

APPENDICES

- A. BACKGROUND AND REFERENCE SOURCES
- B. SENSITIVE HABITAT PLANT AND ANIMAL SPECIES
- C. MITIGATION MEASURES FOR DEVELOPMENT
IMPACTS ON SCHOOL FACILITIES

APPENDIX A

BACKGROUND SOURCES

Background Sources are items which contain information used to develop the 1994 General Plan and Local Coastal Program. Any policies found within these sources are superceded by the 1994 General Plan and Local Coastal Program.

County of Santa Cruz, General Plan, September 1980, as amended.

County of Santa Cruz, Local Coastal Program Land Use Plan, May 1981, as amended.

County of Santa Cruz Planning Department, Board of Supervisors Staff Report, Public Hearing to Consider Subdivision Application 86-0675, Michael and Jacqueline Keogh, Applicants, APN 102-361-13, February 4, 1991.

Fire Safety Element, Santa Cruz County, March 1978.

Fire Safety Element Amendment, Santa Cruz County, April 1979.

General Plan Background Report, 1991. (The sources for the Background Report are also the sources for the General Plan - additional items have been added to this list.)

Master Plan for Water Development, 1968-2020. Creegan & D'Angelo-McCandless, June 1968.

Marino, Andrew A., Phd., J.D., "Evaluation of Potential Health Risks Due to Powerline Electric and Magnetic Fields for the Keogh Property Environmental Assessment", December 20, 1991.

Parks, Recreation and Open Space Plan. Santa Cruz County, June 1972.

Shoreline Access Maps and Charts, November 1982. Local Coastal Program Land Use Plan.

Silicon Valley Diversified Subdivision Draft Environmental Impact Report, Nichols-Berman, November 1, 1991. This EIR reproduces the following report prepared by Andrew A. Marino, Phd, "Evaluation of Potential Health Risks Due to Powerline Electric and Magnetic Fields for the Buena Vista Estates Environmental Impact Report", June 11, 1991.

REFERENCE DOCUMENTS

Reference Documents are items which are to be used with the 1994 General Plan and Local Coastal Program. These documents are companion documents and are adopted with the General Plan and Local Coastal Program by reference. Some of the documents may be separate elements required by State law. These documents contain policies of an equal weight to the General Plan and Local Coastal Program.

California Coastal Act of 1976, updated January 1993.

Capital Improvement Program, County of Santa Cruz, May 1994, updated annually.

Congestion Management Program, Santa Cruz County, 1992, updated annually.

County of Santa Cruz Source Reduction and Recycling Element, 1992.

Monterey Bay Unified Air Pollution Control District and Association of Monterey Bay Area Governments, 1989 Air Quality Management Plan, June 1989.

Monterey Bay Unified Air Pollution Control District, Air Quality Data for the North Central Coast Air Basin, 1988 and 1989.

Regional Transportation Plan, Santa Cruz County, 1992, updated annually.

Santa Cruz County Hazardous Waste Management Plan, 1989.

Seismic Safety Element, Santa Cruz County, August 1975.

APPENDIX B

Appendix B consists of lists of plants and animals (and their habitats) which are described in Section 5.1 of the General Plan and Local Coastal Program Land Use Plan. This appendix contains a series of lists which collectively address all the plant and animal species and their associated habitats which are to be protected in Santa Cruz county. As state and federal lists change, this catalogue will be amended to reflect the most current information. Updates can be made without General Plan/LCP amendments or certification by the California Coastal Commission.

