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CALIFORNIA COASTAL COMMISSION

City of Watsonville
Local Coastal Program
Major Amendment Number 1-99
Public Hearing Staff Report
March 16, 2000 – Item Th9a

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C.F.L. 3/2/00

Th9a

March 1, 2000

To: Coastal Commissioners and Interested Persons

From: Peter Douglas, Executive Director
Tami Grove, Central Coast Deputy Director

Subject: Proposed City of Watsonville Local Coastal Program Major Amendment Number 1-99. For public hearing and Coastal Commission action at its meeting of March 16, 2000 to be held at the Carmel Mission Inn at 3665 Rio Road in the City of Carmel-by-the-Sea.

Staff Note

Due to the high visibility and controversial nature of this LCP amendment, the complexity of the land use issues raised, and the broader social and educational implications associated with this matter, this staff note is provided to add perspective to the staff's recommendation.

Staff obviously recognizes the great need for an additional high school to serve a growing student population currently housed in overcrowded facilities. Additionally, staff strongly acknowledges and is keenly aware of the importance to the affected student population, the community, our society and the environmental future wellbeing of the state, the nation and the planet of a strong, comprehensive secondary educational program offered in facilities that are conducive to and supportive of a stimulating and enriching learning experience. So questions of need for another high school and the vital importance of education are not at issue in these deliberations. They are an obvious given.

Indeed, it is in recognition of the need for another high school and the importance of education that the staff has gone to extraordinary lengths to work with school district and City of Watsonville officials, to exercise discretion, and to be as flexible as possible to craft recommendations that accommodate both the needs of the district and meet Coastal Act requirements. Unfortunately, the site selected for the new high school is subject to severe constraints including public safety (nearby airport), environmentally sensitive habitat, urban expansion, agricultural lands, and infrastructure. Since 1993, Commission staff has made clear that this site was seriously problematic, and has maintained that alternative sites were superior from the perspective of Coastal Act considerations. Nonetheless, the staff does not now challenge the PVUSD's selection of the proposed site for the new high school in this staff report. The fact is, the proposed site was selected and is the subject of the proposed LCP amendment and must be evaluated and addressed in the context of land use requirements of law.

It is the Commission's staff responsibility to make the best professional judgement it can applying the law (i.e., Coastal Act) to the facts. Staff has been as flexible and accommodating in this matter as possible. It is now up to the Commission to consider all the evidence and to make the policy judgements it deems appropriate under the circumstances.

Finally, staff wishes to express sincere appreciation to all the interested parties who have worked with staff in a professional and constructive manner notwithstanding the often emotional and political nature of some of the issues raised. While some disagreements remain, the fact the parties have agreed to disagree in a mutually respectful and professional way is commendable and is certainly the way staff intends to continue to carry out its duties and responsibilities under the law.

Executive Summary

The City of Watsonville is proposing changes to its certified Local Coastal Program (LCP) to facilitate the construction of a new, 2,200 student high school for the Pajaro Valley Unified School District. Although within the City limits, the proposed school site lies west of Highway One in a rural area; the site is composed exclusively of agricultural fields, wetlands, and environmentally sensitive habitat. In recognition of these significant resource constraints, the current certified LCP limits non-agricultural development on the site to 10% total impervious surface, prohibits development on slopes over 15%, and identifies wetlands and sensitive upland habitat constraints. Non-agricultural development is also a *conditional* use, limited to large lot residential (approximately 20 homes) and non-nuisance light industrial, that is allowable only if agriculture is shown to be infeasible, and if consistent with other performance standards.

To allow for the proposed public school use, the City is proposing to modify performance standards for site development, including allowing up to 50% impervious coverage and development on slopes up to 25%, and redelineating the extent of Hanson Slough and the West Branch of Struve Slough and associated upland habitat. As discussed below, staff recommends that the LCP amendment be denied as submitted because it is inconsistent with Coastal Act policies related to growth inducement west of Highway One and the destabilization of this urban-rural boundary; conversion of prime agricultural lands; impacts to sensitive wetlands and upland habitat in the Slough system; hazards and public safety; and protection of sensitive visual resources. Overall, though, **staff is recommending that the Commission APPROVE the LCP Amendment to facilitate the High School if it is modified to address Coastal Act requirements.** Modifications include provisions to: provide for a stable urban-rural boundary, including limitations on future utility extensions on to County agricultural lands; redelineate ESHA in Area C to protect wetlands and associated sensitive habitat; setback future development to protect wetlands, habitat, visual resources, and minimize landform alteration; provide agricultural buffers; and ensure public safety associated with the nearby airport. As discussed in detail in these findings, as modified, the LCP amendment would provide a future school development envelope of approximately 42 acres[1], provided other potential site limitations can be adequately addressed.

