 2013, Blom has served as manager of the Headwaters Forest Reserve in BLM California's Arcata Field Office, completed legislative specialist details with the BLM in Washington D.C., and was an assistant field manager and an associate district manager for the BLM in northern California. Blom holds a master's degree in forestry from the Yale School of Forestry and Environmental Studies.

Dr. Grey Hayes is an ecologist and group facilitator working to create a community for Nature in Santa Cruz County. Dr. Hayes has published extensively including peer-reviewed science, in natural history books and magazines, and in online periodicals and blogs. Since 1989, Grey's group facilitation and organizing work has focused on helping people to better work together to restore natural vitality to California's landscape for many generations of humans and non-humans, alike. Locally, he strives to increase his and others' understanding of the ecology of Santa Cruz County's North Coast and, through that understanding, increase community investment in the restoration of biodiversity.

Lee Thompson is a non-law enforcement Park Ranger for BLM Central Coast Field Office with focus on the Cotoni-Coast Dairies portion of the California Coastal National Monument.

Adam Wilde is the Outdoor Recreation Planner for the BLM Central Coast Field Office.

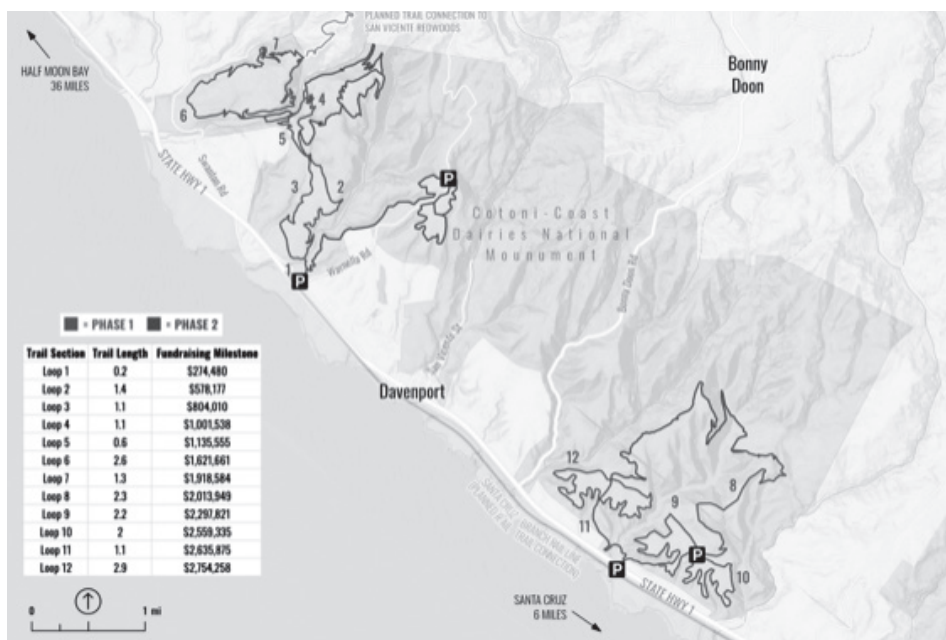
Virtual Meeting Participation

Zoom (zoom.us) is a video conferencing platform that is free to use through either a web browser or application, and audio participation is possible through a dial-up connection on your phone. We selected this platform based on its widespread use and ease of accessibility. For this meeting, we will be utilizing all the available security features, including password-protection and waiting rooms managed by the host.

Access and participation in this meeting:

- Send your e-mail address to meetings@rbda.us to receive the meeting credentials and password. Your email will not be used for any other communication and will not be shared.

- Call into the meeting between 7:10 and 7:20, so that we can begin at 7:30.



County Considering New Rules for “Tiny Homes”

Until now, the County has had rules to regulate where homes, second dwellings (so-called Accessory Dwelling Units, or ADUs) and Recreational Vehicles (RVs) could be built, or, in the case of RVs, placed.

Now, the advent and popularity of Tiny Homes have blurred the distinctions between ADUs and RVs, since they can be, and often are, mounted on wheels. Given the pressure from the State to increase allowed housing densities, as well as new needs created by the high costs of housing and the destruction of wildfires, counties such as Santa Cruz are currently considering how to legally treat Tiny Homes. Are they RVs that look like houses, or are they portable houses? Are they personal property, like RVs, that are exempt from property taxes, or are they “real” property and subject to those taxes? What should the rules be regarding hooking them up to utilities like electricity, sewers/septic systems and water? Should there be different rules for the unincorporated parts of the county that are classified as “urban”, like Ben Lomond or Live Oak, than for those areas outside urban boundaries, like

Bonny Doon?

