

CALIFORNIA COASTAL COMMISSION

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 6/17/96



June 12, 1996

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TO: Commissioners and Interested Persons

FROM: Tami Grove, District Director
 Rick Hyman, Coastal Program Analyst

SUBJECT: **SANTA CRUZ COUNTY: CATEGORICAL EXCLUSION AMENDMENT NO. E-82-4-A4** For public hearing and Commission action at its meeting of July 9-12, 1996, to be held at the Waterfront Hilton Beach Resort, 21100 Pacific Coast Highway, Huntington Beach CA 92648.

SUMMARY OF STAFF REPORT**DESCRIPTION OF EXCLUSION REQUEST**

Santa Cruz County is proposing to amend its Categorical Exclusion by changing some terminology to its updated equivalent. "Within the Urban/Rural Boundary" is to be replaced with "Within the Urban Services Line or Rural Services Line." The County already has an exclusion (granted on November 19, 1982 and amended four subsequent times) from the coastal permit requirements for certain residential dwellings, agricultural facilities, wells, tree removal, land clearing, and lot line adjustments. The amendment does not change the substance of the granted exclusion. The amendment was filed on June 14, 1996. Since it is contained in the local coastal program the request doubles as a local coastal program amendment (see companion notice for Santa Cruz County Minor Amendment #1-96 scheduled for this same agenda).

The standard of review of such exclusions amendments is that the development(s) proposed for exclusion must have no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast; and that such exclusion will not impair the ability of local government to prepare a Local Coastal Program. A categorical exclusion may only be adopted after a public hearing and by a two-thirds vote of the appointed members.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission approve the proposed exclusion amendment as submitted by the County for the reasons given in this report. This request simply updates terminology; no Coastal Act issues are involved.

SUMMARY OF ISSUES AND COMMENTS

There are no known unresolved issues with the proposed amendments. No one participated in the local process.

ADDITIONAL INFORMATION

For further information about this report or the exclusion process, please contact Rick Hyman or Diane Landry, Coastal Commission, 725 Front Street, Suite 300, Santa Cruz, CA 95060; Tel. (408) 427-4863.

EXHIBITS

1. Full Text Of Proposed Exclusion Amendments
 2. Rural and Urban Service Line Definitions
 3. Previously Adopted Exclusion Conditions
 4. Excerpt from E-82-4 Adopted Findings (November 19, 1982)
 5. Excerpt from E-83-3 Adopted Findings (September 14-16, 1983)
 6. Excerpt from E-90-1 Adopted Findings (February 13, 1990)
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STAFF RECOMMENDATION

I. MOTION AND ORDER

APPROVAL OF EXCLUSION AMENDMENT #E-82-4-A4 AS SUBMITTED

MOTION:

I move that the Commission approve the exclusion request.

Staff recommends a "YES" vote. A two-thirds vote of the appointed members (i.e., at least eight Commissioners) are needed to approve this exclusion amendment.

SANTA CRUZ COUNTY CATEGORICAL EXCLUSION ORDER E-82-4-A4:

The Commission by a two-thirds vote of its appointed members hereby adopts an order, pursuant to Public Resources Code Section 30610(e) and 30610.5 which amends the previous order excluding the following categories of development in the designated areas of the coastal zone of the County of Santa Cruz from the permit requirements of the California Coastal Act of 1976. However, no development located on tide or submerged lands, beaches, lots immediately adjacent to the inland extent of any beach, or the mean high tide line of the sea where there is no beach and all lands and water subject or potentially subject to the public trust is excluded by this order. The Commission hereby orders that the following developments within the excludable area shall continue to not require a coastal development permit:

II. CATEGORIES OF EXCLUDED DEVELOPMENT:

- Previously excluded categories of residential and commercial development *within the Urban Services Line or Rural Services Line;*

- Previously excluded wells *outside the Urban Services Line or Rural Services Line.*

III. RECOMMENDED CONDITIONS

This Order of Categorical Exclusion is subject to all of the following terms and conditions pursuant to the referenced sections of the Coastal Act.

1. This Order, pursuant to Public Resources Code Section 30610, shall not become effective until the Executive Director of the Coastal Commission has determined in writing that the local government has taken the necessary action to carry out the exclusion order pursuant to Section 13244 of the California Code of Administrative Regulations (i.e., acknowledges receipt of this order and agrees to these conditions).

