

PROCEEDINGS OF THE BOARD OF DIRECTORS
COUNTY OF SANTA CRUZ
FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7 MEETING
GOVERNMENTAL CENTER BUILDING
701 OCEAN STREET, ROOM 525, SANTA CRUZ, CA

9:00 A.M.

June 18, 2002

- A. Roll Call
- B. Consideration of Late Additions
- C. Additions and Deletions

1. ORAL COMMUNICATIONS - The Board ~~will~~ receive Oral Communications. Any person ~~may~~ address the Board during its Oral Communications period. Presentations must not exceed three minutes, must be directed to an item not listed on today's Agenda, and must be within the jurisdiction of the Board. Board members ~~will~~ not take action or respond immediately to any Oral Communications presented, but ~~may~~ choose to follow up at a later time, either individually, or on a subsequent District Agenda.
 - 1.1 AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7, approve the minutes of March 19, 2002 and April 9, 2002
 - 1.2 AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7, conduct a public hearing on the 2002/03 assessment report for Zone 7
 - 1.3 AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7, approve the proposed Zone 7 budget for fiscal year 2002/2003
 - 1.4 AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7, accept and file report on Pajaro River Interim Management Plan
 - 1.5 AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7, accept and file report on the Pajaro River Watershed Flood Prevention Authority and direct Public Works to report back with a further status report at the next Board meeting

ZONE 7 MEETING - (continued)

- 1.6 AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7, accept and file report on the Pajaro River Management and Restoration Plan; direct Zone 7 staff to cooperate and act as co-applicant with Monterey County for permits for mechanized vegetation clearing of the Pajaro River; and authorize the Director of Public Works to ask the Monterey County Water Resource Agency to take the lead on the development of a supplemental EIR and permit applications associated with mechanized vegetation clearing as a possible alternative to the Pajaro River Management and Restoration Plan

ACTION SUMMARY MINUTES
COUNTY OF SANTA CRUZ
FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7 MEETING

March 19, 2002

- A. Roll ~~CA~~
Voting Members Present: Beautz, Pirie, Wormhoudt, Almquist,
Bobeda and Chairman Campos
Voting Members Absent: Carroll
Non-Voting Members Present: Cooley
Non-Voting Members Absent: Rider
- B. Consideration of Late Additions
- C. Additions and Deletions

1. ORAL COMMUNICATIONS - No one addressed the Board

- 1.1 AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY FLOOD
CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7, APPROVED
minutes of January 15, 2002

Motion made by Director Wormhoudt, duly seconded by Director
Bobeda:

Ayes: Beautz, Pirie, Wormhoudt, Almquist, Bobeda and
Campos
Noes: None
Absent: Carroll
Abstain: None

- 1.2 AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY FLOOD
CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7, ADOPTED
RESOLUTION NO. 55-200277 revising the Rules and Regulations
for Operation of the Zone 7 Board of ~~D~~irectors

Motion made by Director Bobeda, duly seconded by Director
Wormhoudt:

Ayes: Beautz, Pirie, Wormhoudt, Almquist, Bobeda and
Campos
Noes: None
Absent: Carroll
Abstain: None

- 1.3 AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7, ACCEPTED AND FILED report on Pajaro River Levee System Reconstruction Project and directed that a further status report be presented on June 18, 2002

Motion made by Director Almquist, duly seconded by Director Beautz:

Ayes: Beautz, Pirie, Wormhoudt, Almquist, Bobeda and Campos
 Noes: None
 Absent: Carroll
 Abstain: None

- 1.4 AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7, ACCEPTED AND FILED report on Pajaro River Watershed Flood Prevention Authority

Motion made by Director Bobeda, duly seconded by Director Wormhoudt:

Ayes: Beautz, Pirie, Wormhoudt, Almquist, Bobeda and Campos
 Noes: None
 Absent: Carroll
 Abstain: None

- 1.5 AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7, CONTINUED TO APRIL 9, 2002 at 9:00a.m. or thereafter, public hearing on the Pajaro River Management and Restoration Plan

Motion made by Director Wormhoudt, duly seconded by Director Almquist:

Ayes: Beautz, Pirie, Wormhoudt, Almquist, Bobeda and Campos
 Noes: None
 Absent: Carroll
 Abstain: None

- 1.6 AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7, ADOPTED RESOLUTION NO. 56-200227 confirming the previously established 2002/03 assessment rates for Zone 7; ADOPTED RESOLUTION NO. 57-200227 setting a public hearing on Tuesday, June 18, 2002 on the morning agenda, at 9:00 a.m. or thereafter on the proposed 2002/03 assessment rates and overruling protests and confirming written report on drainage rates; and directed the Clerk of the Board to take related actions

Motion made by Director Bobeda, duly seconded by ~~D~~irector Wormhoudt:

Ayes: Beautz, Pirie, Wormhoudt, Almquist, Bobeda and Campos
 Noes: None
 Absent: Carroll
 Abstain: None

- 1.7 WRITTEN CORRESPONDENCE AGENDA - The Board of Directors of the Santa Cruz County Flood Control and Water Conservation District, Zone 7, acknowledges receipt of the following items of correspondence which are on file with the District Secretary. Copies of ~~a~~ items listed on this Written Correspondence Agenda have been circulated to all members of the Board.

I. The Board of Directors has received the following item(s) of correspondence:

- (a) Letter of Lorraine Washington, Watsonville City Clerk with attached Resolution 8-02 (CM)

Approved: _____
Chairman, Zone 7

Attest: _____
Clerk of the Board

Date: _____

ACTION SUMMARY MINUTES

COUNTY OF SANTA CRUZ
FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7 MEETING

April 9, 2002

- A. Roll Call
Voting Members Present: Beautz, Pirie, Wormhoudt, Almquist, Bobeda, Carroll, and Chairman Campos
Voting Members Absent: None
Non-Voting Members Present: Cooley
Non-Voting Members Absent: Rider
- B. Consideration of Late Additions
- C. Additions and Deletions

- 1. ORAL COMMUNICATIONS - no one addressed the Board
 - 1.1 AS THE BOARD OF DIRECTORS OF THE SANTA CRUZ COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7, continued hearing on the Pajaro River Management Plan Certification of Final Environmental Impact Report:
received public testimony; adopted the California Environmental Quality Act (CEQA) findings; certified the Final Environmental Impact Report for the Pajaro River and Salsipuedes and Corralitos Creeks Management and Restoration Plan to be in conformance with the requirements of CEQA; and directed the Public works Department to pursue required permits for the maintenance of the existing pajaro River Levee system (including Salsipuedes and Corralitos Creeks), as provided under Alternative 6 in the Draft EIR
- Motion made by Director Bobeda, duly seconded by Director Almquist:
- Ayes: Beautz, Pirie, Wormhoudt, Almquist, Bobeda, Carroll, and Campos
Noes: None
Absent: None
Abstain: None