The County Planning Commission is charged with recommending new rules for Tiny Homes. It has conducted surveys to judge the public’s opinion, received a detailed report from Planning Department staff, and pondered the questions itself, most recently at its February 9 meeting. Currently, Tiny Homes on wheels are treated like traditional RVs, whether they are trailers or motor homes. People who lost houses in the CZU fires have been granted temporary permits to place Tiny Homes on their property and will be granted “emergency” extensions if they need more time to rebuild.

On February 9, the commissioners agreed that different rules were needed for properties depending on whether they are rural or urban, both for esthetic and practical reasons. However they didn’t make specific recommendations at that time. If you have opinions about what the rules should be in areas like Bonny Doon, let both your RBDA Board (board@rbda.us) and Supervisor Ryan Coonerty know (ryan.coonerty@santacruzcounty.us).

Communities Affected by University of California Growth Fight Back

On February 10, the California Court of Appeal denied a request by the University of California for a temporary stay of an Alameda County Court decision that UC Berkeley couldn’t increase its enrollment because it failed to do an Environmental Impact Report (EIR), in violation of the California Environmental Quality Act (CEQA). This is the latest example of efforts to push back against the University of California to halt enrollment growth. Opponents fear that UC’s planned enrollment (and in some cases, physical) expansion will have costly negative impacts on the local communities.

Here in Santa Cruz, many residents are fed up with the unceasing growth of UC Santa Cruz, as evidenced by the overwhelming passage (over 75%) of two ballot measures in recent years aimed at forcing UCSC to mitigate its impacts,

mainly on housing costs and traffic.

As UCSC prepares to add another 9,500 students over the next 20 years, a growth of almost 50%, the City and the County of Santa Cruz are reported by reliable sources to be on the brink of filing lawsuits to require the university to house all the additional students on campus. Throughout its history, UCSC has housed only a bit more than half of its students on campus.

Late last year the community group Habitat and Watershed Caretakers (HAWC), which is led by Don Stevens of Bonny Doon, filed a suit to overturn the Regents’ approval of the EIR for UCSC’s 2021-2040 Long Range Development Plan (LRDP). A large part of the buildings and other infrastructure is planned to be built on the forested North Campus, in Bonny Doon, which would be the first

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Update on Cheek Placement from ADA

Below is a letter written by Alexander Byers, Assistant District Attorney (701 Ocean Street, Room 200, Santa Cruz, CA 95060) on February 23, 2022 to the RBDA, for distribution to Bonny Doon Community.

On February 1, 2022 the Sixth District Court of Appeal granted the Santa Cruz County District Attorney’s request for temporary stay the Trial Court’s decision to place Michael Cheek in Bonny Doon pending resolution of the merits of the writ of mandate or request to vacate the Trial Court’s placement decision. The stay will remain in effect until the Court of Appeal can consider the merits of the District Attorney’s request for a permanent stay or an order vacating the placement. There is no timetable for the length of the temporary injunction. The stay does not prohibit Liberty Health Care from locating and the Trial Court from authorizing alternative placement locations.

Throughout this process District Attorney Jeff Rosell has directed all available resources towards this fight as he resolutely believes that the placement represents an undue burden upon the people of Bonny Doon and significantly compromises public safety. This action marks a short term victory for the Bonny Doon Community. We are hopeful that the Court of Appeal will vindicate our position that the placement of Cheek in Bonny Doon is both contrary to law and an abuse of judicial discretion.

The next court date is March 15, 2022 at 08:15 a.m. in Department 6 of the Santa Cruz County Superior Court (701 Ocean Street, Santa Cruz, CA 95060).



Solar Net Energy Metering 3.0 Decision Put on Hold by California Public Utilities Commission: Call to Action!

In late January, the California Public Utilities Commission (CPUC) decided to put its decision on the latest revision (3.0) to the Net Energy Metering (NEM) plan on indefinite hold. The recently appointed CPUC commission president, Alice Reynolds, indicated that she wanted to have more time "to analyze the record and consider revisions to the proposed decision based on party comments." The CPUC had planned to put NEM 3.0 to a vote at its January 27, 2022 meeting. But it appears the CPUC may have been responding to the outcry from the public and the solar industry over concerns that NEM 3.0 in its present form could put the rooftop solar industry out of business in California.

What "indefinite hold" means is unclear, but the pause does give the public and all stakeholders a chance to make their points of view heard and help craft a better proposal that is fairer to everyone. The current form of NEM 3.0 appears to have been strongly influenced by the California public utilities who have heavily lobbied the CPUC. The NEM 3.0 includes a per kiloWatt fee paid to the utility and a large reduction in the rates paid for the electricity sold back to the utility. The changes are designed ostensibly to address what the utilities claim is a "cost shift" from rooftop solar customers to non-solar customers for the costs associated with maintenance of the grid and other fees, which the utilities claim is driving up their electricity rates.