2. All conditions of Exclusion Order E-82-4, as modified by Exclusion Orders E-83-3, E-90-1, E-82-4-A, and E-82-4-A2 remain in full force and effect and apply to this revised excluded category of development as well (see Exhibit 3).

3. This exclusion applies only to the Urban and Rural Services Lines as defined in certified Section 17.020.030 of the Santa Cruz County Code (see Exhibit 2) and as mapped in the certified 1994 *General Plan and Local Coastal Program for the County of Santa Cruz* as of this date. Any revisions to these sections or maps shall be submitted to the Commission to consider as an amendment to this Exclusion Order before they take effect.

IV. RESCISION AND REVOCATION

Pursuant to Title 14 of the California code of Regulations Section 13243(e), the Commission hereby declares that the order granting this exclusion amendment may be rescinded at any time, in whole or in part, if the Commission finds by a majority vote of its appointed membership after public hearing that the terms and conditions of the exclusion order no longer support the findings specified in Public Resources Code Section 30610(e). Further, the Commission declares that this order may be revoked at any time that the terms and conditions are violated.

V. RECOMMENDED FINDINGS

A. NO POTENTIAL FOR ADVERSE IMPACTS

The Commission hereby finds and declares for the following reasons, pursuant to Public Resources Code Section 30610(e), that this exclusion amendment, as conditioned, presents no potential for significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast.

The Commission previously made this finding for certain residential projects of one to four units within the urban portion of the urban/rural boundary on November 19, 1982 (see Exhibit 4). No circumstances have changed since then that would alter the findings. However, the County has since eliminated the term "urban/rural boundary," in favor of "urban service area" or "rural service area," depending on location (see Exhibit 2). The designated urban and rural service areas are exactly the same as the areas within urban portion of the urban/rural boundary when the exclusion was first adopted.

Similarly, the Commission made this finding for certain commercial development within the urban portion of the urban/rural boundary at its September 14-16, 1983 meeting (see Exhibit 5).

Finally, on February 13, 1990 the Commission approved an exclusion for certain wells provided that they were outside of the area designated as urban by the urban/rural boundary. Again, the Commission made findings that there would be no adverse impacts, and circumstances have not changed (see Exhibit 6).

Since the County already has a certified Local Coastal Program, this action has no effect on its preparation.

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Commission adopted a Negative Declaration for each of the three cited exclusion actions. Since the amendment does not change the environmental consequences of the original exclusion, the findings of the Negative Declarations remain applicable. The County has found, and the Commission concurs, that these definitional changes are not a project under CEQA guidelines (Section 15061(b)(3)). For the reasons outlined in the preceding findings, Commission finds that there is no possibility that this exclusion amendment will have a significant effect on the environment for purposes of the California Environmental Quality Act.

**SANTA CRUZ COUNTY CATEGORICAL
EXCLUSION AMENDMENT NO. E-82-4-A4**

EXHIBIT 1

FULL TEXT OF PROPOSED AMENDMENTS

CHANGES SHOWN BY ARROWS IN MARGIN (←)
CHANGES INDICATED BY STRIKE-OUTS AND HIGHLIGHTS
AS ADOPTED BY SANTA CRUZ COUNTY
(CLEAN COPY OF ADOPTED ORDINANCE ON FILE AT COMMISSION OFFICE)

SECTION XX

Subsection (a) of Section 13.20.071 of the County Code is hereby amended to read as follows:

13.20.071 RESIDENTIAL DEVELOPMENT. 1 to 4 UNIT EXCLUSION.

- (a) Except as indicated in subsection (b) below, the exclusion for residential development is for projects as described below on lands within the ~~Urban/Rural Boundary~~ Urban Services Line or Rural Services Line, and where designated as a principal permitted use under the applicable zone district:

The construction, reconstruction, demolition, repair, maintenance, alteration or addition to any 1 to 4 unit residential development or accessory structure on legal lots or lot combinations or record on the date of Local Coastal Program certification, and at densities specified in the Land Use Plan.

