



THE

# Highlander

Nov./Dec. 2018

The Rural Bonny Doon Association Newsletter

## RBDA Public Meeting:

### Discussion about PG&E's Controversial Community Wildfire Safety Program

Wednesday, November 28, 2018 at 7:30 p.m.

Bonny Doon Elementary School Multipurpose Room

Pine Flat & Ice Cream Grade

Stewart "Stew" Roth

Public Safety Specialist, Pacific Gas & Electric Co.



Stew Roth, Public Safety Specialist, PG&E

Stewart "Stew" Roth is a Senior Public Safety Specialist (PSS) with Pacific Gas and Electric Co. As a Sr. PSS, he works with First Responders, Community Emergency Response Teams (CERTs) and community members providing training, response and logistical support. Prior to coming to PG&E, Stew served almost 40 years in the Fire Service leaving as a Division Chief with the Monterey Fire Department in charge of Training, Safety and Special Operations. He holds a Master's Degree in Business and he is recognized as a California State Fire Marshal's Office Master Instructor. He is married with three children and they make their home in Carmel Valley.

Please join us at the RBDA Public Meeting for a presentation and discussion about how PG&E is implementing the California Public Utilities Commission's (CPUC) Community Wildfire Safety Program (CWSP) in our area. Hopefully, Stew will be able to bring some clarity to the confusing and at times conflicting regulations that govern PG&E's controversial Enhanced Vegetation Management (EVM) program.

## PG&E's Enhanced Vegetation Management Program Threatens to Bring Lasting Change to Bonny Doon

Aggressive new regulations and recommendations have been enacted by the California Public Utilities Commission (CPUC) under their Community Wildfire Safety Program (CWSP) that will not only impact all of Bonny Doon, but all high fire-threat areas statewide. Recent changes to CPUC General Order 95 (GO95) specify that in high fire-threat areas (which includes all of the Santa Cruz Mountains), a 4-foot radius of clearance is now required around transmission lines, an increase from the former standard of 18 inches. PG&E has chosen to implement this regulation by actually clearing all vegetation within 12 feet of the lines and all vegetation that exists above the lines. In order to accomplish these recommendations, PG&E has developed an Enhanced Vegetation Management (EVM) program.

Ultimately, PG&E hopes to add to this new EVM program by creating a "fire defense zone" around the lines through removing all vegetation, from ground to sky, 15 feet to each side of the lines. There is an exemption in GO95 Section 35 protecting "mature trees" that are in this zone, but, as written, it is at the discretion of the utility when to use this exemption. More detailed information can be found at [cpuc.ca.gov/gos/GO95/go\\_95\\_startup\\_page.html](http://cpuc.ca.gov/gos/GO95/go_95_startup_page.html).

**Braemoor becomes the local test-bed for EVM program.** As many Dooners are aware, a fleet of Davey Tree trucks arrived on Braemoor Drive on September 10, to begin trimming and removing trees in the vicinity of PG&E power lines. This was a confusing and upsetting time for the entire community, due in part to the lack of public outreach from CPUC, PG&E and/or Davey Tree, as we discussed in detail in the October *Battle Mountain News*. Upon arriving on Braemoor, PG&E and Davey were met with varied responses from the property owners. In general, those in support of the EVM Program on Braemoor saw this as a valuable part of a long-term solution, and were willing to support programs designed to reduce the risk of wildfires. However, some residents strongly disagreed with different aspects of the program, including the judgement Davey Tree arborists were exercising about when to trim vs. when to remove trees. Several property owners declined the suggested maintenance around the lines on their property, in many cases to protect large oak trees that Davey insisted must be removed rather than trimmed. As we understand it, PG&E will send a formal letter to the property owner stating that the suggested maintenance has been declined and that PG&E cannot be held liable for any damage occurring as a result

of the declined tree work. To our knowledge, no one has yet to receive this letter, and it is unclear how and if PG&E can transfer this liability. Therefore, property owners have been forced to make decisions without a clear understanding of the risk they may be assuming.

Lack of communication between community members and PG&E and the contractors they hired to do the tree removal and clean-up has remained a problem, as has PG&E's public outreach program.