In a sign of a growing national trend, a bill nearly identical to NEM 3.0 is making

its way through the Florida legislature. This bill too would slash rates paid to solar owners and impose on them additional fees. Strongly endorsed by the Florida Power and Light utility, the bill's passage in some form seems increasingly likely

Please don't leave it solely to large utility companies to make solar policy in California. The RBDA strongly encourages you to make your voice heard and help insure the equitable continuance of rooftop solar. Go to solarights.org for guidance on how to write or call the CPUC and Governor Newsom. More information can be found on the RBDA website (rbda.us).

Berkley Pushes Against UC Growth

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urban intrusion into our community and will have a big impact on Empire Grade and the Cave Gulch neighborhood.

In its LRDP, UCSC said its goal is to house all the additional students on campus. The City, the County, and community groups like HAWC and CLUE (Coalition for Limiting University Expansion) pointed out that there is no legally binding commitment for UCSC to do that, and that whether or not the campus housing is built, enrollment growth would continue. Under the 2005-2020 LRDP, UCSC added thousands of students, but only provided beds for a small number of them, adding to the pressure on Santa Cruz housing costs.

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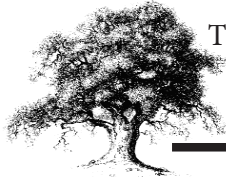
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Bonny Doon's voice in preserving our special quality of life, The Highlander, is mailed free 6 times a year. RBDA Public Meetings are usually held the second Wednesdays of January, March, May, September and November. We encourage you to participate. Send correspondence to The Highlander at the above address.

Access the RBDA on the Internet at:

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**Bonny Doon Resident
Santa Cruz, CA 95060**

March 16 RBDA Public Meeting: CCD National Monument Trail Construction

Water on the Mountain: A Conversation with Aaron Lingemann

Third generation water well-driller Aaron Lingemann is uncertain about the future of water well-drilling in Bonny Doon. Extended drought, increased regulation and a decline in land development have decimated the well-drilling business. According to Lingemann, California has lost half of its well-drilling contractors in the last three years.

The reasons for the shrinking well-drilling business are — deep. On the surface, it's because the permitting process for wells in California has become more rigorous while development has fallen off. Additionally, well-drilling costs more than it used to. However, the motivation behind the regulations is also cause for a deeper concern that Lingemann has regarding the future of wells: climate change is altering rainfall patterns, and we are in a long-term drought. The whole state is dependent on rainfall, and in Bonny Doon, Lingemann says, "We don't have a back-up plan."

"We don't have a city water system, and we don't have snowpack or rivers, so we're dependent on rainfall for our water source. As patterns in rainfall change, we will have to change our water consumption patterns.

"Most people in Bonny Doon understand this," Lingemann says. "It's not

a place where everyone has lush lawns... but in times of drought, we all need to be careful and think about the future."

In his 35-year career drilling for water, Lingemann has seen some changes.

"There is a trend of wells being dug deeper," Lingemann says. One reason is that drilling equipment has gotten better, so deep wells are more accessible. Also, people are willing to invest more money in their wells. In Bonny Doon, deeper wells can have better water quality with less mineral challenges.

But there is a limit to how much deeper drilling can solve. Lingemann says, "Most of the water in Bonny Doon is in the shallower fractures, within the first six or seven hundred feet, and those are rain-filled." In other words, we won't be able to dig our way out of a drought.

Lingemann is sober talking about the future of water in California, but he says that Bonny Doon has some advantages compared to other coastal mountain communities. Bonny Doon has a relatively low population density which is good for a community that depends on wells. Also, the geology of Bonny Doon includes a lot of porous material—sandstone and decomposed granite— that surrounds and

covers our granite aquifers. That porous material helps to hold the water on the mountain. In Bonny Doon, the granite aquifers make for good wells, but there is a lot of variety in the depth and water production in each well. The depths of wells differ — even between neighboring properties — but in drought conditions all wells are susceptible to decreases in production.

Of course, Bonny Doon's relative resilience means that Lingemann is doing much of his work in other communities. He estimates only 10% of his jobs are in Bonny Doon these days and most of those are replacing dry or low-producing wells for existing homes.

"We are lucky to live here," says Lingemann, "but we need to protect our resources. If we aren't getting a lot of rainfall, we have to be careful of our water use."

Want to learn more about water and wells in Bonny Doon? So do we. This is the second in a series of articles in The Highlander about water, and we'd love your input on future articles. Let us know if you want to be involved finding resources to help the RBDA get the best information to the community (board@rbda.us).