[1] All acreage calculations for the subject site are based digitized data geo-referenced to a photo mosaic of known projection. Although internally consistent, calculations are subject to error. They do not necessarily conform to other acreages or representations in the City of Watsonville submittal and EIR. Total site acreage is approximately 10% greater

Description of Proposed Amendment

The City of Watsonville is proposing changes to its certified Local Coastal Program for an area west of Highway One known as "Area C." The 139 acre Area C site is composed exclusively of agricultural fields and wetlands in a rural, agricultural area. It is, however, at the edge of Watsonville within the City limits; it is one of the three locations where the City's boundary crosses Highway One (approximately 7.5% of the City is east of Highway One). The City has had long-standing plans to urbanize the site. However, because the Coastal Act applies to the area, the certified LCP shows continued agricultural uses, with the possibility of very limited residential or light industrial use. Nevertheless, the City participated with the Pajaro Valley Unified School District (PVUSD) and others in selecting this site for development of a needed new high school. Thus, the City is requesting approval of all of the following changes to their certified local coastal program (both land use plan and zoning) to allow the site to be urbanized and to accommodate the proposed high school:

- Designate approximately 76 acres of the roughly 139 acre Area C site as "Area F";
- Increase from 10% to 50% the allowable impervious surface coverage on proposed Area F;
- Add areas from 15% slope to 25% slope as lands that can be developed on proposed Area F;
- Decrease by approximately 10 acres (or by three-quarters) the area delineated as environmentally sensitive habitat area (ESHA) on Area F;
- Allow development on environmentally sensitive habitat areas that are less than 0.1 acre in size on proposed Area F;
- Add public schools as a conditional use on proposed Area F; and
- Modify required findings that allow for agricultural conversion.

Staff Recommendation

This staff recommendation is in four parts. The first two parts recommend denial of the proposed amendment as submitted. The second two parts suggest a series of modifications to the amendment to allow it to be approved for the limited purpose of facilitating a new public school.

Parts 1 & 2: Denial as Submitted

The proposed Land Use Plan and Implementation Plan Amendments must be denied as submitted because they do not conform to the California Coastal Act. The proposed amendment would result in intensified development of a site in Southern Santa Cruz County that is composed solely of agricultural

than that cited in these documents and on the County GIS system. Resultant intensity and development calculations are all based on this report's acreage calculations. Other acreage citations in this report are based on GIS data provided by the County of Santa Cruz.

land and wetlands and related upland habitat. These two types of coastal land are both afforded a high level of protection under the Coastal Act. The site in question is also very scenic, presenting a pastoral, undeveloped landscape when viewed from Highway One, Harkins Slough Road, Lee Road, and beyond. Such visual resources are also protected under the Coastal Act. The proposed amendment would increase the allowable impervious surface coverage on proposed Area F by over 300%, allow development on roughly 15 additional acres of steep slopes, allow fill of wetland and related upland habitat areas, and would allow for the development of a major public high school facility (currently planned by PVUSD for over 200,000 square feet, approximately 4 acres of building coverage and 14 acres of other impervious coverage, including an 800 space parking lot) in a coastal zone area heretofore occupied by low-intensity rural uses.

More specifically, the proposed amendment to intensify use of the site can not be approved for the following reasons:

- It places an urban level use in a rural area where it will also have adverse resource impacts, which is inconsistent with Coastal Act Section 30250.
- It fails to uphold the current urban-rural boundary and provides no significant measures to reestablish a new stable urban-rural boundary. Instead, through the lack of constraints placed on services and roads, the amendment provides significant growth incentives for and thus a likelihood that there will be future growth in what is now a rural area, inconsistent with Section 30254.
- It does not maximize prime agricultural land preservation but rather, results in a reduction of prime agricultural land inconsistent with Coastal Act Section 30241.
- It does not minimize conflicts between agricultural and urban land uses and fails to satisfy any of the five specific criteria for doing so under Coastal Act Section 30241.
- It does not recognize the extent of the habitat on site; rather it reduces what the City itself had previously delineated as habitat based on inadequate evidence. This reduction allows for some of this habitat to be developed with uses that are not allowed by Sections 30233 or 30240; other habitat will likely have to be developed for improvements to the site, thus leading to an inconsistency with these Coastal Act policies.
- It contains inadequate buffers or criteria for development to prevent adverse impacts on the remaining habitat from the increased noise, activity and runoff associated with the more intensive development that it allows. This is inconsistent with Coastal Act Sections 30231, 30233, and 30240.
- It is not designed to protect views to the coast and scenic areas as required by Coastal Act Section 30251. Rather, it greatly lessens the protections built into the current LCP by virtue of the more intensive development that it will allow.
- It does not minimize alteration of natural land forms, as also required by Section 30251. The more intensive development and the loosening of the slope building restrictions will potentially result in greater landform alteration.

- It will not result in a design including external non-structural treatments that is visually compatible with the character of the surrounding rural agricultural area, as also required by Section 30251. Rather, it will result in the introduction of an intensive, urban element into this rural agricultural landscape.
- It does not address hazardous conditions as required by Coastal Act Sections 30250 and 30253

If the Coastal Commission limits its action to a denial of the proposed amendment as submitted, then the currently certified policies remain effective. These policies most likely would assure continued agricultural use of the land and maintenance of the existing habitat. If agricultural uses are no longer feasible, there is some potential for limited residential, recreational, or light industrial use (no more than 10% impervious site coverage, ESHA excluded, on the gently sloping upper plateau of the site).

