



# COUNTY OF SANTA CRUZ

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## WATER ADVISORY COMMISSION

701 OCEAN STREET, ROOM 312, SANTA CRUZ, CA 95060  
(831) 454-2022 FAX: (831) 454-3128 TDD: (831) 454-2123

## AGENDA

### SANTA CRUZ COUNTY WATER ADVISORY COMMISSION

Wednesday August 5, 2020, 4:00 p.m.

Virtual Meeting: Call in: 831-454-2222, Code:122998

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- A. **OPENING**
1. Call to Order
  2. Roll Call
  3. **Election of Officers\***
- B. **APPROVAL OF MINUTES: February 5, 2020** (Meetings in April and June were cancelled)
- C. **PUBLIC COMMUNICATIONS**  
Opportunity for members of the public to address the Commission on matters that are within the Commission's area of responsibility, but not on today's agenda.
- D. **COMMISSIONERS' REPORTS**  
Opportunity for Commissioners to report on matters that are not on today's agenda.
- E. **STAFF REPORTS AND ANNOUNCEMENTS**
- F. **UNFINISHED BUSINESS – \*indicates items for more in-depth discussion**
1. **Pajaro Valley Groundwater Management Issues**
  2. **Santa Margarita Groundwater Management Issues**
  3. **Mid-County Groundwater Mgt**
  4. County Environmental Code Compliance
  5. Karst Protection and General Plan Update
  6. Pajaro River Flood Control
  7. Coordination with Other Commissions
  8. Water Supply for Cannabis Operations
  9. Water Advisory Commission Work Program and agenda streamlining
  10. **Septic System Management and draft Local Area Management Plan (LAMP)\***
- G. **NEW BUSINESS**
1. **Treatment of Old Reservoir Sites and Water Rights from County Water Supply Master Plan and General Plan\***
  2. **Implementation Status of Adopted Total Maximum Daily Loads (TMDLs) for Santa Cruz County\***

## **H. INFORMATION AGENDA**

## **I. CORRESPONDENCE**

## **J. BOARD OF SUPERVISORS ACTION ON ITEMS AFFECTING WATER:**

February 11, 2020

39. Accept and file the Water Advisory Commission report for calendar years 2018 and 2019, and take related actions, as recommended by Chairman Caput

47. Accept and file the Santa Cruz County Water Resources Management Status Report for 2019, and take related actions, as recommended by the Director of Health Services

49. Approve amendment to contract with Dudek in the amount of \$145,234, for a new total contract total of \$545,119, for work on the Sustainability Update EIR; adopt resolution accepting unanticipated revenue in the amount of \$145,234, and take related actions, as recommended by the Planning Director

56. AS THE BOARD OF DIRECTORS FOR THE DAVENPORT COUNTY SANITATION DISTRICT: Adopt resolution pertaining to the State Water Resources Control Board grant for the Davenport Recycled Water project; appointing the District Engineer or designee as administering agency applicant to submit all documents, negotiate and execute grants and any amendments or change orders thereto, and to certify grant disbursements on behalf of the District, as recommended by the District Engineer

March 10, 2020

14. Continued public hearing to consider resolution amending the General Plan/Local Coastal Program Public Safety Element and Conservation and Open Space Element and certifying CEQA Negative Declaration determination and to consider four Ordinances to amend Santa Cruz County Code Chapters 16.10 Geologic Hazards, 16.20 Grading Regulations, and 16.22 Erosion Control, and adopt new Chapter 16.13 Floodplain Regulations, as outlined in the memorandum of the Planning Director (deferred from January 28 to March 10, 2020) Conducted the continued public hearing; closed the public hearing; DIRECTED staff to return [in three months; by June, if possible] with the following revisions: 1) Add as an additional goal in the Public Safety Element that the County seeks to ensure that public access to the coastline and coastal dependent resources is preserved when the loss of access and resources is due to inaction on the part of private property owners. 2) Modify the second paragraph in the Public Safety Element Section 6.4.1 to acknowledge that we may have more information in the year 2040 that would cause the County to change its land use goals and development criteria, or allow for further refinement; 3) Amend Public Safety Element Section 6.4.7 to eliminate and confusion in subsections (a) and (c) concerning when shoreline armoring will or will not be considered in allowing new construction or placement of a habitable structure outside shoreline protection exception areas; 4) Amend the third paragraph of the Public Safety Element Section 6.4.11 to provide more flexibility; 5) Amend the language in the Public Safety Element Sections 6.4.14, 6.4.19, 6.4.22, 6.4.24, and 6.4.25 to reflect changes outlined above or other sections as appropriate; and 6) Amend the language in Santa Cruz County Code 16.10.070(H)(1), subsections (b) and (c), to eliminate confusion as to when and how established shoreline or coastal bluff armoring will be considered in determining minimum geologic setback; and additionally: DIRECTED that County staff consider the question of the exact location of Soquel Point, based on the information that was provided here.