SECTION XXI

Subsection (a) of Section 13.20.072 of the County Code is hereby amended to read as follows:

13.20.072 COMMERCIAL DEVELOPMENT EXCLUSION.

- (a) Except as indicated in subsection (b) below, the exclusion for commercial development includes the following:
1. The construction, reconstruction, demolition, or alteration in size of any commercial structure less than 2000 square feet in size, on legal lots of record within the ~~Urban/Rural Boundary~~ Urban Services Line or Rural Services Line.
 2. Commercial change in use in an existing structure.

SECTION XXII

Subsection (d) and (e) of section 13.20.078 of the County Code are hereby amended to read as follows:

13. 20.078 COASTAL EXCLUSION FOR WELLS. Construction of a well or test well on undeveloped land for the purpose of providing domestic water and fire protection for one single family dwelling is excluded, provided that the land is not:

- (a) In an area designated as groundwater emergency pursuant to Chapter 7.70.
- (b) In an area designated by a water agency or a State agency with jurisdiction as an area subject to saltwater intrusion.
- (c) In an appealable area of the coastal zone as designated in Chapter 13.20, Sections 13.20.122 (a) and (b).
- (d) In an area designated as a sensitive habitat in the General Plan and Local Coastal Program Land Use Plan.
- (e) In an area designated within the ~~Urban/Rural Boundary~~ Urban Services Line or Rural Services Line in the General Plan and Local Coastal Program.

Currently Certified Definitions:

(h) Urban Services Line (USL). A boundary, defined by the County General Plan, which distinguishes areas which are to remain rural from areas planned to accommodate urban densities of development the pattern of existing urban services and those projected to be established in the same planning period.

(i) Rural Services Line (RSL). A boundary defined in the General Plan and Local Coastal Program Land Use Plan defining those areas located outside the Urban Services Line which have recognized urban densities which may or may not have full urban services; specifically including, but not limited to Davenport, La Selva Beach, Sand Dollar Beach/ Canon del Sol, Sunset Beach, and Pajaro Dunes.

Previous Definition:

(1) Urban/Rural Boundary (URB). A boundary defined in the Local Coastal Program Land Use Plan, which is coincident with the Urban Services Line in the Coastal Zone but, in addition, includes and defines the limits of designated urban density areas which exist outside of the Urban Services Line; specifically including Davenport, La Selva Beach, Sand Dollar Beach/ Canon del Sol, Sunset Beach, and Pajaro Dunes. (Ord. 2657, 4/10/79; 3327, 11/23/82; 3929, 6/28/88)

EXHIBIT NO. 2
APPLICATION NO. E-82-4-A4
Rural + Urban Service Line Definitions

ADOPTED

Coastal Act of 1976.

- 5. Boundary adjustments which do not result in an increase in the number of building sites, buildable lots, or density of permitted development.
- 6. Grading of less than 50 cubic yards in rural areas, and grading of less than 100 cubic yards in urban areas, as defined by the Urban/Rural Boundary established by the certified Land Use Plan maps.

This type of development is not exempt from coastal permit requirements in the following cases:

- a. Within 100 feet of any wetland, estuary, stream or within 300 feet of the top of the seaward face of any coastal bluff or any area defined as "riparian habitat", sensitive habitats", or their buffer zones by the certified Land Use Plan and so designated on the Land Use Plan maps,
 - b. On natural slopes greater than 25%.
7. Development authorized by the following permits:
- a. Encroachment Permits, outside of the appeal jurisdiction of the California Coastal Commission.
 - b. Street Closure Permits, outside of the appeal jurisdiction of the California Coastal Commission.

II. CONDITIONS

1. This exclusion shall not become effective until the County of Santa Cruz has a fully-certified Local Coastal Program and permitting authority has been delegated by the Commission pursuant to section 30519 of the Coastal Act.

2. Agriculturally-Related Development

Building construction or expansions of more than 2000 square feet of ground area in rural scenic corridors shall comply with Section 13.21.140(c)4 of the County Code, "Design Criteria for Coastal Zone Developments" and any local authorization of this type of development must include a finding that the proposed development does comply with Section 13.21.140(c)4 of the County Code.

Notwithstanding the above, agriculturally-related development which include land clearing, grading or removal or major vegetation is not exempt from coastal permit requirements unless the proposed land

EXHIBIT NO. 3
APPLICATION NO. E-82-4-A4
Previously Adopted
Exclusion Conditions

clearing, grading or removal of major vegetation is also categorically excluded under the terms of this order.