Approved: _____
Chairman. Zone 7

Attest: _____
Clerk of the Board

Date: _____



THOMAS L. BOLICH
DISTRICT ENGINEER

0473

County of Santa Cruz

FLOOD CONTROL AND WATER CONSERVATION DISTRICT - ZONE 7

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060-4070
(831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

AGENDA: JUNE 18,2002

June 5,2002

BOARD OF DIRECTORS-ZONE 7
SANTA CRUZ COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: 2002/2003 ZONE 7 ASSESSMENT RATE REPORT

Members of the Board:

On March 19,2002, your Board adopted a resolution confirming previously established assessment rates for Zone 7 for the 2002/03 fiscal year. Further, your Board set today as the public hearing date on the 2002/03 assessment report for Zone 7.

In order to complete the 2002/03 assessment rate proceedings, it will now be necessary for your Board to open the public hearing, take testimony, and consider objections and protests to the report, if any, and at the conclusion of the public hearing, consider adoption of the attached resolution overruling protests and confirming the report. The assessment report, containing the Assessor's parcel number, use code, the owner's name and the amount of the assessment was filed with the Clerk of the Board on May 3,2002. As required by law, the assessment rate report must be approved by your Board and forwarded to the Auditor-Controller by August 10,2002.

It is therefore recommended that the Board of Directors take the following action:

1. Open the public hearing, hear objections and protests, if any, to the proposed 2002/03 assessment report for Zone 7.

2. Close the public hearing, and at the conclusion of the hearing, consider adoption of the attached resolution overruling protests and confirming the written report on drainage assessment rates for the 2002/03 fiscal year.

Yours truly,

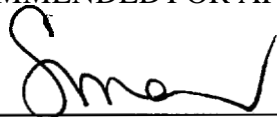


THOMAS L. BOLICH
District Engineer

AMR:bbs

Attachment

RECOMMENDED FOR APPROVAL:



County Administrative Officer

Copy to: Public Works Department (CSA Administration)
Zone 7 Board of Directors
City Manager, City of Watsonville

zarb.wpd

BEFORE THE BOARD OF DIRECTORS
OF THE SANTA CRUZ COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT ZONE 7, SANTA CRUZ COUNTY, CALIFORNIA

RESOLUTION NO. _____

On the motion of Director
duly seconded by Director
the following resolution is adopted:

A RESOLUTION OF THE SANTA CRUZ COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT ZONE 7, OVERRULING PROTESTS AND
CONFIRMING WRITTEN REPORT ON DRAINAGE ASSESSMENT RATES FOR THE
FISCAL YEAR 2002/2003

WHEREAS, a written assessment rate report was filed on or before May 3, 2002, in the Office of the Clerk of the Board containing a description of each parcel of real property receiving services from the District and the amount of the assessment to be collected on the County Tax Roll for each parcel for the 2002/03 fiscal year; and

WHEREAS, on March 19, 2002, this Board appointed June 18, 2002, at 9:00 a.m. as the time and place of public hearing on said report and directed notice, which notice was duly given in the manner provided by law as appears by the affidavits of publication on file in the office of the Clerk of the Board; and

WHEREAS, said matter came on regularly for hearing at the time and place fixed and all written protests and other communications were publicly read at said meeting and all persons desiring to be heard were fully heard.

NOW, THEREFORE, IT IS DETERMINED AND ORDERED, as follows:

1. That objections to, and protests against, said report were not made by the owners of a majority of the separate parcels of property described in the report;
2. That all objections to and protests against said report have been heard by this Board and that said objections and protests be, and each of them is hereby overruled;
3. That said report be, and it is hereby adopted in full without revision and modification pursuant to Water Code Appendix Chapter 77, Sections 28, 173 and 191, and Zone 7 Rules and Regulations Section 3.5, and that the charges as specified in said report shall be collected on the tax roll of the County of Santa Cruz, in the manner provided by law;

1.2

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4. That the Clerk of the Board be, and is hereby directed to file with the County Auditor of Santa Cruz County, on or before the 10th day of August, 2002, a copy of said report, upon which shall be embossed over the Clerk's signature a statement that the report has been finally adopted by the Board of Directors of the Santa Cruz County Flood Control and Water Conservation District Zone 7.

PASSED AND ADOPTED by the Board of Directors of the Santa Cruz County Flood Control and Water Conservation District, Zone 7, State of California, this ____ day of _____ 2002, by the following vote:

AYES: DIRECTORS

NOES: DIRECTORS

ABSENT: DIRECTORS

Chairperson of said Board

ATTEST: _____
Clerk of said Board

Approved as to form



Assistant County Counsel

Distribution: County Counsel
Public Works

zarb.wpd

1.2



County of Santa Cruz

FLOOD CONTROL AND WATER CONSERVATION DISTRICT -ZONE 7

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060-4070
(831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

THOMAS L. BOLICH
DISTRICT ENGINEER

AGENDA: JUNE 18,2002

June 5,2002

BOARD OF DIRECTORS-ZONE 7
SANTA CRUZ COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: PROPOSED 2002/2003 ZONE 7 BUDGET

Members of the Board:

Presented below for your consideration is the proposed Zone 7 budget for fiscal year 2002/2003. As previously directed by your Board, the proposed budget distinguishes between services and supplies and fixed asset line items. In addition, as directed by your Board, the City of Watsonville Department of Public Works continues to receive monthly financial reports and maintenance activity logs.

<u>Expenditures</u>	<u>2001/2002 Allowed</u>	<u>2002/2003 Recommended</u>
Maintenance and Operations on the Levee System	\$ 335,000	\$ 335,000
River Management Plan	20,000	0
Pajaro River 1601/404 Maintenance Applications	25,000	25,000
General Engineering and Public Service	205,000	215,000
Management Plan Permit and Environmental Studies	100,000	25,000
County Counsel Services	20,000	20,000
Certificate Debt Service	430,000	421,000
Levee Sealcoat	50,000	50,000
Flood Control Project Advocacy	121,382	25,000
Assessment District Start-up	40,000	40,000
Pajaro River Watershed FPA	10,000	11,000
	<hr/>	<hr/>
Services and Supplies Subtotal:	\$1,356,382	\$1,167,000

<u>Expenditures</u>	<u>2001/2002 Allowed</u>	<u>2002/2003 Recommended</u>
Bank Stabilization Projects	\$ 175,404	\$ 175,404
Revegetation	135,000	135,000
Lincoln Street Culvert Replacement	90,000	90,000
Army Corps Flood Control Projects	573,789	743,329
	<hr/>	<hr/>
Fixed Asset Subtotal:	\$ 974,193	\$ 1,143,733
Total:	\$2,330,575	\$ 2,310,733

The recommended financing includes an estimated fund balance June 30, 2002, of \$1,025,012, assessments of \$1,255,721 and interest revenue of \$30,000, leaving an estimated \$-0- in unappropriated fund balance. Copies of pages 32-40 and 32-41 of the Santa Cruz County Proposed Budget prepared by the County Administrative Officer are attached. Budget narrative information regarding the proposed line items is also attached.