Parts 3 & 4: Approval Only If Modified (Both Land Use Plan & Implementation Plan Amendments)

Although Commission staff has expressed its serious concerns with the proposed high school at the Harkins Slough Road site since at least 1993, the School District and the City have nonetheless identified the site as the only viable location for the much needed third District High School and brought forward the LCP amendment. The Coastal Commission does have the authority to suggest modifications to the proposed amendment that the City of Watsonville may then choose to adopt. Staff has prepared a second recommendation that consists of a series of modifications that the Coastal Commission can suggest to the City that would allow a public high school to be built on the subject site consistent with Coastal Act requirements. These criteria would not allow the exact development design that the District has already commissioned, but would allow for a high school of at least 2000 students, and possibly the full 2,200 students if certain design adjustments are made (e.g., minimizing onsite parking). The Table below compares the developable area and impervious surface coverages allowed under the current LCP, the proposed amendment, and the suggested modifications to the LCP amendment.

Comparison of Development Scenarios on Area C[2]

	Maximum Developable Area (acres)	Maximum Impervious Coverage (acres)
Current LCP	63	10
Proposed LCP Amendment	86	40
Suggested Modifications applied to Public School	42	18
Suggested Modifications applied to all other development	8	7

[2] The "proposed" category includes the total of proposed Area F plus the remainder of Area C. In each case, the maximum "developable area" requires all other plan polices to be met. For example, under current LCP policies, Area C could only develop with non-agricultural, non-ESHAs uses if continued agricultural use were demonstrated to be infeasible.

If the Commission adopts the suggested modifications and the City accepts them, then the District could apply to the City for a coastal development permit for a high school that meets these criteria. With respect to the school site, these suggested criteria include:

- Setting back the school facilities to protect adjacent agricultural uses and environmentally sensitive slough habitat, including redelineation of the ESHA on Area C, as well as to protect visual resources and minimize natural landform alteration;
- Requiring restoration of wetland upland habitat areas;
- Employing various practices and designs to prevent pollutants from running off of the school site into the wetlands;
- Limiting lighting to avoid disturbance of the species who frequent the wetlands;
- Accessing the school from either a bridge on Harkins Slough Road or from West Airport Boulevard to avoid filling West Branch Struve Slough and/or Hanson Slough wetlands;
- Servicing the school with water and sewer lines from one common point under Highway One to prevent growth inducement west of Highway One;
- Placing a Utility Prohibition Overlay District around the perimeter of the City coastal zone lands west of Highway One to address growth inducement;
- Designing the road and utilities so that they end into the school and do not stub out beyond; this will also discourage additional growth in the area;
- Securing approval from the Division of Aeronautics that the school site is safe in light of its proximity to the City of Watsonville Airport;
- Designing the school facilities to be compatible with the character of the surrounding rolling hill landscape;

These criteria will need to be supplemented by various legal procedures and mechanisms, such as zoning map changes, a binding resolution, easement provisions, and right-to-farm and hold harmless guarantees that the City of Watsonville will have to implement. The purposes of this package are two-fold: to ensure that the school is built in an environmentally sensitive manner, and to ensure that the building of the school and its attendant facilities (e.g., improved road, sewer extension, water extension) does not lead to further intensified development in this rural, agricultural area and significant wetland ecosystem. The overall effect of the resource constraints at the Harkins Slough site on the potential developable area of Area C is shown in Figure 1.

Figure 1: Recommended Area C Development Envelope

ESHA*
ESHA Buffer
Agricultural Setback
Recommended Development Envelope
Farm Road
Coastal Zone Boundary

N
500 0 500
Feet

- NOTE -
The information depicted on this map is subject to revision. Locations approximate. For illustrative purposes only.

*ESHA designation over West Branch Struve Slough also protects visual resources and minimizes land form alteration.

Data Source: Watsonville LCP Major Amendment 1-99 Administrative Record.
Photo Source: Air Flight Service. 6/22/1994.

Technical Services Division
California Coastal Commission

GMB, JVC 2/00

Staff Report Contents

Executive Summary 2
Findings and Declarations 12

1. Watsonville LCP Background **12**

A. Watsonville Coastal Zone Location 12
B. LCP Framework 12
C. LCP Procedural History 13
1. Land Use Plan 13
2. Implementation Plan 13
3. Previous LCP Amendments 14
4. City-Issued Coastal Development Permits 14

2. Proposed Amendment Background and Description **15**

A. Applicability of Amendment 15
1. Site Description (Existing Area C) 15
2. Site Description (Proposed Area F) 15
B. Amendment Procedural History 16
1. Pajaro Valley Unified School District (PVUSD) 16
2. Planning History for Proposed Third High School Project 16
A. Initial Site Selection Activities (1987 – 1995) 16
B. First EIR for the Subject Area C Site (1996 – 1997) 18
C. Second EIR for the Subject Area C Site 18
D. Alternatives to the Subject Area C Site 20
E. Coastal Commission Involvement and Comments 27
F. School Approval by State Department of Education and State Architect 29
G. City of Watsonville Approval of Proposed Amendment 29
H. Commission Action Since the City of Watsonville Approval of Proposed Amendment 30
C. Current LCP Policies: What is Allowed? 30
1. Land Use Plan Policies 31
A. Agriculture is the Principle Use on Area C 31
B. Provisions to Allow Non-Agricultural Uses 31
C. Limits on Non-Agricultural Development 31
2. Implementation Plan Policies 32
3. Relationship of Current Policies to Allowable Development 34
A. Maximum Amount of Development Area and Maximum Coverage 34
B. Illustrative Use Scenarios 35
C. Conclusion: Use Intensities Under Current LCP 38
D. Proposed LCP Policies 39
1. Proposed LUP Policies 39