After the initial flurry of activity in September, there have been several interruptions to the Braemoor tree work (Red Flag days, rain days), and a transfer of the tree removal work from Davey Tree to Arbor Works. Many property owners have been left with stumps of various sizes, despite Davey Tree's assurance that trees would be removed to the ground. There are also several reports of trees that are a hazard to the lines still remaining despite property owners giving permission to remove them.

**Where is the oversight?** The CPUC has deemed itself exempt from adhering to the California Environmental Quality Act (CEQA) and declined to do an Environmental Impact Report (EIR). Furthermore, despite the scope of this massive project — to ultimately clear vegetation around over 7,100 miles of power lines —

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## PG&E's EVM Program

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lines — CPUC did not notify the numerous agencies and entities involved state-wide (cities, counties, water districts, State Fish and Wildlife Dept., CAL FIRE, etc.) of its self-declared Exemption from CEQA requirements, undermining their ability to protest potential environmental impacts of this program.

PG&E failed to provide an Environmental Assessment of the Wildfire Safety Program as requested by our Board of Supervisors. The California Sierra Club says PG&E has done environmental reviews but has refused to make them public.

PG&E also refused our Board of Supervisors' request to provide a time line for the program, claiming they didn't have one, yet within three months they were staging hundreds of vehicles, and other equipment, housing and workers in Scotts Valley.

**County looks to exercise authority in the Coastal Zone.** In September, members of the Braemoor neighborhood and other concerned Dooners reached out to Supervisor Ryan Coonerty's office, which has since been consulting with PG&E and County Counsel. Unfortunately, the County has very limited authority over this program due to CPUC oversight of PG&E. However, in the Coastal Zone (Braemoor is not in the Coastal Zone), the County does have the authority to require a Coastal Development Permit and applicable County Code regulations (Chapter 16) will apply.

PG&E has committed to voluntarily incorporate portions of the protections that are in Chapter 16 and other best practices to decrease impacts to special status species, sensitive habitats, and forest canopy. For example, PG&E and staff are attempting to identify the locations of the old Valley Oaks (*Quercus lobata*). If they can be mapped, the County hopes to have PG&E incorporate an exception for these trees, like the exception granted to healthy redwoods greater than 24" in diameter, and Santa Cruz Cypress (*Cupressus abramsiana*). But beyond this example, the extent of the effort to incorporate additional environmental protections outside the Coastal Zone is unclear. As of the writing of this article, no County permits had been issued for work in the Coastal Zone, and PG&E contractors and crews have worked on only 18 of the 700 miles of power lines in the County.

In mid-October, there were multiple reports of tree marking on Pine Flat Road and in the Westdale neighborhood, areas within the Coastal Zone and the Sandhills Biotic Habitat Zone. PG&E reported to Ryan Coonerty's office that they are just marking trees in the Coastal Zone and Sandhills and will not cut them until they have the necessary permits, but it is not clear what restrictions will apply there, so it is unclear why these trees have been marked.

**CAL FIRE's Forest Practices Office gets involved.** In mid-October, the Forest Practices Office of CAL FIRE claimed authority to regulate PG&E clearing activities, meaning we now have a regulatory agency to whom we can report environmental concerns and violations and excesses of PG&E. It is presently unclear what portion of the Forest Practices Act will be applied and enforced. However, we now know that PG&E was required to file a simple Forest Fire Prevention Exemption Form with CAL FIRE. We received notification from Rich Sampson, Division Chief - Forester II, Resource Management, CAL FIRE, that PG&E did not file the required form with the Felton CAL FIRE office by October 29 as directed, so he issued a Notice of Violation on October 31. Until the proper paperwork is filed with CAL FIRE, PG&E cannot continue felling trees as part of the EVM program. As we understand it, this applies to all counties under the Felton office jurisdiction. In the meantime, PG&E-hired tree crews will be able to continue to do cleanup. At the time this article was written, there was no known time line for PG&E to file this form.

**Concerns about efficacy of the EVM program.** Although there is widespread acknowledgment that protecting our community from the threat of wildfire is crucial, many Dooners (and people in other affected regions throughout the state) have been pointing out that PG&E has failed to consider numerous other solutions that might be more effective in reducing the wildfires. They haven't protected high-fire danger areas with the most basic safety upgrades, including replacing bare wire with insulated wire, upgrading to high impedance arc-fault interrupters that cut power to broken lines within seconds, and moving wires underground where feasible. Such safety upgrades are already underway by Southern California Edison and San Diego Gas & Electric.

