

THE

Highlander

May/June 2024

The Rural Bonny Doon Association Newsletter

The Low-Impact Camping Areas Ordinance: An Overview and Discussion

Wednesday, May 22nd, 7:30 p.m.

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

Our Guest Speakers:

Join us for a presentation and discussion on the proposed Low-Impact Camping Area Ordinance (LICA), currently making its way through the planning process. The Board of Supervisors directed the Community Development & Infrastructure Department to prepare a draft ordinance in partnership with the Parks Department, to allow and make it easier to establish low-impact camping areas in unincorporated areas of the county including Bonny Doon. This ordinance has enormous implications for our environment and community if it passes.



Trina Barton
District 3 Planning
Commission Member

RBDA Chair Dave Rubin will be the host for the evening and will lead the discussion. The evening's presentation will inform you about LICA, its purpose, what's in it, and its status. There will be a series of speakers who will address the various issues, questions and concerns raised by the ordinance including fire safety, impacts on wildlife, environmental and health issues, noise, etc. These presentations will be followed by an open discussion.

Virtual Meeting Login Instructions can be found on Page 2.

Update from Supervisor Justin Cummings

Supervisor Cummings, now Chair of the Board of Supervisors, will join us to provide the latest information on County issues and his work on our behalf.



Justin Cummings

Proposed County Regulations on "Low-Impact Camping Areas" (LICAs)

On Friday March 8 the RBDA board learned that the County Planning Commission was scheduled to meet on March 13 to vote on proposed regulations by the County staff that would allow "Low-Impact Camping Areas" in rural parts of the County (www2.santacruzcountyca.gov/planning/plnmeetings/PLNSupMaterial/PC/agendas/2024/20240313/007c.pdf). Our board reviewed the proposed regulations the next day, and we were astonished to see many grossly unacceptable aspects to the regulations. We sent a letter to the Planning Commission and Board of Supervisors outlining our concerns:

1. As written, the ordinance was contrary to current state law (State Special Occupancy Parks Act, SOPA). We believe the ordinance should not be considered until state law is changed to allow such campgrounds (i.e., after SB620 - legiscan.com/CA/text/SB620/id/2834063 - is passed).
2. The version County staff prepared would allow LICAs on parcels 5 acres or greater, with one campsite per acre, 4 campers per site, to a maximum of 9 campsites and 36 campers per parcel.
3. The proposed ordinance had grossly inadequate fire protection measures. Many campers are accustomed to having campfires, and although campfires would be prohibited in LICA areas, there was no prohibition of gas stoves or gasoline generators. Moreover, there was no requirement that anyone be present to enforce fire regulations. It is insufficient to have an off-site campground manager. The property manager must be on-site whenever campsites are occupied to ensure adherence by campers to fire rules as well as rules on occupancy, noise, pets, and generators (assuming such regulations are adopted).
4. The proposed ordinance is purported to provide access to campsites for low-income visitors, but various details of the ordinance are inconsistent with this objective. The ordinance must set a cap on campsite prices to ensure that they are, in fact, low-cost. The ordinance includes a provision that exempts property owners from providing sanitation facilities for campsites that are restricted to self-contained recreational vehicles. This provision is counter to the stated goal of increasing access for low-income visitors because it selectively reduces development costs for campsites that are restricted to people who bring trailers or motor homes.
5. The proposal has not received adequate CEQA (California Environmental Quality Act) environmental

Continued on page 2

Next Highlander Issue Will Be Digital!

With the September/October issue we will begin digital distribution of the Highlander. Print versions of these digital Highlanders will continue to also be distributed via the US Mail through the end of 2024. Starting with the January/February 2025 issue, we will discontinue the print Highlanders. Please be sure to share your email addresses with us at board@rbda.us to continue receiving the Highlander!



Susan Mason
Firesafe Council
Member



Nancy Kille
Bonny Doon
Resident



Steve Homan
Bonny Doon
Resident

Proposed County Regulations on LICAs

Continued from page 1

review, and the ordinance has not been determined to be consistent with the County General Plan and the Local Coastal Plan.

6. Despite "low impact" in the acronym "LICA," the proposed ordinance encourages development rather than minimizing impact in environmentally sensitive areas.
7. The proposed rules have inadequate setback and noise provisions.
8. The proposed rules would prohibit pets from lands within 200 feet of Commercial Agriculture zoned (CA) properties. The rules must give equal protection to nearby residential properties.