2. Proposed Implementation Plan Policies 40
E. General Effect of Proposed Amendment 41
1. Relationship of Proposed Amendment to Allowable Development 41
A. Agricultural Policy Change 41
B. ESHA Redelineation: West Branch Struve Slough 43
C. Other Wetland Redelineation and Fill 43
D. Slope 43
E. School Use 43
2. Increased Intensity of Development as a Result of the Amendment 44
A. Increased Maximum Amount of Development Area and Maximum Coverage 44
B. Illustrative Use Scenarios Under the Proposed Amendment 45
C. Conclusion: Comparison of Proposed and Current LCP Use Intensities 46
3. Other Effects of the Proposed Amendment 48

3. Coastal Act Consistency **48**

A. Standard of Review 48
1. Required Findings 48
2. Relationship of Proposed Amendment to PVUSD's 3rd High School 48
B. Coastal Act Issues Raised by the Proposed Amendment 50
1. Development and Public Services 50
A. Coastal Act Development and Public Services Policies 51
B. Existing and Proposed LCP Development and Public Services Policies 53
C. Background: History of Urban-Rural Boundary and Current Setting 54
1. Lack of Urbanization in Areas A, B, and C 54
2. Commission Action and LCP Provisions 54
3. Urbanization Initiatives Beyond the Urban-Rural Boundary 56
D. Analysis of Consistency With Coastal Act Development and Public Services Policies 57
1. Introduction: Proposed Amendment's Effect on Development and Public Services 57
2. Increased Intensity of Development of a More Urban Nature in a Rural Area 60
3. Growth-Inducement From Water, Wastewater, and Other Utility Extensions 61
4. Growth-Inducement From Improved Roads, Circulation, and Parking 63
5. Coastal Act Consistency Conclusion 64
E. Modifications Required to Achieve Coastal Act Development and Public Services Conformance 64
1. Modifications to Result in a Certifiable Land Use Plan Amendment 65
2. Modifications to Result in a Certifiable Implementation Amendment 71
2. Agriculture 72
A. Coastal Act Agriculture Policies 73
B. Existing and Proposed LCP Agriculture Policies 75
C. Background: Historic and Current Agricultural Use 75
1. Agricultural Use of Site and Surroundings 75
2. Agriculture Industry in the Pajaro Valley 77

D. Analysis of Consistency With Coastal Act Agricultural Policies 77
1. Introduction: Effect of the Proposed Amendment on Agriculture 77
2. Prime Agricultural Land Determination 78
3. Direct Loss of Prime Land 85
4. Lack of Buffer Between Urban and Agricultural Uses 86
5. Premature Compromising of Agricultural Viability 87
6. Developing Beyond Completion of a Viable Neighborhood 88
7. Other Land Available for Conversion Not Being Pursued 88
8. Public Services and Other Impairments 89
9. Land Divisions to Split Viable Agricultural Land 90
10. Non-prime Agricultural Land Conversions 90
11. Coastal Act Consistency Conclusion 90
E. Modifications Required to Achieve Coastal Act Agriculture Conformance 91
1. Modifications to Result in a Certifiable Land Use Plan Amendment 91
2. Modifications to Result in a Certifiable Implementation Amendment 95
3. Wetlands and Other Environmentally Sensitive Habitats (ESHAs) 96
A. Coastal Act ESHA Policies 96
B. Existing and Proposed LCP ESHA Policies 99
C. Background: Current Site and Vicinity Habitat Resources 100
1. Wetland Resources 100
2. Plant and Animal Habitat 106
3. Conclusion 110
D. Analysis of Consistency with Coastal Act Sensitive Habitat Provisions 112
1. Introduction: Proposed Amendment's Effect on Habitat 112
2. Redelineation Reduces ESHA 112
3. Allowing Non-Resource Dependent Development in ESHA 119
4. Public Service Improvement Impacts on ESHA 120
5. Changes in Hydrology 121
6. Adverse Water Quality Effects 122
7. Increased Development Intensity 124
8. Mosquito Control 126
9. Adequate ESHA Buffers 126
10. Cumulative impacts to Watsonville Slough System 130
11. Coastal Act Consistency Conclusion 131
E. Modifications Required to Achieve Coastal Act ESHA Conformance 132
1. Modifications to Result in a Certifiable Land Use Plan Amendment 132
2. Modifications to Result in a Certifiable Implementation Amendment 138
4. Scenic Resources 139
A. Coastal Act Scenic Resource Policies 139
B. Existing and Proposed LCP Scenic Resource Policies 140
C. Background: Current Public Viewshed Setting 141