Also of great concern is that during the CPUC planning process (Investigation 17-11-003), CPUC's Office of Public Safety Advocate stated that PG&E had no data to prove the massive tree removals would be effective, but this has been largely ignored.

*Thanks to Russ Mackey, Jodi Frediani and Nancy Macy for reporting much of the information in the articles pertaining to the EVM program.*



**Stumps and limbed trees seen on Braemoor**

## What You Need to Know When PG&E Comes to Your Neighborhood

Barring major changes to CPUC's EVM program, or changes in current regulatory oversight, PG&E will be coming to your property to request permission to remove and/or trim your trees in the vicinity of the power lines. *Here are some items you may wish to consider when interacting with PG&E:*

- Ask PG&E to provide you with a written detailed description of the work they intend to do on your property. Ask what part of the work is required by law.

- Be aware the rules about required tree removal and trimming are few. Those rules come from the CPUC. PG&E, however, may present many more "rules" of their own making. In case of any dispute, ask PG&E to provide you with written documentation of the "rule".

- If you do not want herbicides used on your property, make this clear and ask that this be specified in the written description of the work they intend to do.

- If PG&E wants to remove mature trees against your wishes, ask PG&E to provide you with written documentation of the need. Be aware that in some cases the ultimate authority to decide on the removal of an individual tree may rest with the CPUC.

- CPUC rules do not demand clearing from "the earth to the sky". That is simply the degree of clearing ultimately desired by PG&E.

- The general rule for distance between vegetation and the pole to pole PG&E lines is 4 feet at all times. There is a recommendation by the CPUC to gain 12 feet of clearance at the time of trimming. That is a recommendation only.

- Do be aware that dead and dying trees leaning towards or capable of falling into the power line may require removal even though they are quite some distance away.

- We have a number of protected animals, plants, and habitats in Bonny Doon. Among these are two species of Manzanita, Red-Legged Frogs and Tiger Salamanders. Manzanitas are not to be disturbed by PG&E and if you have a watercourse on your property, PG&E needs to take special precautions. If you observe or are aware of damage to protected animals, plants or habitats, CA Fish and Wildlife should be contacted ([wildlife.ca.gov](http://wildlife.ca.gov)).

- If you have landscaped or built a fence in an area under the power line, note in the description of work to be done that such improvements will not be damaged by PG&E.

- If you do not want PG&E on your property and/or want to see and approve a tree trimming or cutting plan before tree work is done, Ryan Coonerty's office is encouraging you to send your address/Assessor's Parcel Number (APN) to them ((831) 454-2200, [ryan.coonerty@santacruzcounty.us](mailto:ryan.coonerty@santacruzcounty.us)), where it will be directly forwarded to PG&E representatives. They have done this for several property owners, and this may be an especially important resource for people who are out of town during activity in their neighborhood.

## County Continues the Fight to Mitigate Potential Impacts of UCSC Growth

This is an invited contribution by Ryan Coonerty, our Third District Supervisor. The opinions stated below are not necessarily those of the RBDA Executive Board.

As many of you are aware, The University of California, Santa Cruz is preparing a new Long-Range Development Plan (LRDP). You may have heard that this plan will include a student increase of 10,000 additional students. This level of growth would surely have negative impacts to the Bonny Doon community as the campus grows northward and students are pushed into the City and the County's rural areas. Last June, voters in the City of Santa Cruz enacted a referendum measure, with 76.9% of voters in favor, that adopted the following policies concerning UCSC growth: (a) There shall be no additional enrollment growth at UCSC beyond the 19,500 students allowed by the current 2005 LRDP; (b) If there is additional enrollment growth at UCSC, UCSC should house the net new growth of students, faculty and staff on campus; (c) If there is additional enrollment growth, it will only occur when the on-campus and off-campus infrastructure (including on-campus housing) required to support the growth is provided prior to or concurrent with the growth; (d) The University will legally bind itself to tie the provision of infrastructure to enrollment growth; and (e) A Capital Improvement Program identifying on-campus and off-campus infrastructure needs (including on-campus housing), funding and sources needed to carry out the proposed LRDP, shall be prepared concurrently with the LRDP.