39. Approve amendment to agreement with San Lorenzo Valley Water District in the amount of \$134,060, for a not-to-exceed amount of \$261,300, for the San Lorenzo Watershed Conjunctive Use Plan, and extend the term of the agreement to June 30, 2021, and take related actions, as recommended by the Director of Health Services

April 28, 2020

37. Accept and file the Climate Action Strategy Annual Report, as recommended by the Planning Director

June 2, 2020

8. Public hearing to consider ordinances amending Santa Cruz County Code Chapters 7.128 and 13.10 relating to non-retail commercial cannabis regulations and making findings of exemption from CEQA, schedule the ordinances for second reading and final adoption on June 16, 2020, and take related actions, as outlined in the memorandum of the County Administrative Officer 1) REJECTED adoption of the draft ordinance as presented, with additional direction for staff to return with revised draft ordinance on June 16th that does the following: · Eliminates the proposed cottage garden changes; · Eliminates the lowering of the minimum parcel sizes for cultivation; · Eliminates the addition of new provisions that grant the CLO unappealable authority to provide exceptions and restrictions; · Eliminates the proposed change which allows a new hoopouses in the coastal zone; · Proposed process for setback exemptions may be retained in the C-4 and M-1 zones for indoor grows; modify the setback to 100 feet from habitable structures, but in CA [zone]s only; and maintain the current setbacks in all other zones; · Modify the proposed change in agricultural zones [13.10.650(C)(2)(b)], which currently is proposed to go from 10 to 5 acres, to only allow that if there's contiguous parcels that equal ten acres, like they do in TPZ; · Modify the proposed language on the energy conservation [7.128.170 (J)] from "best efforts" to "specify reduction in energy consumption"; and additionally 2) DIRECTED staff to return in August of 2020 with a report that details the areas in the County cannabis ordinances where the CLO has unappealable authority with regard to granting exceptions to set backs or other location restrictions for commercial cannabis operations [7.128.170(j)], such as within our dispensary ordinance; and provide options for an internal appellate review of such decisions at a level below the Board of Supervisors (maybe, for example, a public hearing in at the ZA level) to encourage transparency and community engagement on these issues

June 16, 2020

7. Consider ordinances amending Santa Cruz County Code Chapters 7.128 and 13.10 relating to non-retail commercial cannabis regulations, and making findings of exemption from CEQA; schedule the ordinances for second reading and final adoption on June 30, 2020, and take related actions, as outlined in the memorandum of the County Administrative Officer
- 1) DIRECTED staff to come back for a first read on June 30, 2020, with amendments as discussed today, to include the C-4 M-1 exemption, Rodeo Gulch overlay, and clarity that in certain areas where cannabis cultivation was occurring prior to January 2013, preserve the minimum parcel size of 10 acres; and additionally
  - 2) DIRECTED staff to return in six months with a status report on whether these land use modifications have had a positive impact on the number of licenses and anticipated revenue

60. Accept and file Annual Evaluation Report of the Flood Mitigation Planning Committee and take related actions, as recommended by the Planning Director

June 30, 2020

7. Consider urgency ordinances and non-urgency ordinances amending Santa Cruz County Code Chapters 7.128 and 13.10 relating to non-retail commercial cannabis regulations, and making findings of exemption from CEQA; schedule the non-urgency ordinances for second reading and final adoption on August 4, 2020, and take related actions, as outlined in the memorandum of the County Administrative Officer