D. Analysis of Consistency with Coastal Act Scenic Resource Policies 143
1. Introduction: Proposed Amendment's Effect on Scenic Resources 143
2. Standards Not Adequate to Protect Scenic Views 144
3. Landform Alteration 145
4. Rural Character Threatened 146
5. Coastal Act Consistency Conclusion 146
E. Modifications Required to Achieve Coastal Act Scenic Resource Conformance 148
1. Modifications to Result in a Certifiable Land Use Plan Amendment 148
2. Modifications to Result in a Certifiable Implementation Plan Amendment 150
5. Hazards 152
A. Coastal Act Hazards and Public Safety Policies 153
B. Existing and Proposed LCP Hazards and Public Safety Policies 153
C. Background: Potentially Hazardous Conditions of the Site 153
1. Geological Hazards 153
2. Other Hazardous Conditions 154
3. Airport Safety Issues 154
D. Analysis of Consistency with Coastal Act Hazards and Public Safety Policies 155
1. Introduction: Proposed Amendment's Effect on Hazards and Public Safety 155
2. Airport Safety Needs to Be Guaranteed 155
3. Geologic Hazards Lack Complete Investigation 156
4. Flood Hazards Unresolved 157
5. Coastal Act Consistency Conclusion 158
E. Modifications Required to Achieve Coastal Act Hazards and Public Safety Conformance 158
C. California Environmental Quality Act (CEQA) 159

4. Staff Recommendation and Suggested Modifications **160**

A. Staff Recommendation 160
1. Denial of Land Use Plan Major Amendment # 1-99 as Submitted 160
2. Denial of Implementation Plan Major Amendment # 1-99 as Submitted 161
3. Approval of Land Use Plan Major Amendment # 1-99 if Modified 161
4. Approval of Implementation Plan Major Amendment # 1-99 if Modified 162
B. Suggested Modifications 163
LCP Framing Modifications 163
Area B-Specific Modifications 168
Area C-Specific Modifications 168
Policies Affecting All Areas Modifications 184

List of Tables

Table 1: Alternative High School Sites Considered 20

Table 2: State Department of Education High School Acreage Guidelines 27
Table 3: Current LCP Planning Constraints 35
Table 4: Agricultural Conversion Criteria 42
Table 5: City-Proposed LCP Development Constraints 45
Table 6: Difference in Development Constraints Between Existing and Proposed LCP 45
Table 7: Intensity of Use Under Different Development Scenarios 47

List of Figures

Figure 1: Recommended Area C Development Envelope
Figure 2: City of Watsonville and Vicinity
Figure 3: Watsonville Coastal Zone Areas
Figure 4: Area C Parcels
Figure 5: Area C and Proposed Area F Site Map
Figure 6: Alternative High School Sites Considered
Figure 7: Current LCP Development Constraints
Figure 8: City-Proposed LCP Development Constraints
Figure 9: City of Watsonville Potential Coastal Zone Expansion
Figure 10: Selected Public Services in Vicinity of Area C
Figure 11: County Agricultural Lands in Vicinity of Area C
Figure 12: Main Branches of Watsonville Slough
Figure 13: Current LCP Area C ESHA
Figure 14: Recommended Additional LUP and IP Designations
Figure 15: Recommended LUP Figure 2 Area C Replacement

Exhibits

Exhibit A: Proposed LCP Amendment
Exhibit B: Selected Existing LCP Policies (LUP Sections II & III, IP Sections 9-5.702 through 9-5.705)
Exhibit C: Existing LUP Figure 2 (LCP's Environmentally Sensitive Habitats Map)
Exhibit D: Commission Staff Correspondence on Project
Exhibit E: December 9, 1999 LCP Amendment Time Extension Hearing
Exhibit F: Pajaro Valley Unified School District Boundaries
Exhibit G: Proposed PVUSD High School Grading Plan, Site Plan, Elevations, Renderings
Exhibit H: California Department of Education Correspondence
Exhibit I: CEQA Lawsuit Correspondence
Exhibit J: California Department of Transportation, Aeronautics Program Correspondence
Exhibit K: California Department of Fish & Game Correspondence
Exhibit L: United States Fish & Wildlife Service Correspondence
Exhibit M: Dr. Robert Curry Correspondence
Exhibit N: City and School District ESHA Correspondence

Findings and Declarations

The Commission find and declares as follows:

1. Watsonville LCP Background

The Coastal Act requires local governments with land in the coastal zone to prepare, and submit to the Coastal Commission for certification, a local coastal program (LCP) governing development in the coastal zone. LCPs consist of: (1) a land use plan designating the types, locations, and intensity of uses; and (2) an implementation plan that is adequate to carry out the land use plan requirements. Some jurisdictions modified their General Plans to conform to these Coastal Act requirements; others, like the City of Watsonville, simply prepared new documents covering their coastal zones. As such, when the City subsequently adopted a new General Plan in 1994, it referenced the provisions of the Local Coastal Program as applying to the City's coastal zone.