Santa Cruz County General Plan

THREATENED, ENDANGERED OR ANIMALS OF SPECIAL CONCERN IN SANTA CRUZ COUNTY			
Updated 3/1/94			
SPECIES	STATE/FEDERAL LISTING	SPECIES OF SPECIAL CONCERN	KEY
SPIDERS AND RELATIVES			STATE SE State listed Endangered ST State listed Threatened SCE State candidate Endangered SCT State candidate Threatened
Dolloff Cave Spider	C2		
Santa Cruz Teieman Spider	C2		
Empire Cave Pseudoscorpion	C2		
GASTROPODS			FEDERAL FE Federally listed Endangered FT Federally listed Threatened FPE Federally proposed Endangered FPT Federally proposed Threatened C1 Sufficient data to support Federal listing C2 Listing may be warranted, but data insufficient to support Federal listing. 1R Recommended for C1 status by U.S. Fish and Wildlife Service (USFWS). 2R Recommended for C2 status by USFWS
California Brackish Water Snail	C2		
INSECTS			
Barbate (Mt. Herman) June Beetle	C2		
Opler's Longhorn Moth	2R		
Monarch Butterfly (wintering sites)	†		
FISHES			
Coho (Silver) Salmon		Yes	
Tidewater Goby	C2	Yes	
AMPHIBIANS AND REPTILES			
Santa Cruz Long-toed Salamander	SE/FE		
California Red-legged Frog	C2	Yes	
Western Pond Turtle		Yes	
San Francisco Garter Snake	SE/FE		
Horned Lizard		Yes	
BIRDS			
Bank Swallow	ST		
Black-crowned Night Heron		Yes	
Black-shinned Hawk		Yes	
Black Swift		Yes	
Brown Pelican	SE/FE		
Burrowing Owl		Yes	
California Least Tern	SE/FE		
Cooper's Hawk		Yes	
Double Crested Cormorant		Yes	
Golden Eagle		Yes	
Ferruginous Hawk		Yes	
Marbled Murrelet	SCT/FPT		
Merlin		Yes	
Osprey		Yes	
Peregrine Falcon	SE/FE		
Purple Martin		Yes	
Sharp-shinned Hawk		Yes	
Spotted Owl		Yes	
Tricolored Blackbird	C2	Yes	
Western Snowy Plover	FT	Yes	
Western Yellow Billed Cuckoo	SE		
Willow Flycatcher	SCE		
Yellow Breasted Chat		Yes	
Yellow Warbler		Yes	
MAMMALS			
American Badger		Yes	
Monterey Ornate Shrew	C2	Yes	
Northern (Stellar) Sea Lion	FT		
Santa Cruz Harvest Mouse	C2	Yes	
Southern Sea Otter	FT		

† Species fall into one or more categories:

- Biologically rare, very restricted in distribution or declining throughout their range.
- Species closely associated with a habitat that is rapidly declining in California.
- California population(s) are threatened with extirpation.