In accordance with Zone 7's regulations, this budget also needs to be approved by the Santa Cruz County Board of Supervisors and the Watsonville City Council. These hearings are scheduled for June 21, 2002, before the Board of Supervisors and June 25, 2002, before the Watsonville City Council.

It is therefore recommended that the Zone 7 Board of Directors approve the proposed Zone 7 budget for fiscal year 2002/2003.

Yours truly,

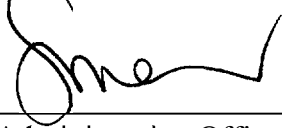


THOMAS L. BOLICH
District Engineer

AMR:bbs

Attachments

RECOMMENDED FOR APPROVAL:



County Administrative Officer

copy to: Zone 7 Board of Directors
City Manager, City of Watsonville
Director of Public Works, City of Watsonville
Public Works Department
Z7BUDG.DOC

**SANTA CRUZ COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
ZONE 7**

2002/2003 PROPOSED BUDGET

BUDGET NARRATIVE INFORMATION

Maintenance and Operations on the Levee System - \$335,000

This line item funds crew time, equipment and supplies for carrying out maintenance work on the Pajaro River and emergency work during high winter flows. A summary of the last year's maintenance efforts is attached.

Maintenance Permits (1601/404/Other) - \$25,000

This line item funds application, processing and related costs associated with various permits required by the Army Corps, Fish & Game, and other agencies in order to conduct Zone 7 maintenance activities.

General Engineering; - \$215,000

Engineering staff time to perform the duties and responsibilities of Zone 7 is funded from this line item.

Management Plan Permit and Environmental Studies - \$25,000

Permit applications for the River Management Plan have been submitted to the County Planning Department as well as State and federal permitting agencies for review and approval. An environmental impact report has been completed and certified.

County Counsel Services - \$20,000

This line item funds County Counsel services associated with ongoing operation of the Zone. These funds are not used to pay for outside counsel assistance with the Pajaro River flood litigation.

Certificate Debt Service - \$421,000

This line item funds debt service on the monies borrowed for the sediment removal, levee resurfacing, and other approved projects.

Levee Sealcoat - \$50,000

All of the recent work to the levees, such as resurfacing, flood fighting efforts, etc., have damaged the existing levee road. In the 1999/2000 fiscal year a significant portion of the levee below state Highway 1 was repaved for safety purposes. It is proposed that additional levee paving be performed downstream of the Salsipuedes Creek confluence on the Pajaro River levees within the City of Watsonville in the 2002/2003 fiscal year.

Flood Control Project Advocacy - \$25,000

This line item funds advocacy efforts in Washington, D.C., Sacramento and within the Army Corps. in support of funding and project authorizations for the Pajaro River levee system reconstruction. This funding also supports consultant participation and advice in the Army Corps process as well as related technical analysis and modeling.

Assessment District Startup - \$40,000

A substantial local cost share will be required in conjunction with the proposed Army Corps River Levee System Reconstruction Project. Many alternate sources for this funding are currently being pursued including additional federal funding, state funding, assistance from upstream and neighboring counties, grant funding and similar options. This line item will fund continued effort in these areas as well as an examination of alternate local options such as assessment district/bond funding.

Pajaro River Watershed Basin Study (FPA funds) - \$11,000

The Pajaro River Watershed Flood Prevention Authority (FPA) was established in July 2000 by Assembly Bill 807 (Keeley). The agency is undertaking studies to determine the impacts of development and land use practices on flooding. Zone 7 is one of eight member agencies. This line item provides funding for required member contribution to the FPA.

Bank Stabilization - \$175,404

The Corps has now completed all remedial work which they plan to carry out. The budget for Bank Stabilization will be used to supplement the Corps' work where appropriate.

Revegetation Projects - \$135,000

The Army Corps permit conditions for the sediment removal included minimum requirements for bank revegetation. This work will also supplement the Bank Stabilization project with plantings at some of the less serious erosion sites.

Lincoln Street Culvert Replacement - \$90,000

At various locations along the levee, culverts convey stormwater from the Watsonville storm drains to the Pajaro River. This project will replace one such culvert near the end of Lincoln Street.

Army Corps Flood Control Projects \$743,329

District staff has been working with the Army Corps and Monterey County to develop a flood control project to reconstruct the Pajaro River levee system. These funds will be used for necessary local share costs associated with the project.

SC CO FLOOD CONTROL - ZONE 7
Thomas L. Bolich, Director of Public Works
Index Number: 622380

Fund: Special District
Function: Public Protection

Requirements	Actual 2000-01	Appropriated 2001-02	Estimated Actual 2001-02	Requested 2002-03	Recom. 2002-03	Change from 2001-02 Approp.
Appropriations						
Services & Supplies \$	728,218	\$ 755,000	\$ 638,560	\$ 671,000	\$ 671,000	\$ (84,000)
Other Charges	417,705	430,000	368,571	421,000	421,000	(9,000)
Fixed Assets	108,449	1,145,575	284,000	1,218,733	1,218,733	73,158
Approp. for Cont.	0	0	0	0	0	0
Total	\$ 1,254,372	\$ 2,330,575	\$ 1,291,131	\$ 2,310,733	\$ 2,310,733	\$ (19,842)
Increase Reserve	0	0	0	0	0	0
Total Requirements	\$ 1,254,372	\$ 2,330,575	\$ 1,291,131	\$ 2,310,733	\$ 2,310,733	\$ (19,842)
Available Funds						
Fund Balance Avail. \$	1,013,952	\$ 1,091,628	\$ 1,091,628	\$ 1,025,012	\$ 1,025,012	\$ (66,616)
Cancel Reserve	0	0	0	0	0	0
Property Taxes	0	0	0	0	0	0
Assessments	1,147,015	1,192,947	1,192,947	1,255,721	1,255,721	62,774
Revenues	185,033	46,000	31,568	30,000	30,000	(16,000)
Total	\$ 2,346,000	\$ 2,330,575	\$ 2,316,143	\$ 2,310,733	\$ 2,310,733	\$ (19,842)

This district was established to provide funding for implementing proposed Army Corps of Engineers flood control projects on the Pajaro River, Salsipuedes Creek and Corralitos Creek, as well as providing funding for augmented maintenance on these creek/river channels. Staff coordinates with the Corps to ensure local needs are addressed and provides assistance to the Corps as necessary in project evaluation, administrative and engineering drainage services, and is responsible for the replacement, upgrading and maintenance of drainage and flood control facilities in the levee system.