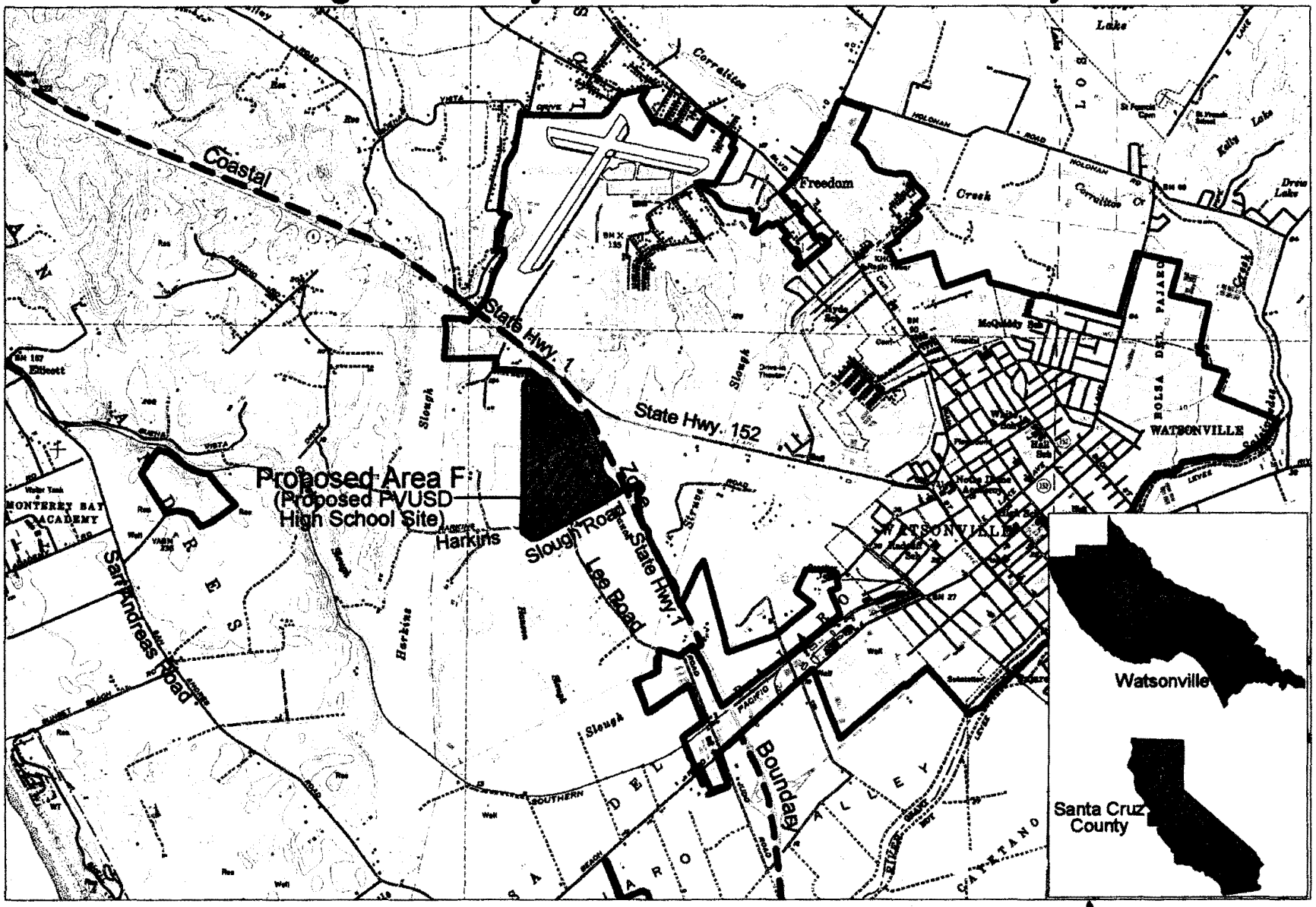
A. Watsonville Coastal Zone Location

The Watsonville coastal zone is located in the rolling hills just outside of the lower Pajaro Valley in south Santa Cruz County. The Pajaro Valley is in the agricultural center of Santa Cruz County. Favorable climate, combined with some of the most fertile soils in the State, make this an extremely productive agricultural region. Agriculture is the principle base of the local economy, although tourism (and particularly eco-tourism) are making inroads in this area. Agricultural lands extend the three miles west of the City of Watsonville to the Monterey Bay with only a few enclaves of other development (e.g., Pajaro Dunes and Sunset Beach, which are non-contiguous oceanfront second home developments) represent the only non-agricultural urban land uses west of the City of Watsonville. See Figure 2 (Vicinity Map) and Figure 11 (Agricultural Lands).

B. LCP Framework

Only a small portion (approximately 7.5%) of the City of Watsonville lies within the coastal zone. This area constitutes approximately 300 acres. Generally, the coastal zone boundary follows State Highway One as it runs through Watsonville and South Santa Cruz County. However, about 75 acres of the City of Watsonville west of Highway One were deleted from the Coastal Zone by the legislature in 1979. See Figure 2 and 3 for the coastal zone boundary and the City limits.

Figure 2: City of Watsonville and Vicinity



Proposed Area F
Project Area C
City of Watsonville

- NOTE -
Locations approximate. For illustrative purposes only.

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Source: USGS 7.5 minute Quadrangle Series.

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Figure 3: Watsonville Coastal Zone Areas

Coastal Zone Boundary
City Limits

Photo Source: Air Flight Service. 6/22/1994.

N

0.5 0 0.5
Miles

- NOTE -
Locations approximate. For illustrative purposes only.

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For purposes of LCP planning, the City divided their coastal zone into five areas (described as coastal areas A, B, C, D and E). Coastal Areas A, B, and C are located directly west of Highway One, while Coastal Areas D and E represent two non-contiguous public facility developments west of the City (i.e., "islands" within the City limits but separated geographically from the City). Coastal Area D is currently developed with the City's wastewater treatment facility on the Pajaro River, while Coastal Area E serves as the City's landfill. In addition, a portion of the Highway One right-of-way is within the City's coastal zone. The City's Local Coastal Program has both policies that are applicable to all five coastal areas and policies that provide further clarification relevant only to each specific coastal area. See Figure 3 for a map of the City's coastal zone areas.