Appendix B: Sensitive Habitat Plant and Animal Species

CALIFORNIA STATE PLANT SPECIES OF CONCERN FOUND IN SANTA CRUZ COUNTY - RARE AND/OR ENDANGERED					
Updated 3/1/94					
	SCIENTIFIC NAME	COMMON NAME	STATE/ FEDERAL STATUS	LOCATION	THREAT
	<i>Agrostis agristiglumis</i>	Awned bentgrass	C1	Small colony on bluff near Greyhound Rock	
	<i>Agrostis blaadalei</i>	Blasdale's bentgrass	C2	Few colonies in coastal grasslands, mostly Swanton/Greyhound Rock areas.	Threatened in part by agricultural conversion.
	<i>Amsinckia lunaris</i>	Bent-flowered fiddleneck		Small colonies on slopes in Swanton area.	No immediate threat?
	<i>Arabis blepharophylla</i>	Coast rock cress	C3c	One colony near Eagle Rock, purchased by Sempervivons Fund.	No immediate threat.
	<i>Arctostaphylos glutinosa</i>	Schreiber's manzanita	C2	Chalk ridges NE of Swanton, most of habitat owned by Lockheed.	Up to 1/3 population removed for fire suppression. Possible long-term threat from fire suppression.
	<i>Arctostaphylos hookeri</i> ssp. <i>hookeri</i>	Hooker's manzanita		Maritime chaparral in San Andreas/Calabasas area.	Threatened by residential development and competing exotics, especially Eucalyptus.
X?	<i>Arctostaphylos pajaroensis</i>	Pajaro manzanita		Collected in same area as <i>A. hookeri</i> , probably always rare in Santa Cruz Co.	Threats same as <i>A. hookeri</i> if not already extirpated in Santa Cruz County.
E	<i>Arctostaphylos silvicola</i>	Silver leaved manzanita	CE/C2	Zayante sandhills and Bonny Doon	Residential development and sand quarrying. Large population in Bonny Doon protected.
X	<i>Arenaria paludicola</i>	Marsh sandwort	CE/C1	Only colony at Camp Evers marsh in Scotts Valley habitat destroyed for golf course and trailer park.	Habitat destroyed.
	<i>Calyptridium parryi</i> var. <i>hesseae</i>	Santa Cruz Mtns pussypaws		Rare, few locations in sandy chaparral north of Watsonville, reported in Ben Lomond Mtn and Zayante sandhills.	More information needed on occurrences and threats
X	<i>Campanula californica</i>	Swamp harebell	C2	Only colony at Camp Evers marsh in Scotts Valley habitat destroyed for golf course and trailer park.	Habitat destroyed.
	<i>Campanula exigua</i>	Chaparral harebell		Two small colonies in Zayante sandhills.	No immediate threat?
	<i>Castilleja latifolia</i>	Monterey Indian paintbrush		Coastal dunes at Sunset Beach State Park and Pajaro Dunes.	Most of population removed by residential development. Threatened by invasive exotics - European beachgrass and Iceplant.
	<i>Ceanothus rigidus</i>	Monterey ceanothus	C2	Few plants in maritime chaparral in Calabasas area.	Threatened by residential development, competing exotics and fire suppression.
	<i>Chorizanthe pungens</i> var. <i>hartwegiana</i>	Ben Lomond Spineflower	FE	Zayante sandhills and Bonny Doon	Mining
	<i>Chorizanthe pungens</i> var. <i>pungens</i>	Monterey spineflower	C1	Sunset Beach and probably a few other sandy areas in south County but no recent collections.	More information needed on occurrences.
	<i>Chorizanthe robusta</i> var. <i>robusta</i>	Robust spineflower	FE	Found in a few sandy places in midcounty and Sunset Beach areas.	No immediate threat?
E	<i>Chorizanthe robusta</i> var. <i>hartwegii</i>	Hartweg's spineflower	C1	Restricted to a few flower fields in Scotts Valley	Threatened by proposed housing and golf course development.
KEY					
	E = Endemic to Santa Cruz County		STATE/ FEDERAL STATUS:	CE = State listed as Endangered	FE = Federally listed as Endangered
	X = Extirpated in Santa Cruz County			CR = State listed as Rare	C1 = Sufficient data to support federal listing
	† = Presumed extinct			CC = Candidate for State listing	C2 = Threat and/or distribution data insufficient to support federal listing
				PE = Proposed as Endangered	C3c = Determined too widespread and/or not threatened for federal listing

