

THE

Highlander

March/April 2024

The Rural Bonny Doon Association Newsletter

Santa Cruz County's Fire Master Plan: An Overview and Discussion

Wednesday, March 13th, 7:30 p.m.

In Person at the Bonny Doon Elementary School Multi-Purpose Room; *Virtually* via Zoom



Nate Armstrong

Nate Armstrong, CAL FIRE San Mateo-Santa Cruz (CZU) Unit Chief, will provide an overview of the County's Fire Master Planning process and elements of the Master Plan, which evaluates current resources, capacity, and risk and makes recommendations about management, staffing, services, financing, life safety, and public education. This will also be an opportunity to ask questions and provide feedback prior to the Board of Supervisors' consideration of the Plan.

Virtual Meeting Login Instructions can be found on Page 2

Nate Armstrong is the CAL FIRE Chief who oversees San Mateo and Santa Cruz Counties, and is also the Fire Chief of the Santa Cruz County Fire Department, which is a combination of CAL FIRE resources and volunteer responders from the community. Nate has over 20 years of full-time experience in the fire service and has worked in various assignments throughout the state, including being a member of CAL FIRE's incident management teams. Nate has been here in Santa Cruz County for the last seven years. He and his wife live in the Santa Cruz Mountains where they enjoy the rural life.

Update from Supervisor Justin Cummings

Supervisor Cummings will be joining us to provide the latest information on his work on our behalf, dealing with many issues including AT&T's proposed withdrawal of landline service. Justin is now the Chair of the Board of Supervisors.



Justin Cummings

Cell Tower Update

CTI's application to replace the existing tower and facility on Summit Drive with a new taller cell tower was approved at the County Zoning Administrator meeting held on January 19th. The purpose of the new tower is to fill a gap in cell coverage that was identified by AT&T. The proposal includes the removal of the existing structures and 70-foot tower and replacing them with new facilities and a 150-foot tower. AT&T will be the carrier tenant. The Summit Neighbors opposing the application have organized under the name Bonny Doon Residents for Responsible Cell Coverage. They have retained counsel and have filed an appeal to overturn the County's decision. The appeal will be heard at a Planning Department meeting on March 27.

The application was originally considered in a hearing last October. The Zoning Administrator, Jocelyn Drake, did not render a decision at that time, but scheduled another hearing for this past January and directed CTI to provide additional analysis on the following:

- Resubmit its alternative site analysis to include Patrick Road.
- Resubmit its propagation (coverage) maps to confirm its findings on the height requirements for the tower.
- Redesign the mono-pine camouflage to be more in keeping with surrounding trees.
- Redesign the landscape to minimize impact on the surrounding neighborhood.

At the January hearing, Zoning Administrator Drake reviewed the county planner's new staff report which dealt mainly with the new information on the above items. The report stated that the applicant had met the requirements of Drake's request for additional analysis. Key report findings were:

- The alternative site analysis showed that there is not an alternative site that can fill the identified coverage gap.
- The applicant's propagation maps for different tower heights showed that height could be reduced by 10 feet.
- The applicant's improved camouflage design made it blend better with the surrounding trees, reducing impact on the neighborhood.
- The applicant's improved landscape plans were sufficient to minimize the impact on the neighborhood.
- The staff report again recommended approval of the application with the above changes but also reduced the tower height to 140 feet.

CTI then discussed its additional analysis on coverage gap, alternative sites and tower height, reiterating its request for a 150-foot tower.