In addition to specific policies, the Local Coastal Program includes several sections that provide detailed description and analysis of coastal resource issues present in the City of Watsonville (and the LCP policies that address them). The LCP groups the larger regional issues into: (1) conversion of agricultural land to urban use; (2) development opportunities; and (3) protection of resources. Issues specific to each respective area of the City's coastal zone (A – E) are also identified. Among other things, these additional sections describe the identification and analysis of the City's environmentally sensitive habitat areas, detail erosion, sediment and runoff standards, and identify development constraints and potential for each coastal area. These issue discussions in the certified LCP clearly identify core Coastal Act issues including the conversion of agricultural land to urban uses; establishment of a rural-urban boundary; preservation of agricultural land; appropriate water/sewer utility service areas; and protection (and acquisition) of sensitive resource areas.

C. LCP Procedural History

1. Land Use Plan

On December 2, 1982, the Coastal Commission certified the City of Watsonville's Coastal Land Use Plan; this certification was dependent upon the City modifying the Plan in several ways suggested by the Commission. The suggested modifications included clarification that wetland upland transition areas were to be considered wetlands, and identification of a process for identifying habitat areas. The Watsonville City Council accepted the suggested modifications on January 25, 1983. Soon thereafter, the Commission's Executive Director reported the result of the City's action on the modifications to the Commission and the Land Use Plan was effectively certified as of April 14, 1983.

2. Implementation Plan

Subsequently, on June 7, 1988 the Commission certified the City's Coastal Implementation Plan; as with the Land Use Plan, this certification was dependent upon the City modifying the Plan as suggested by the Commission. The City modified the Implementation Plan as suggested by the Commission, and the

Implementation Plan was effectively certified on November 15, 1988. The City assumed coastal permitting authority on December 8, 1988.

3. Previous LCP Amendments

There has been one previous amendment to the LCP approved by the Commission (Major Amendment Number 1-98, approved with suggested modifications on April 8, 1998, effective May 13, 1988). The purpose of this previous amendment was to expand the types of public recreational use that would be permitted in Area A of the City's coastal zone (in the northwestern corner of the City – not the subject site) in order to allow a golf driving range. Although the Coastal Commission has not yet received a final local coastal permit action notice for the driving range as required by the LCP and Coastal Act, the range has since been installed.

4. City-Issued Coastal Development Permits

The Commission has received final local action notices from the City for five coastal permits to date. These previous coastal permits did not involve the subject Area C site. One coastal permit was issued for a 2.7 acre portion of Area A to allow for a yard waste mulching operation (City permit number U-12-95). The yard mulching operation was classified as an agricultural use; this operation currently exists. Two other coastal permits (one after-the-fact) were issued by the City to allow for the City's wastewater treatment plant and for landfill improvements (on Areas D and E, respectively). These improvements have since been constructed.

Finally, two coastal permits have been issued for a 4.3 acre parcel on Area B. One permit provides for a 100 unit hotel (City permit number U-13-89), and a second permit allows utility extensions through the Highway One right-of-way to serve the hotel (City permit number U-25-91). Neither the hotel nor the utility extensions have been constructed, and the City has extended these permits annually since they were issued (in 1989 and 1991, respectively). The City has also changed the conditions of these two permits without notice or hearing on the changes. Commission staff has notified the City that these changes can not be effective without proper notice on hearing.[3] The status of these two coastal permits may be resolved when the City acts to extend them again on March 14, 2000. Area B is directly northwest of the subject Area C site adjacent to the West Airport Boulevard offramp from Highway One (see Figure 3).

[3] Commission staff letters of May 19, 1999, December 3, 1999, and February 10, 2000 to City of Watsonville.

2. Proposed Amendment Background and Description

A. Applicability of Amendment

Although one component of the proposed amendment would be placed in the LCP section applicable to all areas within the City's Coastal zone, its practical applicability would be limited to coastal Areas A, B, and C (see discussion in the Agricultural findings beginning on page 72). The remaining several components of the proposed LCP amendment would apply only to an approximately 76 acre site located within the City's coastal zone Area C, that the City proposes to redesignate as Area F.