Santa Cruz County General Plan

CALIFORNIA STATE PLANT SPECIES OF CONCERN FOUND IN SANTA CRUZ COUNTY - RARE AND/OR ENDANGERED Updated 3/1/94					
	SCIENTIFIC NAME	COMMON NAME	STATE/ FEDERAL STATUS	LOCATION	THREAT
	<i>Collinsia franciscana</i>	San Francisco collinsia		A few colonies on slopes in Greyhound Rock and Swanton areas.	No immediate threat.
	<i>Cupressus abramsiana</i>	Santa Cruz cypress	CE/FE	Isolated groves in chaparral at Bonny Doon, Eagle Rock, Bracken Brae and above Smith Grade.	Some loss due to residential and vineyard development. Two colonies are publically owned.
X?	<i>Cypripedium fasciculatum</i>	Clustered lady's slipper	C3c	Formerly reported near Glenwood and Boulder Creek. No recent records.	Presumed extirpated in Santa Cruz County, possibly due to collecting.
	<i>Elymus californicus</i>	California bottlebrush grass	C3c	Isolated colonies in openings in woodlands in Swanton area and a few mid county areas.	Most colonies not threatened at this time.
E	<i>Erigonum nudum decurrens</i>	Zayante buckwheat		Zayante sandhills and a few sandy areas in south county.	Reduced by mining and residential development, but common in remaining habitat.
	<i>Erysimum ammophilum</i>	Coast wallflower	C2	Secondary coastal dunes at Sunset Beach and south to Monterey Co.	Threatened by iceplant
	<i>Erysimum franciscanum</i>	San Francisco wallflower	C2	Few small colonies on sandy bluffs in Greyhound Rock area; population is at the southern limit of its range.	Threatened by competition from iceplant
E	<i>Erysimum teretifolium</i>	Santa Cruz wallflower	CE/C1	Zayante sandhills and a small colony in Bonny Doon	Significantly reduced by quarrying. 2-3 populations protected, but largest population threatened by quarrying.
X?	<i>Fritillaria agrestis</i>	Stinkbells	C3c	Reported between Santa Cruz and Soquel, no recent records.	Probably lost long ago to agricultural and urban development.
	<i>Grindelia latifolia latifolia</i>	Coastal gumplant		Common in saltmarsh at Pajaro estuary and other places along the coast.	More common than originally considered; may be candidate for delisting.
E	<i>Gnaphalium zayanteense</i>	Zayante everlasting		Zayante sandhills	Probably much reduced by quarrying
	<i>Holocarpha macradenia</i>	Santa Cruz tarplant	CE/C1	A few colonies remaining in Watsonville area, Soquel/Live Oak area and at Graham Hill Rd.	Possibly all are currently or potentially threatened by various developments.
	<i>Horkelia cuneata ssp sericea</i>	Wedge leaved horkelia	C2	Coastal grasslands in Greyhound Rock area and possibly elsewhere	Probably much reduced by agriculture
	<i>Horkelia marinensis</i>	Pt. Reyes horkelia	C2	Native grasslands along Empire Grade	No immediate threat?
X?	<i>Lilium rubescens</i>	Redwood lily		Reported to occur south to Santa Cruz County. No recent records.	
	<i>Lomatium parvifolium</i>	Small leaved lomatium		A few found in maritime chaparral NW of Watsonville	Still extant? Possible threat from residential development.
	<i>Malacothamnus arcuatus</i>	Arcuate bushmallow		Few in chaparral near Big Basin	No immediate threats?
	<i>Microseris decipiens</i>	Santa Cruz microseris	C2	Few colonies in Greyhound Rock/Swanton area.	No immediate threats?
KEY E = Endemic to Santa Cruz County STATE/ X = Extirpated in Santa Cruz County FEDERAL † = Presumed extinct STATUS: CE = State listed as Endangered FE = Federally listed as Endangered CR = State listed as Rare C1 = Sufficient data to support federal listing C2 = Threat and/or distribution data insufficient to support federal listing C3c = Determined too widespread and/or not threatened for federal listing CC = Candidate for State listing					