The recommended financing includes an estimated fund balance June 30, 2002 of \$1,025,012, assessments of \$1,255,721, and interest revenue of \$30,000, leaving an estimated \$0 in unappropriated fund balance.

SC CO FLOOD CONTROL - ZONE 7 -(Continued)

<u>Service</u>	<u>01-02</u> <u>Allow</u>	<u>02-03</u> <u>Recom</u>
Maintenance and Operations on the Levee System	\$ 335,000	\$ 335,000
River Management Plan	20,000	0
Pajaro River 1601/404 Maintenance Applications	25,000	25,000
General Engineering & Public Service	205,000	215,000
Management Plan Permit and Environmental Studies	100,000	25,000
County Counsel Services	20,000	20,000
Certificate Debt Service	430,000	421,000
Levee Sealcoat	50,000	50,000
Bank Stabilization	175,404	175,404
Revegetation	135,000	135,000
Lincoln Street Culvert Replacement	90,000	90,000
Army Corps Flood Control Projects	573,789	743,329
Flood Control Project Advocacy	121,382	25,000
Assessment District Startup	40,000	40,000
Pajaro River Watershed Basin Study (FPA Funds)	<u>10,000</u>	<u>11,000</u>
TOTAL	\$ <u>2,330,575</u>	\$ <u>2,310,733</u>


The table below provides the fixed asset detail recommended for Index No. 622380 for 2002-03.

<u>Index No./</u> <u>Sub Object No.</u>	<u>Quantity</u>	<u>New (N)</u> <u>Replacement (R)</u>	<u>Description</u>	<u>Recommended</u> <u>Amount</u>
622380/6610	1	R	Army Corps Flood Control Projects	\$ 743,329
	1	R	Bank Stabilization	175,404
	1	R	Revegetation	135,000
	1	R	Lincoln Street Culvert Replacement	90,000
	1	R	Levee Sealcoat	50,000
	1	N	Flood Control Project Advocacy	25,000
Total				\$ <u>1,218,733</u>

**COUNTY OF SANTA CRUZ
INTER-OFFICE CORRESPONDENCE**

DATE: June 3, 2002

TO: Brian Turpen

FROM: Vance Wagner, Drainage Division 

SUBJECT: 2001/02 Zone 7 Annual Maintenance Report

During the 2001/02 fiscal year, various duties including our routine maintenance were completed along the Pajaro River and Salsipuedes Creek in accordance with the Department of Fish and Game Memorandum of Understanding along with emergency storm response work that was necessary. The work performed by our crews **is** summarized both in the following report and in the attached Monthly Report.

The Drainage Division crew, along with two California Department of Forestry crews, cut and cleared all vegetation, which had a three-inch and larger diameter, from the channel slopes on the Santa Cruz County side **of** the Pajaro River & both sides of the Salsipuedes Creek. This clearing was performed between Highway 1 and Murphy's Crossing Road on the Pajaro River and **from** Hwy 152 Bridge downstream to the confluence of the Pajaro River on the Salsipuedes Creek.

Vegetation control on the levee slopes and benches of the Pajaro and Salsipuedes systems **was** completed using both mowing and herbicide application.

Flap gate channels along the Pajaro and Salsipuedes Creek were cleared of silt deposits and vegetation. Necessary repairs were made to the flap gates and culvert pipes. Erosion control repairs were made to flap gate outlet channels and levee slopes on both the Pajaro and Salsipuedes.

Levee road maintenance was performed throughout the system and turn-around spots were created at the Main Street Bridge and at the Hwy 129 Bridge.

During the storm events time was spent monitoring the river and creek water levels, inspecting the levees, clearing logjams and debris, monitoring and maintaining pumps. **This** winter was a fairly mild one **so** there are no major damage sites to repair. Therefore, this year we hope to complete some levee road resurfacing work through Watsonville, between Walker Street and Main Street.

The rodent control program is on going throughout the year along both of the levee systems.

The monthly report is attached for your reference.

1.3

**Santa Cruz County Public Works
Drainage Division
Zone 7 - Monthly Maintenance Report 2001/02**

0484

2001

July:

1. Pajaro River – Mow levee benches.
2. Salsipuedes Creek – Mow levee benches and trim overhanging limbs for the sheet pile project.

August:

1. Salsipuedes Creek – Mow levee benches.
2. Salsipuedes Creek – Remove downed trees **from** Hwy **152** to Lakeview Road and **from** Hwy **129** to the confluence of the Pajaro River.
3. Pajaro River – Remove brush piles left over from vegetation removal project.
4. Pajaro River – Road repairs near Main Street Bridge.
5. Salsipuedes Creek – Cut vegetation throughout the channel.
6. Pajaro River/Salsipuedes Creek – Repair Cable fences and signs throughout the channels.
7. Pajaro River – Work on turnouts at Main Street Bridge.
8. Salsipuedes Creek – Replace missing flap gate at Sta. 2+00.
9. Pajaro River – Rodent control throughout the channel.
10. Salsipuedes Creek – Trim overhanging limbs for the sheet pile project.
11. Pajaro River – Repair erosion to levee slope near Hwy 1.

September:

1. Pajaro River/Salsipuedes Creek – Rodent control throughout the channels.
2. Pajaro River/Salsipuedes Creek – Remove brush piles left over from vegetation removal project.
3. Pajaro River – Work on turnouts at Main Street Bridge.

October:

1. Pajaro River – Rodent control throughout the channel.
2. Pajaro River – Road repairs between Main Street Bridge and Lincoln Street.
3. Salsipuedes Creek – Remove brush piles left over from vegetation removal project.
4. Pajaro River – Clear around flap gate channels.
5. Salsipuedes Creek Repair flap gate channel (erosion) at Sta. 34+15.
6. Salsipuedes Creek – Trim overhanging limbs for the sheet pile project.

November:

1. Salsipuedes Creek/ Pajaro River – Remove brush piles left over from vegetation removal project.
2. Pajaro River – Rodent control throughout the channels.
3. Salsipuedes Creek – Levee road repairs throughout the channel.
4. Salsipuedes Creek – Remove down trees throughout the channel.