- 1) ADOPTED urgency Ordinance No. 5333 amending Santa Cruz County Code (SCCC) Chapter 7.128 relating to non-retail commercial cannabis regulations to take effect immediately (by 4/5 vote);
- 2) ADOPTED urgency Ordinance No. 5334 amending SCCC Chapter 13.10 relating to non-retail commercial cannabis regulations to take effect outside of the Coastal Zone immediately (by 4/5 vote);
- 3) Confirmed the Notice of Exemption for compliance with the California Environmental Quality Act;
- 4) APPROVED in concept an ordinance amending SCCC Chapter 7.128 relating to non-retail commercial cannabis regulations, and SCHEDULED a second reading and final adoption of the ordinance on August 4, 2020; and
- 5) APPROVED in concept an ordinance amending SCCC Chapter 13.10 relating to non-retail commercial cannabis regulations, SCHEDULED a second reading and final adoption of the ordinance on August 4, 2020, and
- 6) Instructed staff to, upon final adoption, forward the ordinance to the California Coastal Commission for review and approval

25. Accept and file annual report on pesticide use and Integrated Pest Management (IPM) activities, and approve the amended IPM Policy, as recommended by the Director of General Services

August 4, 2020

36. Adopt resolution supporting Pajaro Valley Water Management Agency's College Lake Integrated Resources Management Project and supporting water right application A032881 and request for release from priority of State-Filed Application A018334, as recommended by the Director of Health Services

August 18, 2020

Support for Santa Margarita Groundwater Management and Streamflow Monitoring:

**K. AGENDA ITEMS FOR FUTURE MEETINGS**

**L. ADJOURNMENT**

PLEASE CONTACT JOHN RICKER (831) 454-2750, IF YOU ARE UNABLE TO ATTEND THIS MEETING

The County of Santa Cruz does not discriminate on the basis of disability, and no person shall, by reason of disability, be denied the benefits of its services, programs or activities. The meeting room is located in an accessible facility. If you wish to attend this meeting and you will require special assistance in order to participate, please contact EH Clerical at 454-2022 at least 72 hours in advance of the meeting, to make arrangements. As a courtesy to those persons affected, please attend the meeting smoke and scent free.

The meeting of the Water Advisory Commission will take place via a phone conferencing system. You can call in with either a landline or a cell phone.

Call (831) 454-2222. Enter the Meeting Code 122998.

Please join the meeting a few minutes BEFORE 4:00 pm so that we can start at 4:00 pm. Staff will open the phone conference line at 3:50 pm. Feel free to chat and say hello before 4:00 pm.

#### Meeting Roles and Rules:

Chris Berry, Chair, will lead the meeting. Chair Berry will announce each agenda item, identify who will be leading an item and introduce discussion and public comment periods.

John Ricker, staff, will assist with roll call, note taking, and tracking who wants to speak. John will monitor both email and text messages during the meeting.

If you call in with a cell phone, please keep your phone on "mute" unless you are speaking. This will improve the quality of the call for everyone. If you are speaking and no one seems to be responding, check and see if you are on "mute". After you are finished speaking, please put the phone on "mute" again.

During a discussion, please start by stating your name. Announcing your name provides 3 functions: (1) we know who's speaking; (2) your name announces your intention to speak and if no one else speaks, you have the "right-of-way" to go ahead and speak.; (3) if 2 or more people say their name at the same time, please defer to the person who speaks first. In any moment where we have some confusion due to multiple people wanting to speak, please pause and let the Chair take the lead. The Chair will call on someone to speak.

During a discussion, if you can't jump into the conversation, you can send a message to John (email [John.Ricker@santacruzcounty.us](mailto:John.Ricker@santacruzcounty.us) or text 831-212-3592 and he will call on people who want to comment. There will be a public comment period for each item. You can also contact John on technical issues.



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## WATER ADVISORY COMMISSION

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### MINUTES

#### SANTA CRUZ COUNTY WATER ADVISORY COMMISSION

Wednesday February 5, 2020, 4:00 p.m.