Appendix B: Sensitive Habitat Plant and Animal Species

CALIFORNIA STATE PLANT SPECIES OF CONCERN FOUND IN SANTA CRUZ COUNTY - RARE AND/OR ENDANGERED Updated 3/1/94					
	SCIENTIFIC NAME	COMMON NAME	STATE/ FEDERAL STATUS	LOCATION	THREAT
E?	<i>Mimulus rattanii</i> ssp <i>decurtatus</i>	Santa Cruz County monkeyflower		Chaparral borders in Zayante sandhills	Probably reduced by mining and residential development.
	<i>Monardella undulata</i> var <i>undulata</i>	Curly leaved coyote mint		Zayante sandhills	Much reduced by mining and residential development.
X?	<i>Pedicularis dudleyi</i>	Dudley's lousewort	CR/C3c	Reported from redwood forest at San Lorenzo River and Aptos, but no recent records.	
	<i>Penstemon rattanii</i> ssp <i>kleel</i>	Santa Cruz Mountains beardtongue		Few small populations in Nisene Marks State Park and Ben Lomond Mountain.	No immediate threats?
	<i>Pentachaeta bellidiflora</i>	White rayed pentachaeta	CC/C2	Big Basin Quadrangle	
	<i>Perideridia gairdneri</i> ssp <i>gairdneri</i>	Gairdner's yampoh	C2	Colonies on native terrace grasslands, mostly midcounty area, some in Swanton area	Much reduced by agriculture and urban development; remaining colonies threatened
	<i>Pinus radiata</i>	Monterey pine		Only native groves in Swanton area.	Possible threats due to disease and genetic pollution by artificially planted hybrids
	<i>Piperia elongata</i> ssp <i>michaelli</i>	Michael's rein orchid		Few colonies along north coast.	Some reduction due to trampling, otherwise numbers mysteriously decreasing
	<i>Plagiobothrys chorisianus</i> var <i>chorisianus</i>	Chorist's popcornflower		Scattered colonies in wet places, north coast grasslands, etc.	
†	<i>Plagiobothrys diffusus</i>	San Francisco popcornflower	CE/C2	Presumed extinct, since rediscovered in grassland near Swanton and other places near Santa Cruz and Scotts Valley	Most colonies threatened by housing development.
	<i>Quercus lobata</i>	Valley oak		Best grove near corner of Zayante and Quail Hollow Rds, small groves and individual trees scattered throughout San Lorenzo Valley and other areas	Future of main grove is uncertain
X?	<i>Ranunculus tobbii</i>	Lobb's aquatic buttercup		Reported ly found in ponds and marshes south to central Santa Cruz County. No recent records.	
	<i>Ribes divaricatum</i> var <i>pubiflorum</i>	Straggly gooseberry		Fairly common in moist, brushy areas	No significant threats
	<i>Sanicula hoffmannii</i>	Hoffmann's sanicle	C3c	Several colonies in Last Chance Rd area	No immediate threats?
	<i>Silene verecunda</i> ssp <i>verecunda</i>	San Francisco campion	C2	Mudstone outcrops in Greyhound Rock area.	No immediate threats?
	<i>Stylocline amphibola</i>	Mt Diablo cottonweed		Scattered colonies on mudstone outcrops mostly in Greyhound Rock area, some in Scotts Valley area.	Scotts Valley colonies threatened by housing and golf course development.
	<i>Trifolium grayi</i>	West's clover		Colonies at isolated grasslands at Scotts Valley and a few other inland areas.	Threatened by housing and golf course development.
KEY					
	E = Endemic to Santa Cruz County		STATE/ FEDERAL STATUS:	CE = State listed as Endangered	FE = Federally listed as Endangered
	X = Extirpated in Santa Cruz County			CR = State listed as Rare	C1 = Sufficient data to support federal listing
	† = Presumed extinct			CC = Candidate for State listing	C2 = Threat and/or distribution data insufficient to support federal listing
					C3c = Determined too widespread and/or not threatened for federal listing

APPENDIX C

Appendix C consists of correspondence from Dwight Herr, County Counsel, to the Board of Supervisors which describes possible methods the County could utilize to help minimize the impact new development can have on school districts. This memo is based on state statutes in effect at the time it was written, and it is intended as a reference document for decision makers. As such, the information contained in the memo may be updated as needed without General Plan, LCP amendment or certification by the California Coastal Commission.

COUNTY OF SANTA CRUZ

INTER-OFFICE CORRESPONDENCE

DATE: April 20, 1994
TO: Board of Supervisors
FROM: Dwight L. Herr, County Counsel
SUBJECT: Mitigation Measures Regarding Impacts of Development
Projects on School Facilities

This is to respond to the Board's request for information about the possible use of the Mello-Roos Act as a mitigation measure with regard to the impact of development projects on school facilities.

For development projects requiring only a subdivision or development permit approval, Government Code Section 65996 specifies "the exclusive methods of mitigating environmental effects related to the adequacy of school facilities when considering the approval or the establishment of conditions for the approval" pursuant to CEQA or the State Subdivision Map Act. This list of exclusive methods for mitigating environmental effects relating to schools under CEQA includes provisions dealing with the lease/purchase of school facilities, acquisition of emergency classrooms, funding of school facilities through a school financing authority, and the lease of facilities from non-profit corporations, fees pursuant to Government Code Section 53080, financing of school facilities under the Mello-Roos Act, and fees pursuant to Government Code Sections 65970, et seq. (See Grupe Development Co. v. Superior Court (1993) 4 Cal.4th 911, holding that the only special taxes allowed under Government Code Section 65995 for school facilities would be pursuant to the Mello-Roos Act.)