December:

1. Pajaro River - Remove brush piles left over from vegetation removal project.
2. Salsipuedes Creek - Remove fallen trees throughout the channel.
3. Pajaro River - Clear around flap gate channels.

2002**January:**

1. Salsipuedes Creek/Pajaro River - Routine Rainey season channel maintenance such as log/debris jam clearance.
2. Salsipuedes Creek - **Trim** overhanging limbs **for** the sheet pile project.
3. Salsipuedes Creek/Pajaro River - Remove fallen trees throughout the channel.
4. Pajaro River - Remove brush piles left over **from** vegetation removal project.

February:

1. Pajaro River - Remove brush piles left over from vegetation removal project.
2. Pajaro River - Repair and clear flap gate channels.
3. Pajaro River - Rodent control throughout the channel.
4. Salsipuedes Creek/Pajaro River - Apply herbicide to levee slopes.

March:

1. Salsipuedes Creek/Pajaro River - Apply herbicide to levee slopes.
2. Pajaro River - Rodent control throughout the channel.
3. Pajaro River - Work on turnouts at Main Street Bridge.

April:

1. Salsipuedes Creek/Pajaro River - Apply herbicide to levee slopes.
2. Pajaro River - Rodent control throughout the channel.
3. Salsipuedes Creek - **Work** on turnouts at Hwy 129 Bridge.

May:

1. Salsipuedes Creek - Vegetation control **by** torching unwanted weeds that were not eliminated by the herbicide application.
2. Pajaro River - Rodent control throughout the channel.

June:

1. Pajaro River - Mow levee benches.
2. Salsipuedes Creek - **Mow** levee benches.
3. Pajaro River/Salsipuedes Creek - Clear **flap** gate channels.



County of Santa Cruz

FLOOD CONTROL AND WATER CONSERVATION DISTRICT - ZONE 7

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 950604070
(831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

THOMAS L. BOLICH
DISTRICT ENGINEER

AGENDA: JUNE 18,2002

May 31,2002

BOARD OF DIRECTORS-ZONE 7
SANTA CRUZ COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: PAJARO RIVER INTERIM MANAGEMENT PLAN

Members of the Board:

On March 19,2002, your Board considered a report on the subject plan and considered certification of the Environmental Impact Report (EIR) for the plan. On that date your Board continued consideration of the plan and EIR to April 9,2002. On April 9,2002, your Board received public testimony, adopted California Environmental Quality Act findings and certified the final EIR. Your Board also directed Public Works to pursue required permits for implementation of the plan.

On May 8,2002, the Planning Commission considered and approved costal zone and grading permits and a riparian exception. Subsequent to that approval, two appeals were filed challenging the Planning Commission approval. The appeals were filed by the Sierra Club and the Monterey County Water Resources Agency.

In general terms, the Sierra Club is appealing because they feel that the plan allows too much maintenance work on the river and Monterey County appealed because they believe it allows too little. Copies of both appeals are attached.

On June 4, 2002, the Board of Supervisors will consider setting a jurisdictional hearing for June 18,2002. At the June 18,2002, hearing, the Board of Supervisors will consider whether to accept or deny jurisdiction of the appeal. If the Board of Supervisors accepts jurisdiction, they must set a hearing date within 30 days of the acceptance of jurisdiction.

Regardless of the outcome of the jurisdictional hearing, Public Works intends to continue the pursuit of permits, taking appropriate actions as a result of the jurisdictional hearings.

It is therefore recommended that your Board accept and file this report **and** direct Public Works to return on September 17,2002, with a further status report.

Yours truly,




THOMAS L. BOLICH
Director of Public Works

BHT:abc

Attachment

RECOMMENDED FOR APPROVAL:



County Administrative Officer

copy to: Zone 7 Board of Directors
 Carlos, J. Palaeios, City Manager, City of Watsonville
 Public Works



MONTEREY COUNTY

OFFICE OF THE COUNTY COUNSEL

50 WEST MARKET STREET, SUITE 140 SALINAS, CALIFORNIA 93901-2653
831) 755-5045 FAX: (831) 755-5283

ADRIENNE M. GROVER
COUNTY COUNSEL

May 22, 2002



Honorable Jan Beautz
Chair, Board of Supervisors
Santa Cruz County
701 Ocean Street
Santa Cruz, California 95060

Re: Appeal of Planning Commission's decision of May 8, 2002, Item H-3, *app. No. 97-0770*
Pajaro River Management and Restoration Plan granting certain Coastal Zone permits, grading permits and riparian exception

Dear Chair Beautz and Members of the Board of Supervisors:

This letter will serve to notify the Board of Supervisors of Santa Cruz County that the Monterey County Water Resources Agency appeals the Santa Cruz County Planning Commission's approval and decision to implement: 1) the Pajaro River Management and Restoration Plan on 12 miles of the Pajaro River; 2) the Stream Bank Erosion Assessment Recommendations on 12 miles of the Pajaro River and all of Salsipuedes Creek; and 3) a management plan for the Salsipuedes Creek and 8 miles of Corralitos Creek.

Monterey County Water Resources Agency also appeals the granting of a Coastal Zone Permit, Grading Permit and riparian exception for this project. The project is located on the Pajaro River from the mouth upstream to Murphy's Crossing on Salsipuedes Creek from its confluence with the Pajaro River upstream to College Lake, and on Corralitos Creek from its confluence with Salsipuedes Creek upstream to Browns Valley bridge.

This appeal is based on the following issues:

The above plan and its objectives, if implemented, would adversely affect the environmental, business, property and community interest and uses by Monterey County residents, farmers and business owners along the lower Pajaro River corridor; in particular, the reach of the Pajaro River beginning at Murphy's Crossing and continuing westerly to the mouth of the river. This reach also includes the main stem reach of the Pajaro Levee system, built by the Army Corps of Engineers in 1949. Specifically, the plan is objectionable in that it:

1. would result in an unacceptable and significant restriction and reduction in the flood-carrying and prevention capacity in the area described above;