Residents shared their genuine concerns and objections to the proposed tower project. These included aesthetic, health and safety issues. They also disputed the applicant's coverage maps, claiming that CTI had not produced all requested data pertaining to coverage. In addition, they offered that there were newer alternative technologies, like low-orbit satellites and distributed antenna systems, that could provide better coverage with reduced impact. AT&T countered that the technologies suggested were too new and/or not suited for Bonny Doon's terrain. Legal counsel for the residents argued that the tower is not eligible for the cited CEQA exemptions due to its

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The Threat to Landline Service

AT&T has submitted applications to the California Public Utilities Commission (CPUC) to be released from its designations and obligations as a Carrier of Last Resort (COLR) and Eligible Telecommunications Carrier (ETC) for parts of California including Santa Cruz County. As a COLR, AT&T is required to provide copper wire landlines and basic service. Removal of this designation would allow the carrier to eliminate landline service. AT&T is currently not providing landlines to new customers. Also, there are numerous reports of degraded landline service to current customers.

If the CPUC grants these applications, a large swath of the county, including Bonny Doon, will feel the loss of copper wire landline service: approximately 136,000 of the 276,000 residents of the County live in unincorporated areas.

The Board of Supervisors, led by Chair Justin Cummings, has taken the following actions.: It asked residents to send in their comments to both the Board and the CPUC regarding the

Calif. Dept. of Insurance: First Wave of Regulatory Reforms Opens for Public Comment

In September 2023, Governor Newsom's office issued a directive to stabilize insurance markets in California. On February 9, Insurance Commissioner Ricardo Lara unveiled a first wave of proposed reforms in a press release ([insurance.ca.gov/0400-news/0100-press-releases/2024/release007-2024.cfm](https://www.insurance.ca.gov/0400-news/0100-press-releases/2024/release007-2024.cfm)). The principal objective of these first reforms is to simplify and streamline the insurance rate application process for insurers. A summary of the changes can be found in the document titled "Complete Rate Application - Initial Statement of Reasons", a link to

From the Archives: Dooners and the RBDA vs. the "Bio-Goats"

When a homeowner, a neighborhood or a community finds itself facing an impactful new development, it's easy to feel overwhelmed or powerless. That might be a proposal to develop an overly large home or a new business operation that isn't compatible with a residential neighborhood, or excessive timber harvesting, or even an agricultural use that flaunts County zoning rules.

Investigation and interpretation of County rules can be complex, leaving impacted neighbors confused about their rights and options for remedy or relief. Such a situation unfolded when a company called Santa Cruz Biotechnology (SCBT) began in the early 1990's building a facility on Back Ranch Road that represented itself as a grazing operation for goats, no different from the grazing operations that once supported the many dairies along the coast.

However, as time went on, it became clear that SCBT's goat operation was not for agricultural purposes, such as generating milk or mohair. Rather, it was in fact actually operating a Confined Animal Feeding Operation, classified, regulated and operated differently because feed had to be trucked in, since there was no way the available land could support the thousands of animals that were on site. They were injected with various substances that caused them to form antibodies that were harvested monthly from their blood, and sold for use in research and treatment of various

importance of and their experiences with landline service. The Board also sent its own letter to the CPUC expressing its concerns and strong opposition to AT&T's application. At its meeting on February 27th, the Board had AT&T give a presentation to explain and clarify its responsibilities and intentions regarding their proposed COLR release.

On March 19th, the CPUC will hold a public forum on AT&T's application. You can only access it remotely. Details are available on their website at cpuc.ca.gov/events-and-meetings/pph-att-2024-03-19-6pm. Send in your written comments prior to that via the CPUC website at the following links: apps.cpuc.ca.gov/c/A2303002 and apps.cpuc.ca.gov/c/A2303003.

You can also send comments via the US mail to the following address:

CPUC Public Advisor's Office
505 Van Ness Avenue
San Francisco, CA 94102

which is provided in the above press release.

These reforms will ultimately impact all Californians and, with respect to homeowners insurance, the impact will be felt most strongly by rural communities such as ours. Dooners should get involved in the process and make their voices heard. A public hearing will be held on March 26, 2024 by the Dept. of Insurance to discuss the changes. The public is encouraged to submit comment to the department via email (CDIRegulations@insurance.ca.gov) up until the day of the public meeting.

diseases. It was and continues to be a very lucrative business.