The improvement and expansion of existing agriculturally-related processing plants, mushroom farms or greenhouses may be exempted from coastal permit requirements only one time per record parcel of land pursuant to this exclusion. If improvement or expansion is proposed after such development pursuant to this exclusion has been carried out, then a coastal development permit must be obtained for the subsequent development.

The water pollution control facilities may be exempted from coastal permit requirements so long as any grading, land clearing or other landform alteration required as a part of the development is itself exempt under the terms of this order.

3. Mapping

This order of categorical exclusion shall not be implemented until the County submits to the Executive Director of the Coastal Commission and the Executive Director approves, in writing, a map depicting all of the following:

- a. The geographic area excluded by Commission order,
- b. The zoning designations of the excluded area,
- c. The areas of potential public trust (areas subject to the public trust are seaward of the line of potential public trust and will be adequately depicted),
- d. All coastal bodies of water, riparian corridors, and wetlands as may be shown on any Land Use Plan Resources Maps, or Background Studies,
- e. The boundaries of all lots immediately adjacent to the inland extent of any beach, or of the mean high tide line of the sea where there is no beach,
- f. A map note which clearly indicates that the written terms of this order should be consulted for a complete listing of non-excludable developments. The note shall, to the maximum extent practicable, indicate the topical areas which are non-excludable. It shall state that no development within one hundred feet from the upland limit of any stream, wetland, marsh, estuary, or lake, is excluded by the terms of this order, regardless of whether such coastal waters are depicted on the exclusion map, or not. The map note shall further state that where the natural resource, environmentally sensitive habitat, open space or other similar policies of the certified Local Coastal Program specify a geographically larger area of concern for natural resources, then no development shall occur in the area described in the Local Coastal Program unless authorized by a coastal development permit.

EXHIBIT

3 continued

ADOPTED

4. Determination by Executive Director

The order granting a categorical exclusion for these categories of development in the County of Santa Cruz, pursuant to Public Resources Section 30610, shall not become effective until the Executive Director of the State Coastal Commission has determined in writing that the local government has taken the necessary action to carry out the exclusion order pursuant to Section 13244 of the Coastal Commission regulations.

5. Exclusion Limited to Coastal Permits

This exclusion shall apply to the permit requirements of the Coastal Act of 1976, pursuant to Public Resources Code Section 30610(e) and 30610.5(b), and shall not be construed to exempt any person from the permit requirements of any other federal, state or local government agency.

6. Records

The County shall maintain a record of any other permits which may be required for categorically excluded development which shall be made available to the Commission or any interested person upon request, pursuant to Section

7. Notice

Within five (5) working days of the issuance of a permit in conformity with this order of categorical exclusion the County shall provide notification of such issuance on a form containing the following information to the office of the Central Coast District Office, and to any persons who in writing requested such notice. Unless the County provides such notification to the District Office, the development will not be exempted from coastal development permit requirements under this order.

- i) developer's name,
- ii) street address and assessor's parcel number of property on which development is proposed
- iii) brief description of development
- iv) date of application for other local permit(s)
- v) all terms and conditions of development imposed by local government in granting its approval.

8. Conformity with LCP

Development under this exclusion shall conform with the County of Santa Cruz Local Coastal Program in effect on the date this exclusion is adopted by the Commission or to the terms and conditions of this

EXHIBIT

3 continued

ADOPTED

exclusion where such terms and conditions specify more restrictive development criteria.

9. Amendment of LCP

In the event an amendment of the Local Coastal Program of the County of Santa Cruz is certified by the Coastal Commission pursuant to section 30514 of the Coastal Act, development under this order shall comply with the amended Local Coastal Program, except where the terms and conditions of this order specify more restrictive development criteria. However, such amendment shall not authorize the exclusion of any category of development not excluded herein, nor shall such amendment alter the geographic areas of the exclusion.

10. Non-exclusion of Buffer Zone

This order does not exempt any development within one hundred feet, measured horizontally, from the high water mark of any coastal body of water, stream, wetland, estuary, or lake, regardless of whether such coastal waters are depicted on the exclusion map, or not.

11. Limitation

Any development not falling within this exclusion remains subject to the coastal development permit requirements of the Coastal Act of 1976.

III. FINDINGS AND DECLARATIONS

The Commission hereby finds, for the reasons set forth below, that this exclusion, as conditioned, presents no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along the coast.