Hon. Jan Beautz

May 22, 2002

Page 2

2. relies upon manual vegetation management and maintenance which is ineffective, inefficient and overly costly;
3. puts at risk implementation of a necessary 100-year flood protection plan;
4. constitutes environmental discrimination disfavorable to minorities and low income households where families reside and work within the area, and the community of Pajaro;
5. will prevent meeting and achieving Federal Emergency Management Agency (FEMA) flood protection standards;
6. will usurp vast portions of agricultural land located within Monterey County;
7. exposes Monterey County and related agencies to claims and lawsuits as a result of flooding and associated natural events;
8. provides inadequate consideration to necessary river bank maintenance and in- channel maintenance and maximum carrying capacity of the levee system, in particular the Pajaro Levee;
9. the Planning Commission decision was based upon deficiencies within the Environmental Impact Report ("EIR") including:
 - a) the EIR is deficient in that it is in conflict with the Monterey County General Plan as adopted;
 - b) the EIR is deficient in that it does not properly address the impact on low income housing in the community of Pajaro;
 - c) the EIR is deficient in that it does not adequately address the current zoning designation of property lying on the Monterey County side of the Pajaro River;
 - d) the EIR is deficient in that the proposed Plan is inconsistent with the first listed primary objective of the Plan which is to "maintain the flood carrying capacity of the system." Table 3.8-1, Pajaro River Management and Restoration Plan Alternatives, Alternative-6, Mitigated Alternative, projects a reduction in flood carrying capacity ranging from eight (8) to twenty (20) percent through reaches C through G, as keyed to Figure 2.3-1 Project Area and is silent on the flood reduction impacts for reaches A and B. All other alternatives evaluated have similar adverse impacts to channel capacity. In 1998, existing capacity of the levee system was shown to be insufficient resulting in levee failure. Therefore, no project resulting in diminished capacity can be adequate; and

Jonathan Wittwer
William P. Parkin

WITTWER & PARKIN, LLP

147 SOUTH RIVER STREET, SUITE 221
SANTA CRUZ, CALIFORNIA 95060
TELEPHONE: (831) 429-4055
FACSIMILE: (831) 429-4057
E-MAIL: office@wittwerparkin.com

PARALEGAL
Jana Rinaldi

May 21, 2002

HAND DELIVERED

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060



Re: Notice of Appeal of Planning Commission Decision
Application No. 97-0770;
Applicant, County of Santa Cruz Public Works and Zone 7

Dear Board of Supervisors:

This office submits the following Notice of Appeal on behalf of the Santa Cruz Group of the Sierra Club, appealing the decision of the Planning Commission to the Board of Supervisors concerning the approval of the above-referenced project. The Planning Commission approved the above referenced project on Wednesday, May 8, 2002. Thus, this appeal is timely filed pursuant to County Code.

The approval of the above-referenced project violates a number of provisions of the County Code and state law, which include, but are not limited to, the following:

1) Approval of the Project in Violation of Santa Cruz County General Plan Policy 5.2.3 which requires "evidence of approval for development from the U.S. Army Corps of Engineers, California Department of Fish and Game, and other federal or state agencies that may have regulatory authority over activities within riparian comdors and wetlands." This General Plan requirement is much more than a "consultation" requirement. The Planning Commission approved the project with mere consultation of the above referenced agencies. But, in order to grant a riparian exception, these authorities must first grant their approvals.

2) Approval of the riparian "exception" was hardly an exception at all. The exception is so sweeping in scope, and provides such vague standards, that the permit allows indiscriminate destruction of riparian resources.

3) The proposal violates the California Coastal Act because it allows the destruction of environmentally sensitive habitat areas ("ESHA"), which are protected from development or destruction.

4) Violation of the California Environmental Quality Act because the EIR fails to

Board of Supervisors
Re: Appeal of Planning Commission Decision
May 21, 2002
Page 2

adequately provide detailed analysis of vegetation removal, and its mitigations are too vague and uncertain.

5) Violation of the California Environmental Quality Act by failing to perform adequate environmental review pertaining to, but not limited to, cumulative impacts and failing to provide mitigations for identified cumulative impacts; and,

6) Failure to comply with all provisions of the General Plan and the County Code.

For the foregoing reasons, the Planning Commission abused its discretion by failing to proceed in a manner required by law.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'William P. Parkin', written in a cursive style.

William P. Parkin

cc: Sierra Club



THOMAS L. BOLICH
DISTRICT ENGINEER

County of Santa Cruz

FLOOD CONTROL AND WATER CONSERVATION DISTRICT - ZONE 7

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060-4070
(831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

AGENDA: JUNE 18,2002

June 5,2002

BOARD OF DIRECTORS-ZONE 7
SANTA CRUZ COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: PAJARO RIVER WATERSHED FLOOD PREVENTION AUTHORITY

Members of the Board:

On March 19,2002, your Board received a status report (copy attached) on the Pajaro River Watershed Flood Prevention Authority (FPA) and directed that a further report be presented today. Since the last status report, the FPA Board met on May 3,2002, and is scheduled to meet on June 7,2002. The primary focus of the FPA continues to be the Pajaro River Basin Study.

On May 3,2002, the FPA Board continued consideration and acceptance of Phase I of the basin study to their June 7,2002, meeting. This continuation was approved to allow additional time for the staff working group to review the Phase I report.

On June 7,2002, the FPA will consider the Phase I report and is expected to approve Phase I. Attached is a letter to the FPA Board supporting the approval, but also pointing out items for future consideration. Upon acceptance of the Phase I report, the FPA Board will consider approval of the Phase II tasks which will identify potential future projects to address flooding in the Pajaro River Basin.

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It is therefore recommended that your Board accept and file this report and direct that a further status report be presented at your next Board meeting.

Yours truly,

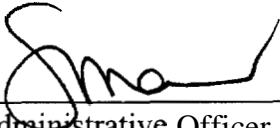


THOMAS L. BOLICH
District Engineer

BHT:bbs

Attachments

RECOMMENDED FOR APPROVAL:



County Administrative Officer

copy to: Zone 7 Board of Directors
City Manager, City of Watsonville
Public Works Department

prwfb.wpd



THOMAS L. BOLICH
DISTRICT ENGINEER

County of Santa Cruz

FLOOD CONTROL AND WATER CONSERVATION DISTRICT-ZONE 7

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060-4070
(831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

AGENDA: MARCH 19, 2002

March 5, 2002

BOARD OF DIRECTORS-ZONE 7
SANTA CRUZ COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: PAJARO RIVER WATERSHED FLOOD PREVENTION AUTHORITY

Members of the Board:

On January 15, 2002, your Board received the last status report (Attachment I) on the Pajaro River Watershed Flood Prevention Authority (FPA) and directed that a further report be presented today.

Since the last status report, the FPA Board has met on March 1, 2002. A copy of the agenda for this meeting is included as Attachment II. The next FPA Board meeting is scheduled for Friday, May 3, 2002, at 9:00 a.m. in the San Benito County Board of Supervisors Chambers in Hollister. Staff of the eight participating agencies (including Zone 7 staff) are continuing to meet monthly to review and develop information for the FPA Board.