On Monday, March 11, the RBDA board sent an email Action Alert (with much of the information above) to our members who have provided their email addresses, and many of you took up the call to action and submitted letters or went in person to the Planning Commission meeting on March 13. In the three days between our alert and the Planning Commission meeting, more than a dozen of you responded with letters opposing the proposed LICA ordinance.

How your RBDA Membership Helps Us Work for Our Community

The RBDA is your community organization and pipeline to the Santa Cruz County government. We are actively working to advocate on behalf of Bonny Doon residents. Now more than ever, we need to band together and make our voices heard. Our volunteer board members spend countless hours researching many issues that impact us, including the urgent need for improved telecommunications infrastructure, the continuing development plan for a proposed camping ordinance, PG&E power outages, etc.

The article about LICAs ("Low-Impact Camping Areas") in this issue illustrates the RBDA Board's vision of how to operate. We learned of the proposed LICA ordinance and were able to rapidly inform our members, who responded with letters and appearances in person at the Planning Commission meeting only a few days later. We can only do this if we have your email addresses! Had we waited for the next issue of the Highlander (this one), it would have been more than a month too late. Here is how you can help:

1. Send us your email address to board@rbda.us, so we can send you Action Alerts (and the future digital issues of the

AT&T's Request to Withdraw its Carrier of Last Resort (COLR) Obligations

The California Public Utilities Commission (CPUC) held a public hearing on March 19 to review AT&T's request to be relieved of its COLR obligation to provide landline services (www.publicadvocates.cpuc.ca.gov/press-room/commentary/240221-carrier-of-last-resort). If granted it could result in the loss of landlines, removing the only means to communicate during power outages. Trina Barton, Special Assistant to Supervisor Justin Cummings, sent us the following update on April 18.

"Sandy Brown attended the virtual hearing on March 19 and spoke on behalf of Supervisor Cummings' office. She reported that hundreds of participants shared significant concerns, but we do not yet know how that information will affect the outcome."

Fortunately, the Planning Commission voted "no" on the proposed ordinance, but the issue is not yet resolved. The Commission instructed County staff to write a new ordinance in response to the public comments and Commissioner concerns. That ordinance is still being developed, but we anticipate additional work to ensure an ordinance that adequately protects our neighborhoods from fire, noise and impacts to wildlife. Stand by for a future call to action.

In some regards, the impact of LICAs resembles commercial cannabis operations: both are potential fire hazards, sources of noise and traffic, and require adequate access and supervision. The County spent several years addressing these issues for commercial cannabis operations, and many of the requirements would be suitable for LICAs. For instance, requiring water storage for firefighting; requiring a legal dwelling onsite for communication in case of emergency; setback requirements; excluding the Coastal Zone + 1 mile; and facilitating LICAs in agricultural regions of the County rather than forested areas. The RBDA urges the Planning Commission and Board of Supervisors to develop a LICA ordinance that is equally protective of forested neighborhoods and environments.

Highlander). We will NEVER share your email address with a 3rd party.

2. Respond to Action Alerts by sending letters and/or appearing in person at the key County meetings you are notified about.
3. Become a member, if you are not already, and pay your (inexpensive) dues. You can pay by check in the enclosed envelope, and the RBDA web site is being revamped to soon accept credit cards. Memberships run January to January. All membership dues and donations go to publishing the Highlander and rent/insurance at the school for our public meetings.

We greatly appreciate those who actively participate as full members, but we are grateful for community members who contribute in any way.

Your support helps keep our Bonny Doon community connected and informed!

The RBDA is a 501c4 non-profit organization.

Ana Maria Johnson at the CPUC's Public Advocates Office notified Trina that the upcoming milestone in this case is April 30, the due date for any interested companies who wish to take over as COLR. Finding a substitute carrier to take over AT&T's COLR obligations is one of the requirements that must be met before AT&T's request can be granted. Based on what is received on April 30, the Public Advocates Office expects the assigned Administrative Law Judge to communicate with parties on next steps in the procedural schedule. In the meantime, Johnson shared a blog post which specifically addresses AT&T's misleading claims that their move is about network modernization.