The Commission finds that for the same reasons that this exclusion will have no potential for any significant effect, either individually or cumulatively, on coastal resources, this exclusion will have no significant effect on the environment for purposes of the California Environmental Quality Act of 1970.

The Commission further finds and declares as follows:

1. Provisions for Categorical Exclusions

Specifically, Public Resources Code Section 30610(d) states that no coastal development permit shall be required for...

"Any category of development within a specifically defined geographic area, that the Commission, by regulation, after public hearing, and by two-thirds vote of its appointed members, has described or identified with respect to which the Commission has found that there is no potential for any significant, adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along the coast and that such

EXHIBIT

3 continued

merely eliminates the requirement for a coastal permit in addition to obtaining the Significant Tree permit under Ordinance 16.21.

The Commission finds that adequate protection of scenic resources as required by Coastal Act Sections 30251 and 30253 will continue in the granting of this exclusion order for removal of trees and construction of 1-4 residential units in the coastal zone of Santa Cruz County.

7. Locating New Development Public Services

Public Resources Code Section 30250(a) provides:

ADOPTED

(a) New development, except as otherwise provided in this division shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services, and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

Additionally, Section 30254 requires that new development be capable of being served by public services (such as roads, water, sewer) without precluding service capacities of Coastal Act priority uses, such as recreation and other visitor-serving facilities.

The exclusions that directly relate to these two sections are for 1-4 residential units and for boundary adjustments. The Commission has found that the Santa Cruz County LCP adequately plans for new development that can be handled by existing service capacities and reserves a portion of new capacities for priority uses. The exclusion is only for residential units within the urban portion of the urban/rural boundary. Adequate public services exist within the urban area to serve residential and coastal priority uses in the urban area. This greatly minimizes any possible adverse impacts that new residential construction may have.

Boundary adjustments, as ordered, are also consistent with Coastal Act Policies 30250 and 30254, as they are excluded from coastal permit requirements only if they do not result in an increase in the number of building sites, buildable lots, or density of permitted development.

As such, the Commission finds these two exclusions consistent with the relevant Coastal Act policies.

IV. RESCISSION AND REVOCATION

Pursuant to Title 14 of the California Administrative Code Section 13243(e) the Commission hereby declares that the order granting this exclusion may be rescinded at any time, in whole or in part, if the Commission finds by a majority vote of its appointed membership after public hearing terms and conditions of the exclusion order no longer support specified in Public Resources Code Section 30610(e). Further the Commission declares that this may be revoked at any time the conditions of the order are violated.

EXHIBIT NO. 4
APPLICATION NO. E-82-4-A4
Excerpt from E-82-4
Adopted Findings

ADOPTED

The Commission therefore finds that the exclusions are consistent with Coastal Act Sections 30251 and 30253(5).

5. Locating New Development Public Services

Public Resources Code Section 30250(a) provides:

"(a) New development, except as otherwise provided in this division shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services, and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources."

Additionally, Section 30254 requires that new development be capable of being served by public services (such as roads, water, sewer) without precluding service capacities of Coastal Act priority uses, such as recreation and other visitor-serving facilities.

The additional residential exclusions as well as the new commercial exclusion proposed by the County are within the established urban/rural boundary. Adequate public services exist within the urban area to serve the planned land uses including priority uses. In certifying the County's LCP, the Commission made the finding of adequate services and that a portion of new capacities will be reserved for priority uses. This development proposed for exclusion from the coastal permit requirement will not need to be scrutinized in terms of consistency with Sections 30250 and 30254 of the Coastal Act and as such, the Commission finds approval of the exclusions consistent with these Sections.

6. Termination of One Exclusion

The County wishes to terminate the previously approved exclusion for "minor" permits (street closures and encroachments). According to the Commission's Regulations, Section 13224, the "local government may at any time terminate the request for exclusion and such termination shall void the order granting the exclusion and reinstate the development controls of the Coastal Act". The Commission therefore acknowledges this request and the termination of the exclusion for minor permits in Exclusion Order E-82-4.

IV RESCISSION AND REVOCATION

Pursuant to Title 14 of the California Administrative Code Section 13243(e) the Commission hereby declares that the order granting this exclusion may be rescinded at any time, in whole or in part, if the Commission finds by a majority vote of its appointed membership after public hearing that the terms and conditions of the exclusion order no longer support the findings specified in Public Resources Code Section 30610(e). Further, the Commission declares that this may be revoked at any time that the terms and conditions of the order are violated.