The main order of business for the FPA continues to be conducting a Pajaro River Basin Study which will analyze many aspects of basin hydrology and hydraulics including the impact of existing and future development, as well as upstream infrastructure/flood control projects on peak flows in the lower Pajaro River. Raines, Melton and Carella, Inc. (RMC) the contractor selected by the FPA to conduct the study, is on schedule with its analysis and still anticipates completing a Draft Phase I report in May of this year. Once completed, the report and a summary of the key findings will be presented to your Board.

It is also worth noting that the FPA Board previously invited cities within the Pajaro River Watershed, as well as the Pajaro Valley Water Management Agency and Monterey County Redevelopment Agency to join the FPA as Associate (non-voting) Members. To date, the cities of Hollister, Morgan Hill and Gilroy have all appointed representatives.

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BOARD OF DIRECTORS

Page -2-.

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It is therefore recommended that your Board accept and file this report and direct that a further status report be presented at your next meeting on June 18,2002.

Yours truly,

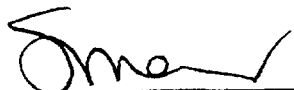


THOMAS L. BOLICH
District Engineer

PCR:abc

Attachments

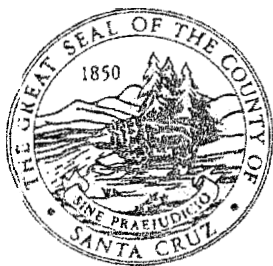
RECOMMENDED FOR APPROVAL:



County Administrative Officer

Copy to: David Koch, Director, City of Watsonville Public Works
Carlos Palacios, Manager, City of Watsonville
Monterey County Water Resources Agency
Monterey County Administrative Office
Zone 7 Board of Directors
Public Works Department

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FPA5A



County 'of Santa Cruz

BOARD OF SUPERVISORS

701 OCEAN STREET, SUITE 500, SANTA CRUZ, CA 95060-4069

(831) 454-2200 FAX: (831) 454-3262 TDD: (831) 454-2123

JANET K. BEAUTZ
FIRST DISTRICT

ELLEN PIRIE
SECOND DISTRICT

MARDI WORMHOUDT
THIRD DISTRICT

TONY CAMPOS
FOURTH DISTRICT

JEFF ALMQUIST
FIFTH DISTRICT

May 29, 2002

BOARD OF DIRECTORS
PAJARO RIVER WATERSHED
FLOOD PREVENTION AUTHORITY
c/o Regional Analysis and Planning Services
P. O. Box 809
Marina, CA 93933-0809

SUBJECT: PAJARO RIVER WATERSHED STUDY - PHASE I

Members of the Board:

On our agenda today, we will be considering the staff working group's recommendation to accept the subject Phase I study and approve a contract to begin Phase II. The County of Santa Cruz supports those recommendations, but I would like to provide your Board with some additional information and suggestions in reference to RMC's study that are supported by both Santa Cruz County and the City of Watsonville. This information includes:

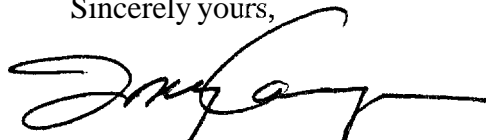
- The study identifies the importance of Soap Lake in providing temporary flood storage. This storage tends to attenuate the peak flood flow on the river. It should be documented and understood by all agencies involved that alteration that could result in lessening of storage capacity in the Soap Lake area by development or grading must not be allowed.
- While Soap Lake is very important in providing flood attenuation, there is limited information available to analyze how Soap Lake operates in flood events. Our Board should consider undertaking additional investigation of the Soap Lake Basin in future phases of the Watershed Study.
- One of the four scenarios studied was the impact of the ultimate urban development on peak flood flows. The study concludes that urban development at ultimate build-out would not significantly increase the flood flows for large storm events, such as 100 year events. However, it does indicate that urban development could increase flood flows by almost 8 percent at 25 year flood levels. Given the current flood carrying capacity of the Pajaro River Channel through the Watsonville/Pajaro area, an 8 percent increase would be very significant. Our Board should be aware of this potential significant impact to

downstream communities, especially if an improved levee project is not constructed by the Army Corps of Engineers. This flood impact due to development in the upper basin would need to be mitigated by upstream development detention.

- As previously mentioned, upstream development may or may not impact downstream flood carrying capacity, dependent on the ultimate fate of proposed or future Army Corps Flood Control Projects. Another form of impact that should be considered in future development is encroachment into existing flood plain storage areas, and improvements to other flood control channels in the watershed. Because downstream flooding on the Pajaro River is sensitive to flood timing, development or improvements that alter flood timing or increase channel flow velocities must be evaluated .
- RMC's model is appropriate to use as a design tool for consideration of alternatives for future flood control projects. Our Board may wish to consider additional refinement of the model in future phases to improve its ability to predict basin flood responses.

With consideration given to these issues, the County of Santa Cruz concurs with accepting the Phase I study and moving on to Phase II.

Sincerely yours,



TONY CAMPOS, Supervisor
Fourth District

BHT:abc

copy to: Zone 7 Board of Directors
David Koch, Director, City of Watsonville Public Works
County Administrative Office,
Public Works Department ✓



THOMAS L. BOLICH
DISTRICT ENGINEER

County of Santa Cruz

FLOOD CONTROL AND WATER CONSERVATION DISTRICT -ZONE 7

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 950604070
(831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

AGENDA: JUNE 18,2002

June 11,2002

BOARD OF DIRECTORS-ZONE 7
SANTA CRUZ COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
701 Ocean Street
Santa Cruz, CA 95060

**SUBJECT: PAJARO RIVER MANAGEMENT AND RESTORATION PLAN
ALTERNATIVE PROPOSAL**

Members of the Board:

As your Board knows, on May 8,2002, the Santa Cruz County Planning Commission approved our permit application no. 97-0770, for a mitigated maintenance alternative (no. 6) of the Pajaro River Management and Restoration Plan. One of two appeals of the Planning Commission's approval of our permits was from the Monterey County Water Resource Agency (MCWRA). Amongst various issues cited by Monterey County in their May 22,2002, letter was the concern that manual vegetation management and maintenance is ineffective, inefficient and overly costly. A copy of their letter is included as Attachment 1.

Although we feel that mechanized vegetation clearing (as proposed under alternative no. 8 of the plan) is unlikely to receive permission from the various resource agencies, we are recommending that your Board authorize Zone 7 staff to participate with MCWRA and act as co-applicants for state and federal permits for this alternative. Our understanding is that MCWRA will prepare a supplemental EIR for the Pajaro River Management and Restoration Plan in order to consider this alternative in greater detail and apply for the necessary permits. Zone 7 staff can cooperate with Monterey County staff by sharing and exchanging information developed in support of the staff report to the Santa Cruz County Planning Commission.