Fifth Floor (Redwood) Conference Room, Room 520 - County Governmental Center  
701 Ocean Street  
Santa Cruz, CA 95060

#### A. OPENING

1. Call to Order: 4:01 PM

2. Roll Call:

Present: Monkerud, Wilson, Berry, Largay, Sharp, Bobbe, Lockwood  
Absent: None  
Staff: John Ricker, Environmental Health; Mark Strudley, Public Works  
Others: None

B. APPROVAL OF MINUTES: December 4, 2019 – *Largay moved, Sharp second, Approved unanimously*

#### C. PUBLIC COMMUNICATIONS:

*Mar Strudley reported on the status of the Pajaro River Flood Control Project and development of x-band radar for better flood forecasting*

D. COMMISSIONERS' REPORTS *Some discussion of the State of the San Lorenzo Annual Symposium, Salmonid Restoration Federation, and Groundwater Sustainability Grants*

#### E. STAFF REPORTS AND ANNOUNCEMENTS

#### F. UNFINISHED BUSINESS – \*indicates items for more in-depth discussion

- |   |                      |
|---|----------------------|
| 1. Pajaro Valley Groundwater Management Issues -  | <i>No Discussion</i> |
| 2. Santa Margarita Groundwater Management Issues  | <i>No Discussion</i> |
| 3. Mid-County Groundwater Mgt   | <i>No Discussion</i> |
| 4. County Environmental Code Compliance   | <i>No Discussion</i> |
| 5. Karst Protection and General Plan Update   | <i>No Discussion</i> |
| 6. Pajaro River Flood Control <i>The project has been determined to be financially feasible after 53 years of planning. It is now going to the design phase with Corps of engineers Funding. State funding is also now available.</i> |                      |
| 7. Coordination with Other Commissions  | <i>No Discussion</i> |
| 8. Water Supply for Cannabis Operations   | <i>No Discussion</i> |

9. **Water Advisory Commission Work Program and agenda streamlining** *No Discussion*  
 10. **Septic System Management and draft Local Area Management Plan (LAMP)** *Staff provided an update on progress of this effort, No action taken*

**G. NEW BUSINESS**

1. **Water Resources 2019 Status Report** *Discussion but no action*  
 2. **Water Advisory Commission 2018-19 Biennial Report** *Discussion but no action*  
 3. **Potential introduction of beavers** *Discussion but no action, no further discussion needed*  
 4. **Potential impacts of increased cultivation of Hemp** *Discussion but no action*

**H. INFORMATION AGENDA**

*No Discussion*


**I. CORRESPONDENCE**

*No Discussion*

**J. BOARD OF SUPERVISORS ACTION ON ITEMS AFFECTING WATER:**

*No Discussion*

January 14, 2020

45. [DOC-2020-26](#) : [Approve grant allocations in the total amount of \\$15,000 from the Fiscal Year 2019-20 Fish and Game Propagation Fund for eight local community projects to enhance fish and wildlife, and take related actions, as recommended by the County of Santa Cruz Fish and Wildlife Advisory Commission and Director of Health Services](#) *Approved By Consent Vote [Unanimous]* 

January 28, 2020

11. [DOC-2020-105](#) : [Public hearing to consider an ordinance and urgency ordinance amending the County Code chapters 7.73, 12.02, 13.10, 14.01 and 17.10 regarding accessory dwelling units \(ADUs\); and CEQA Notice of Exemption, and take related actions, as outlined in the memorandum of the Planning Director](#) *Adopted [Unanimous]*
19. [DOC-2020-63](#) : [Accept and file report on the Climate Action Manager position, and take related actions, as recommended by the County Administrative Officer](#) *Accepted and filed By Consent Vote [Unanimous]*
- 12.1 Item pulled from consent (26)  
[DOC-2020-107](#) : [Accept and file quarterly report on Cannabis Licensing Office operations, and direct staff to return in April 2020 with the next quarterly report, as recommended by the County Administrative Officer](#) *[Item was pulled from Consent Agenda (item 26) to Regular Agenda Item No. 12.1] Approved with additional direction [Unanimous]*
45. [DOC-2020-87](#) : [Defer continued public hearing to consider resolution amending the General Plan/Local Coastal Program Public Safety Element, Conservation and Open Space Element and certifying CEQA Negative Declaration determination; Ordinance amending Santa Cruz County Code Chapters 16.10 Geologic Hazards, 16.13 Floodplain Regulations \(new\), 16.20 Grading Regulations, and 16.22 Erosion Control, to March 10, 2020, as recommended by the Planning Director](#) *Deferral Approved By Consent Vote [Unanimous]*

**K. AGENDA ITEMS FOR FUTURE MEETINGS**

**L. ADJOURNMENT:** at 6:00 pm

Minutes prepared by John Ricker, EH staff.