Massive off-site environmental impacts appeared in the form of runoff that was highly polluted with goat manure, fouling the steams that drained the property. By 1996, alarmed and angry, the neighbors turned to the RBDA to publicize the environmental degradation and for help understanding and confronting the failed regulatory framework. This unpermitted operation with its growing impacts had been allowed to operate for three years because of the inaction from the County Environmental Health Department, the Regional Water Quality Control Board and the Coastal Commission.

Highlander articles called attention to the expanding impacts as manure and urine buildup from increasing numbers of animals (eventually numbering in the thousands) and heavy rains sent water pollution levels soaring far beyond safe levels as it passed through and occasionally flooded the downstream neighborhood across Highway 1. The RBDA's involvement shed a spotlight on the failures of State and County environmental oversight and publicity in Highlander articles brought attention from larger media outlets. Ultimately the Coastal Commission's director, Peter Douglas, gave SCBT an ultimatum. The goats were gone in a few weeks, transported to a remote location near Shandon in San Luis Obispo County.

Virtual Meeting Participation

Zoom (zoom.us) is a video conference 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. Zoom Meeting Instructions:

To join by internet:

- 1) go to <http://zoom.us/join>
- 2) Enter the Meeting ID. **609 031 3060**
- 3) Click join
- 4) Enter passcode: **802339**

To join by phone:

- 1) Call **+1-669-444-9171**
- 2) When prompted enter the Meeting ID. **609 031 3060**
- 3) When prompted enter passcode: **802339**

What's Happening Around County District 3

Supervisor Justin Cummings

Primary Election Coming Up - Don't forget to turn in your ballot!

If you haven't yet sent in your ballot, there's still time. Ballots must be postmarked no later than March 5th, or you can drop it off at any of the County's voting centers, which can be found on the County Elections Department's website. You can also vote in person on election day if you don't wish to vote by mail.

Among the races on your ballot is Measure K, a half-cent County sales tax increase that the Board of Supervisors voted unanimously to place on the ballot. The Board adopted several priorities for this funding, should voters approve Measure K. They include:

- Wildfire, flood and other disaster response, prevention, and recovery services.
- Affordable housing to support working families and frontline workers.
- Critical community programs providing mental health crisis services for children, substance use disorder treatment, and homelessness services.
- Ongoing work to enhance the local road network, maintain and improve parks and recreation programs, and deliver high-quality public safety services to the community.

For more information about Measure K, visit the County Elections Department website.

PG&E Generators and Bonny Doon School

We were made aware of Bonny Doon Union Elementary School District's need for backup generators and contacted PG&E to request assistance last fall. With the latest severe storms, we now know that the issue has not been resolved and an urgent need remains to keep classrooms open, hospitable, and safe for students and teachers. We know that having the generators beyond PG&E's Public Safety Power Shutoff season, from June 1 to the end of October, is essential. The winter months have brought severe storms and outages and we can anticipate this as a concern in the future. We will work with Superintendent-Principal Heffner, PG&E and the County's emergency preparedness office to find a permanent solution.

Cell Tower Update

Continued from page 1
extreme height.

At the close of comments, Zoning Administrator Drake explained the County's purview in this matter. Unlike many other types of projects, the county has less discretion in reviewing wireless facilities. It can review "the project and conformance with the development standards outlined in the wireless ordinance, the siting and design." She stated that the county is not charged with establishing the coverage gap, but rather it is the applicant's responsibility to do that. Also, under federal law the county cannot consider potential health impacts, private view impacts and impacts to property values.

She then approved the application with a new and reduced height of 140 feet, and concurred with the findings of the staff report, the revised conditions of approval, and the revised CEQA exemption. Drake then ended the meeting stating that the decision was repealable.

The RBDA continues to support the building of the tower. In October 2023, the Board submitted a letter to the Planning Commission in support of the application. The full text of this letter can be found in the November 2023 issue of the Highlander.

RBDA MEMBERSHIP APPLICATION

Yearly dues are \$20/pp or \$15/pp for multiple members at same address.