EXHIBIT NO. 5

APPLICATION NO.
E-82-4-A4

Excerpt from E-83-3
Adopted Findings

ADOPTED

This exclusion is written so as not to apply to areas designated as sensitive habitats in the Local Coastal Program Land Use Plan. The LCP contains both generalized habitats maps and specific definitions and procedures for designation. Included are areas adjacent to essential habitats of rare and endangered species. Additionally, a well permit will still be required pursuant to Chapters 7.70 and 7.73, which are part of the certified Local Coastal Program. Thus, any revisions to these standards will require Coastal Commission approval. Pursuant to Chapter 7.70, "Well permit applications shall be consistent with Chapter 16 of Santa Cruz County Code pertaining to Environmental and Resource Protection" which contains policies to protect habitats and buffer areas.

The Commission, therefore, finds that the Exclusion in this order is consistent with Coastal Act Section 30240 and will have no significant adverse impacts on sensitive habitats.

3. Locating New Development

Public Resources Code Section 30250(a) provides that:

- (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have a significant adverse effects, either individually or cumulatively, on coastal resources.

Additionally, Section 30254 requires that new development be capable of being served by public services (such as roads, water, sewer) without precluding service capacities for priority uses such as recreation and other visitor serving facilities.

The certified Local Coastal Program locates an appropriate level of development in the County's coastal zone. Following Section 30250a, future growth is concentrated in urban areas, while rural densities are low. This exclusion does not alter these densities, allowing only wells to serve one single family dwelling per parcel. The residence itself would still be subject to permit requirements. County well standards would remain in effect to ensure that adequate water is available to serve the development.

Wells may be permitted in urban areas. Therefore, if a public water system for some reason was unable to supply water, people may still be able to develop using wells. The cumulative impacts on the groundwater basin could be significant. Therefore, this exclusion does not apply to urban areas, in addition to not applying to areas designated as groundwater emergencies or subject to saltwater intrusion. With all these limitations, consistency with Sections 30250a and 30254 is achieved.

EXHIBIT NO. 6
APPLICATION NO. E-82-4-A4
Excerpt from E-90-1
Adopted Findings

ADOPTED

4. Water Resources

Coastal Act Section 30231 requires the protection and, where feasible, restoration of the biological productivity and quality of coastal waters, streams, wetlands, and estuaries through, among other means, controlling runoff and maintaining natural vegetation buffer areas that protect riparian habitats.

This exclusion simply means that some test and permanent wells in rural areas will not require coastal permits. Areas with possible impacts -- those subject to saltwater intrusion or designated as a groundwater emergency -- are not excluded. A groundwater emergency is designated for "areas demonstrated to be experiencing a groundwater overdraft exceeding the safe yield" pursuant to Section 7.70.130 of the County Code and Certified LCP. (See attachment.)

Well permits, issued by the Environmental Health Department, are still required. The standards are and will remain incorporated in the Local Coastal Program. They address water quality concerns. The rural areas of the County are some 76% built out and the County growth rate is limited on an annual basis. This exclusion only applies to one residence per vacant parcel. With all these limitations, there is no potential for adverse cumulative impact on water resources from this exclusion and consistency with Section 30231 as achieved.

5. Local Coastal Program

Since Santa Cruz County already has a fully certified Local Coastal Program, this exclusion will not impair its ability to prepare one.

V. PROPOSED NEGATIVE DECLARATION

The Commission hereby adopts a Negative Declaration for Categorical Exclusion E 90-1 as follows. The Commission has prepared an Initial Study for this project (attached) and has circulated this proposed Negative Declaration pursuant to the California Environmental Quality Act.

1. Project Description

The categorical exclusion by the California Coastal Commission pursuant to Public Resources Code Section 30610(e) and 30610.5(b) from the permit requirements of the Coastal Act of 1976 for the following category of development in designated areas for the coastal zone of the County of Santa Cruz:

Construction of a well or test well on undeveloped land for the purpose of providing domestic water and fire protection for one single family dwelling is excluded, provided that the land is not:

- (a) in an area designated as groundwater emergency;

EXHIBIT
6 continued