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

Bonny Doon School conversation

Bonny Doon School has a critical need for reliable, year-round power. I convened a meeting with Pacific Gas and Electric (PG&E), Principal Hefner and Dave Reid from the Office of Response, Recovery and Resilience8 (OR3) where we explored avenues to secure funding for a backup generator. With an estimated cost of \$150,000, the generator would greatly enhance Bonny Doon's resilience during power outages, ensuring continuity of essential services and safeguarding students' access to a quality educational experience. We are pursuing a possible financial contribution from PG&E and advocating for PG&E to allocate the funds they currently spend on renting the generator for partial-year support towards the purchase of a generator. With the help of OR3, we are also evaluating PG&E's resilience grant, which offers \$900,000 for climate resilience projects. Please stay tuned for updates on our progress and how you can contribute to our efforts.

LICA conversation at RBDA meeting

While the LICA ordinance intends to increase access to outdoor activities for residents of all income levels and provide additional revenue to both parcel owners

AT&T Cell Tower Update

CTI/AT&T's application to build a new cell tower on Summit Drive was approved at the County Zoning Administrator's meeting in January. The Summit Neighbors, organized as Bonny Doon Residents for Responsible Cell Coverage, then filed an appeal of that ruling. The appeal was granted and was heard at the March 27 Planning Commission meeting, at which the Commission did not make a final decision, but instead asked AT&T for additional information, including an apples-to-apples comparison

End in Sight for Legal Battle Over UCSC Growth Plan?

Continued from page 4

to need more study, and that decision is finally upheld in the courts, UCSC must do the work and re-submit the LRDP to the Board of Regents for approval.

On June 13, Judge Schmal is scheduled to issue a final ruling on the housing and other issues. A decision in HAWC's favor could invalidate the 2021-2040 LRDP's approval by the Board of Regents until those issues are ultimately resolved to the court's satisfaction, which theoretically would bring the 2005-2020 LRDP, and therefore the CSA, back into validity. This,

and the County, I have serious concerns about the threat to fire safety, the absence of actual equity-achieving measures, and the lack of mechanisms to ensure environmental protection of our rural ecosystems. Currently, the proposed ordinance is subject to further review at the Planning Commission on May 8 and at the Board of Supervisors meeting on June 25. I encourage you to attend the meetings in May and in June, to contribute to the decision-making process. Your participation ensures the final ordinance will reflect the needs and values of our community.

Wood Haul Update

We are pleased to share that PG&E's Wildfire Wood Management work has resumed. After the CZU fire, PG&E cut tress and left the logs on residents' properties. Some parcels have yet to be cleared of this debris. These properties are scheduled to be cleared in the coming months. It has been a long, tedious process and we continue to track, and to spur, progress. In the Santa Cruz County Coastal Zone, there are 30 properties left to be cleared. In the Non-Coastal Zone, there are 15 parcels remaining. Please stay tuned and thank you for your patience.

of the proposed Summit Road site and an alternative site on Patrick Road. Specifically, it wanted to know what tower height would be necessary for the Patrick Road site to achieve equal coverage. The Commission also requested additional environmental analysis from its staff over concerns about the correctness of the cited California Environmental Quality Act (CEQA) exemptions. No timetable was set for when this new information will be delivered, but it is expected sometime this spring.

in turn, would limit enrollment to 19,500 and potentially set off a cascade of legal motions over what that would mean for the university. UCSC would undoubtedly appeal the decision, and there would be battles over, among other issues, what UCSC has to do in the interim regarding the additional students admitted beyond the 19,500 limit.

The end of the decades-long legal battle would still not be in sight after all.

RBDA Board Needs a Corresponding Secretary

The RBDA Board needs an additional member (Corresponding Secretary). We're expanding that role to include posting notices on the RBDA web site and the Facebook page, as well as sending email alerts, and responding to emails from our members. We expect it will take no more than a half-dozen hours per month. You will help the RBDA function more effectively!

Support Our Sponsors

FRANS LANTING STUDIO

Photography Workshops

108 High Road

Santa Cruz CA 95060

831-429-1331

www.lanting.com

LIGHTHOUSE REALTY & PROPERTY MANAGEMENT

Chris Trowbridge, DRE#02048989

Cave Gulch Family/5th Generation Local

831-566-9622

christopher.sc.homes@gmail.com

WE DRIVE DOONERS!