Under the Mello-Roos Act, a school district may form a district for the purpose of financing school facilities. The creation of community facilities districts under the Mello-Roos Act is expressly exempt from local agency formation commission review. (Government Code Section 53318.5.) A resolution of intention to establish a community facilities district is to provide for a public hearing not less than 30 nor more than 60 days after the adoption of the resolution. (Government Code Section 53321.) Notice of the public hearing shall be published at least seven days prior to the hearing. (Government Code Section 53322.) At or before the time of the hearing, a report shall be submitted which describes the public facilities and services required to meet the needs of the district and the estimated costs of providing the costs and services. The resolution must specify the proposed

maximum special tax as a dollar amount which shall be calculated and thereby established not later than the date on which the parcel is first subject to the tax because of its use for private residential purposes, which amount shall not be increased over time more than two percent per year. (Government Code Section 53321.) At the conclusion of the public hearing, in the absence of a protest by more than 50 percent of the registered voters or owners of 50 percent or more of the area of land proposed to be included in the district, a resolution of formation can be adopted establishing the district. Any tax to finance such school facilities must be approved by a two-thirds vote of the voters of the proposed district. (Government Code Section 53325.1.) The proposed levy of special taxes by the community facilities district is required to be submitted to the voters within the community facilities district at least 90 days but not more than 180 days following the adoption of the resolution of formation. The vote shall be by the registered voters of the district provided that, if less than 12 persons are registered to vote within the proposed district, the vote shall be by the landowners of the proposed district with one vote allocated for each acre or portion of an acre of land owned within the proposed district. (Government Code Section 53326.) The election may be conducted by mail. (Government Code Section 53326.) An agency forming a community facilities district may sell bonds to pay for needed facilities, with the bonds to be repaid by special taxes which have been approved by the voters.

Under appropriate circumstances the County can condition approval of a development project upon the developer waiving any protests to inclusion of the development project within a proposed community services district for financing school facilities pursuant to the Mello-Roos Act or upon the developer participating in any other school facilities financing mechanism established by a school district in accordance with Government Code Section 65996. (Russ Building Partnership v. City and County of San Francisco (1988) 44 Cal.3d 839.) This mitigation would be in addition to the fees, charges, dedications and other school requirements which are subject to the statutory dollar limit for square foot of accessible space under Government Code Section 65995(b). A new program could be added to the General Plan under Policy 7.12.2 to read as follows:

"d. Consider imposition of additional condition on approval of a subdivision or residential development permit requiring the developer to waive any protest to any community facilities district proposed to be

established by a school district under the Mello-Roos Act to provide adequate school facilities, or requiring the developer to participate in any school facilities funding mechanism established by the school district pursuant to Government Code Section 65996 or pursuant to other statutory authorization then in existence. (Responsibility: Board of Supervisors, School Districts, Planning Department.)"

Under general law, any conditions imposed must be reasonable. (Nollan v. California Coastal Commission (1987) 483 U.S. 825; and Government Code Sections 66005, 65909(a), and 66475.4(b).) No development project requiring only a subdivision or development permit approval can be denied pursuant to CEQA or the State Subdivision Map Act on the basis of the inadequacy of school facilities. (Government Code Section 65996.)

The County is not limited as to the mitigation measures which it may consider for mitigating environmental impacts on school facilities from a project requiring a rezoning, or local coastal plan, specific plan, or general plan amendment. The County may also, pursuant to CEQA or the Subdivision Map Act, or County land use regulations, deny approval of a rezoning or local coastal plan, specific plan, or general plan amendment on the basis of the inadequacy of school facilities.

Under CEQA, the Board of Supervisors, in acting on applications for amendments to the County General Plan, specific plans, Local Coastal Plan, or rezonings, is the body designated by law to consider the adequacy of school facilities, and to determine whether to approve feasible mitigation measures for adverse school impacts, or whether to deny a proposal based on adverse school impacts or make a statement of overriding considerations notwithstanding that the project may have adverse school impacts. (Kliest v. City of Glendale (1976) 56 Cal.App.3d 770, 779.)

Very truly yours,

DWIGHT L. HERR, COUNTY COUNSEL



DLH:sf:bdsadequ.2hm
Attachments

cc: Jonathan Wittwer, Chief Deputy County Counsel
Deborah Steen, Assistant County Counsel