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

Number of Members _____ Number of years you are joining or renewing for _____

Multiply years times number of memberships. Checks only, please, made out to RBDA.

Amount enclosed for dues: \$ _____

I also wish to support the RBDA with an additional contribution of \$ _____

Total amount of enclosed check \$ _____

Name(s) _____

Address _____

Phone _____ E-Mail Address(es) _____

I certify that I (we) live or own property in the Bonny Doon Planning District.

Clip out and mail to RBDA, P.O. Box 551, Felton, CA 95018.

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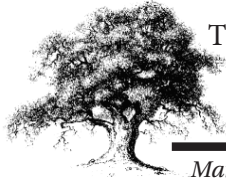
RBDA, P.O. Box 551

Felton, CA 95018

Dues mostly go for printing and mailing **The Highlander**, your voice for keeping Bonny Doon rural and natural.

Additional contributions are gladly accepted and greatly appreciated!

*Dues paid after Nov. 30 count toward the next year.



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Advocating for a natural, safe, and sustainable future since 1957

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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:

www.rbda.us

E-mail us at:

board@rbda.us

Facebook (RBDA Members Only):

RBDA, Rural Bonny Doon Association

RBDA EXECUTIVE BOARD

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

March 13th RBDA Public Meeting : Santa Cruz County's Fire Master Plan

No Progress Yet in Solving Gray Whale Biking Problems

It has been 5 months since the RBDA asked Supervisor Justin Cummings for help in trying to solve the problems caused by illegal mountain biking on Gray Whale Ranch and adjacent private properties north of Smith Grade.

Supervisor Cummings's staff told the RBDA Board there have been meetings with County officials and arrangements to meet with State Parks, which owns Gray Whale, which is the northern portion of Wilder Ranch. Save the Redwoods League protected the 2,305 acres of Gray Whale from development and turned it over to State Parks, which has neglected to create a management plan or monitor activities there since it acquired it in 1998.

In recent years, the portion of Gray Whale south of Smith Grade has seen increasing use, primarily by mountain bikers, and several illegal trails have been created.

Dooners, and the RBDA Board, have passed along their frustrations with the growing number of bikers, a small fraction of whom are rude and obnoxious when confronted with the fact that their presence on northern Gray Whale and on private property is illegal. We are also very concerned about safety on Smith Grade, as the bikers swoop off the hill onto the curvy, downhill section southwest of Empire Grade. This very rainy winter has also seen increased erosion on the trails, and mud flows where the trails intersect Smith Grade.

Hopefully, Supervisor Cummings and his staff will be able to

come up with some solutions before a biker or motorist is hurt and the situation deteriorates even further. The ongoing shortage of funds in the State Park budget makes it unlikely that they will do any monitoring or anything else helpful anytime soon.

A potential solution would be for State Parks to turn Gray Whale over to the Land Trust of Santa Cruz, which has instituted very sound policies and monitoring on the trails it has built on San Vicente Redwoods, including shutting them down when rains leave them prone to erosion.

The situation highlights a basic difference of viewpoints regarding preserved lands. Numerous studies, including ones by UCSC's Santa Cruz Puma Project, have determined that many species, especially predators, avoid areas where humans travel, or change their behavior and only enter them at night. Some people, as was expressed at the January RBDA meeting, feel that there shouldn't be restrictions on where people hike or bike on lands saved from development, while others, including the RBDA Board, think that some portion of those lands should be free of trails so that the native animals can thrive.

The RBDA is committed to working with the county, State Parks, the biking community, and other stakeholders to find a workable and thoughtful solution for the Gray Whale Ranch that restores and preserves the natural habitat while accommodating some level of public access.

Live Demo of a New Fire Retardant

The company CLORE will be giving a live demo of CLORE Wildfire Defense, their new fire retardant, at 6990 Bonny Doon Rd., on Saturday, March 9 at 11:00AM. They say that all are invited, and they will be serving pizza.