\$125 SFO, \$75 SJC

Airports & Personal Rides (4 ppl max)

Mimi 310-721-1464

Jackie 831-295-7239

MCHENRY VINEYARD

Estate Pinot Noir

Bonny Doon CA 95060

www.mchenryvineyard.com

530-756-3202

HEIDI E. HART, Founder, Realtor

Hart and Associates

Local / Non-Corporate

myagentheidi@gmail.com

831-247-9410

BOYCE-ABEL ASSOCIATES & FAMILY LANDS CONSULTING Helping Families with Land, Estate and Asset Transference Issues.

www.familylands.com

831-469-9223

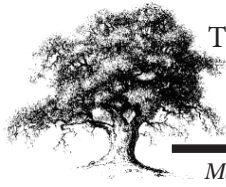
Sponsorships:

\$100 a year (6 issues).

Send check and text to:

RBDA, P.O. Box 551

Felton, CA 95018



THE Highlander

May/June 2024

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

Prsrt Std
U.S. Postage
PAID
Permit #236
Santa Cruz, CA

The Rural Bonny Doon Association Newsletter P.O. Box 551 • Felton, CA 95018

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

CHAIR: David Rubin

VICE CHAIR: Eric Ornas

TREASURER: Cathy Bayer

MEMBERSHIP: Laurie Taylor

RECORDING SECRETARY: Garret Hammack

CORRESPONDING SECRETARY: David Rubin (Acting)

HIGHLANDER EDITOR: Martin Burmeister

ADVISORS: Ted Benhari and Marty Demare (former board members)

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

May 22nd RBDA Public Meeting : The Low-Impact Camping Areas Ordinance

End in Sight for Legal Battle Over UCSC Growth Plan?

The struggle to prevent UC-Santa Cruz (UCSC) from developing its upper campus, in Bonny Doon, has been ongoing for well over a quarter century. Environmentalists and Cave Gulch neighbors have used all their tools, legal and political, to keep the university from building classrooms, dormitories, sports fields and other facilities on the portion of the 2,000-acre campus that is outside the City of Santa Cruz, and beyond what the County has established as the Urban Services boundary.

The opposition has mainly relied on California's Environmental Quality Act (CEQA) in this battle, filing suits that claim UCSC violated its provisions when producing its various Long-Range Development Plans (LRDPs), which the university uses to outline its intended development over the ensuing 15- to 20 -year period. As required by CEQA, UCSC must study the environmental consequences of its proposal and demonstrate why it will have the lesser impact of the possible alternatives to achieving the UC system's goal of providing higher education for California students. (With the critical proviso that meeting other important goals, like providing a college education, can override the negative environmental impacts and thus be allowed.)

A milestone was achieved in 2008 when lawsuits brought by the City of Santa Cruz, the County, and the citizen's group CLUE (Coalition for Limiting University Expansion), of which the RBDA is a part, resulted in a Comprehensive Settlement Agreement (CSA). For the first time it required UCSC to bear part of the increased costs of the City's provision of services (water, sewer, transportation) for its continued growth, limit its enrollment during the time the 2005-2020 LRDP was in effect, and provide on-campus housing for a greater portion of the

additional students.

In 2020 UCSC began preparing its 2020-2040 LRDP. The City, County and citizens' groups insisted that the university guarantee on-campus housing for all its planned enrollment growth (that increases from the 2005-2020 limit of 19,500 up to 28,000 students) and for a portion of its increased staff and faculty. Besides CEQA, the growth opponents' main tool was a requirement that UCSC apply to the Local Agency Formation Commission (LAFCO), a state agency with boards in every California county, for permission to expand City water and sewer services beyond the City boundaries, which stop at the top of the main campus. The university claimed two 1960s era agreements required the City to provide those services to the upper campus. After a long legal battle, the courts ruled in favor of the City.

Meanwhile, the citizens group HAWC (Habitat and Watershed Caretakers), a successor to CLUE, has been waging its own legal fight against the 2021-2040 LRDP (Covid issues and legal and political wrangling delayed the LRDP a year). HAWC's suit contends that the LRDP violated various provisions of CEQA by not adequately studying alternatives to the planned growth.

At a recent Santa Cruz Superior Court hearing, there was a tentative ruling on two of nine issues at stake. [The two issues concerned housing. I'm not sure exactly what the others are, but most likely involved water use and traffic. I don't think there is a web link.] The two concerned housing, and Judge Timothy Schmal decided in HAWC's favor that there was insufficient study of the environmental impacts and alternatives in the LRDP. If any of the parts of the LRDP, which deal with housing, water, traffic and environmental impacts, are ultimately deemed

Continued on page 3