The University's plan for continued growth is untenable for both the community and the campus. I believe it is essential that public funding increase to address both community impacts and the critical capital and staffing needs of the campus and that this must happen before additional enrollment growth occurs. Adequate resources for current levels of enrollment growth and to accommodate any level of new enrollment growth must be provided.

Historically, the University of California and the California State University have relied heavily on public financing to build the classrooms, laboratories, and other facilities and infrastructure needed to serve a growing student and faculty population. In recent years, however, the availability of such funds has plummeted. When faculty, staff and infrastructure resources, including student housing, do not keep up with enrollment growth impacts on the local community increase and the quality of education suffers.

This incremental trend of providing less funding has also resulted in fewer dollars available for key deferred maintenance and infrastructure projects at California's public higher education institutions. The State's deferred maintenance backlog now exceeds \$3 billion and represents a substantial and growing risk to the University. This is another reason why the University must have the resources to catch up before more growth puts even more pressure on existing facilities.

This rapid growth in UCSC enrollment in recent years and under the 2005 LRDP, which has taken place during years of constrained financial resources, has resulted in several current crises facing the community including limited resources for instruction, housing shortages, and inadequate community infrastructure.

This situation has led to growing problems on campus and has negatively and significantly impacted host communities. In the coming years, as the University finalizes its growth plans for the future through their LRDP process, I, along with many members of the community including many from Bonny Doon, will be fighting for increased resources to address the backlog of staffing and infrastructure needs on campus before any new student growth occurs and if there is any new enrollment growth, that all new students be housed on campus.

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**Memberships expire on Jan. 31 of the next year. \***

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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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***RBDA, Rural Bonny Doon Association***

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

## ***RBDA Public Meeting Nov. 28 - PG&E's Powerline Clearing Plan***

### ***The RBDA Needs You!***

The RBDA is a vital organization for Bonny Doon, serving as our pipeline to the Santa Cruz County government to advocate for necessary public services like adequate road maintenance and law enforcement, and for strong land use regulations that protect Bonny Doon from negatively impactful development. *To continue to effectively serve in that role, we need your participation, both as members and as board officers.*

At our General meeting on November 28, we will open nominations for positions on the RBDA Executive Board, and the election will be held at the January Annual RBDA meeting. You can nominate yourself, or somebody not present. The terms of three officers, Andy Davidson, Tom Hearn and Jennifer Joslin, expire in January. There is currently one vacancy on the board, so an additional person will also be elected. Many of our currently serving board members became involved through a desire to advocate for a particular issue facing their neighborhood.

If you are interested and able to help Bonny Doon and the RBDA by serving as a Board officer, please contact the Board by email at [board@rbda.us](mailto:board@rbda.us). To be nominated or to vote you must be a member in good standing. You can join or renew your membership at a public meeting or at [bonnydoon.got.net/members.html](http://bonnydoon.got.net/members.html).

### ***Why I Serve - David Regus***

The main reason I serve on the RBDA Board is for my daughter. She was born shortly after we purchased our home in Bonny Doon. Her perception of "home" is being on top of a mountain, waking up to the sounds of ducks quacking and frolicking, and if we are quiet enough, watching deer making their way to our garden for a morning snack. The difference from my childhood growing up in the concrete jungle of Queens, N.Y. is very apparent. By being on the board, my hope has been that I am able to play my part in ensuring this mountain, her home, and our community is still here and intact when she gets older.

Having grown up in a large city, I truly understand that our natural surroundings are special and need to be protected. The erosion of our pristine landscape can happen and usually occurs with small changes over time. I realize that over its 60-year history some

Dooners have been unhappy about positions taken by the RBDA on land use issues. But I do believe that the heart of what the RBDA is trying to achieve is to make sure that Bonny Doon does remain rural, by being the tip of the spear in confronting any agency or authority that tries to change that landscape.



***David Regus, RBDA Board Member, Recording Secretary***

I've learned that we as Dooners have many high priority things that affect our lives, and it may not always be apparent what the Board is working on. I think we focus on topics that are the most relevant to the majority of the community. That being said, we don't have all the answers and need input from the community. Because, at the end of the day, we all serve to make sure not just my child, but all our children, friends, siblings, and family will still be able to enjoy this beautiful mountain as we know it today for decades to come.