MCWRA did not contribute financially toward the existing EIR certified by your Board. As they have appealed the Planning Commission's decision to approve application no. 97-0770, it is appropriate that they now assume a lead role in analyzing and applying for permits leading to some form of mechanized vegetation removal within the project area. As stated earlier, while it does not appear likely that such an alternative will be permitted, we feel it would be prudent to participate in the application.

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It is therefore recommended that the Board of Directors take the following action:

1. Accept and file this status report.
2. Direct Zone 7 staff to cooperate and act as co-applicant with Monterey County to seek permits for alternative no. 8, mechanized vegetation clearing of the Pajaro River.
3. Authorize the Director of Public Works to write a letter to the Monterey County Water Resource Agency asking that they take the lead on the development of a supplemental EIR, and the application for permits associated with mechanized vegetation clearing as a possible alternative to the Pajaro River Management and Restoration Plan.

Yours truly,



THOMAS L. BOLICH
District Engineer

BLC:bbs

Attachment

RECOMMENDED FOR APPROVAL:



County Administrative Officer

copy to: Zone 7 Board of Directors
David Koch, Director, City of Watsonville Public Works
Planning Department
Public Works Department

prnab.wpd

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0045



MONTEREY COUNTY

OFFICE OF THE COUNTY COUNSEL

60 WEST MARKET STREET, SUITE 140 SALINAS, CALIFORNIA 93901-2653
(831) 755-5045 FAX: (831) 755-5283

ADRIENNE M. GROVER
COUNTY COUNSEL

May 22, 2002

Honorable Jan Beautz
Chair, Board of Supervisors
Santa Cruz County
701 Ocean Street
Santa Cruz, California 95060

Re: Appeal of Planning Commission's decision of May 8, 2002, Item **H-3**, *app, No, 97-0770*
Pajaro River Management and Restoration Plan granting certain Coastal Zone permits, grading permits and riparian exception

Dear Chair Beautz and Members of the Board of Supervisors:

This letter will serve to notify the Board of Supervisors of Santa Cruz County that the Monterey County Water Resources Agency appeals the Santa Cruz County Planning Commission's approval and decision to implement: 1) the Pajaro River Management and Restoration Plan on 12 miles of the Pajaro River; 2) the Stream Bank Erosion Assessment Recommendations on 12 miles of the Pajaro River and all of Salsipuedes Creek; and 3) a management plan for the Salsipuedes Creek and 8 miles of Corralitos Creek.

Monterey County Water Resources Agency also appeals the granting of a Coastal Zone Permit, Grading Permit and riparian exception for this project. The project is located on the Pajaro River from the mouth upstream to Murphy's Crossing on Salsipuedes Creek from its confluence with the Pajaro River upstream to College Lake, and on Corralitos Creek from its confluence with Salsipuedes Creek upstream to Browns Valley bridge.

This appeal is based on the following issues:

The above plan and its objectives, if implemented, would adversely affect the environmental, business, property and community interest and uses by Monterey County residents, farmers and business owners along the lower Pajaro River corridor; in particular, the reach of the Pajaro River beginning at Murphy's Crossing and continuing westerly to the mouth of the river. This reach also includes the main stem reach of the Pajaro Levee system, built by the Army Corps of Engineers in 1949. Specifically, the plan is objectionable in that it:

1. would result in an unacceptable and significant restriction and reduction in the flood-carrying and prevention capacity in the area described above;

1.6
~~15~~

Hon. Jan Beautz
May 22, 2002
Page 2

0046

2. relies upon manual vegetation management and maintenance which is ineffective, inefficient and overly costly;
3. puts at risk implementation of a necessary 100-year flood protection plan;
4. constitutes environmental discrimination disfavorable to minorities and low income households where families reside and work within the area, and the community of Pajaro;
5. will prevent meeting and achieving Federal Emergency Management Agency (FEMA) flood protection standards;
6. will usurp vast portions of agricultural land located within Monterey County;
7. exposes Monterey County and related agencies to claims and lawsuits as a result of flooding and associated natural events;
8. provides inadequate consideration to necessary river bank maintenance and in-channel maintenance and maximum carrying capacity of the levee system, in particular the Pajaro Levee;
9. the Planning Commission decision was based upon deficiencies within the Environmental Impact Report ("EIR") including:
 - a) the EIR is deficient in that it is in conflict with the Monterey County General Plan as adopted;
 - b) the EIR is deficient in that it does not properly address the impact on low income housing in the community of Pajaro;
 - c) the EIR is deficient in that it does not adequately address the current zoning designation of property lying on the Monterey County side of the Pajaro River;
 - d) the EIR is deficient in that the proposed Plan is inconsistent with the first listed primary objective of the Plan which is to "maintain the flood carrying capacity of the system." Table 3.8-1, Pajaro River Management and Restoration Plan Alternatives, Alternative-6, Mitigated Alternative, projects a reduction in flood carrying capacity ranging from eight (8) to twenty (20) percent through reaches C through G, as keyed to Figure 2.3-1 Project Area and is silent on the flood reduction impacts for reaches A and B. All other alternatives evaluated have similar adverse impacts to channel capacity. In 1998, existing capacity of the levee system was shown to be insufficient resulting in levee failure. Therefore, no project resulting in diminished capacity can be adequate; and

Hon. Jan Beautz
May 22, 2002
Page 3

e) the EIR is deficient in that the proposed plan violates the Farm Land Preservation Designation as set forth in the Monterey County General Plan.

The Monterey County Water Resources Agency fully supports and remains committed to providing proper flood control maintenance of the Pajaro River. It is because of this commitment that the Agency is concerned that the plan adopted by the Planning Commission is overly restrictive and will seriously hamper the installation and maintenance of future flood control efforts.

Very truly yours,

ADRIENNE M. GROVER
County Counsel


IRVEN L. GRANT
Deputy County Counsel

ILG:rsb

cc: Monterey County Board of Supervisors
Sally R. Reed
Curtis Weeks

F:\WPWIN60\TXT\A\001\COR\SCPC appeal.wpd

May 22, 2002

TO: CLERK OF THE BOARD

FROM: CATHLEEN CARR, PLANNING DEPT.



RE: APPEAL OF PERMIT 97-0770

We have received a second appeal of **this** Planning Commission decision from Monterey County. Unfortunately, the computer system is having difficulty accepting a second appeal of this permit on a single day. Please accept this memo **as** proof of Monterey County having paid the appropriate filing fee. If you have any questions, please feel free to call me at X 3225 or Jerry Busch at X 3234. Thank you.