1. Site Description (Existing Area C)

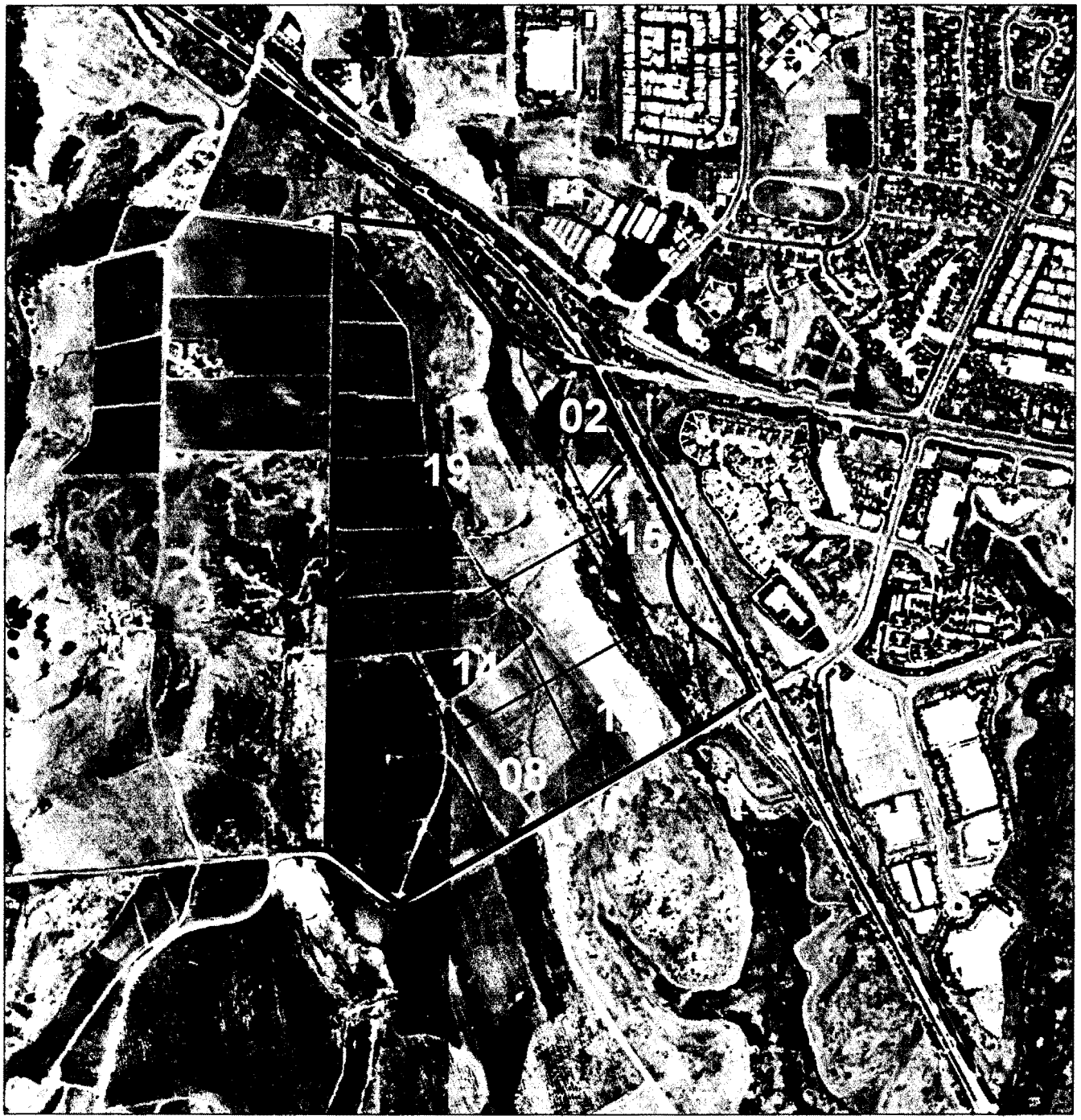
Area C is located to the north of Harkins Slough Road at the intersection with Lee Road, west of Highway 1 on the western outskirts of the City of Watsonville. Area C is composed of seven parcels totaling approximately 139 acres (assessor parcel numbers 018-281-02, 08, 12, 14, 15, 18, and 19); this area represents the largest contiguous block of land within the City's coastal zone. Area C is situated within a larger geographic region of extremely low intensity development without public services (water & sewer) and dominated by agricultural uses. This region extends from the western border of the City at Highway 1 all the way to the Pacific Ocean. Areas to the west and south (immediately outside the City's boundaries surrounding Area C) in unincorporated Santa Cruz County are designated by the County as Commercial Agriculture and Open Space (Watsonville Slough Ecological Reserve). Land use designations for the areas remaining within the City's jurisdiction to the north and east are designated as Environmental Management and Public. Across Highway 1 inland to the north and east are areas zoned for Industrial, Environmental Management, Residential-Low Density, Public, Residential-Medium Density, and General Commercial. As of 1997, Area C was a part of a larger single strawberry farming operation extending west outside of City limits.[4]

2. Site Description (Proposed Area F)

The proposed LCP amendment would designate approximately 76 acres of current Area C as Area F. The site-specific portion of the proposed amendment would apply within Area F. The 76 acres that would become Area F encompasses four southern parcels in Area C and a portion of the largest parcel. All of these parcels are owned by Ralph & Kathleen Edwards. The two remaining parcels in Area C closest to the Highway (parcel numbers 018-281-02 and 15) are owned by the City of Watsonville and they are not proposed for inclusion in proposed Area F. Again, see Figure 4 for the parcel configuration

[4] *South Santa Cruz County Ranch Maps*, Santa Cruz County Agricultural Commissioner's Office (1997)

Figure 4: Area C Parcels



—— Area C
– – Coastal Zone Boundary

All Assesors Parcel Numbers are from book 018, page 281
Ownership:
City of Watsonville- #2, #15
Edwards- #8, #12, #14, #18, #19
Photo Source: Air Flight Service. 6/22/1994.

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- NOTE -
Locations approximate.
For illustrative purposes only.

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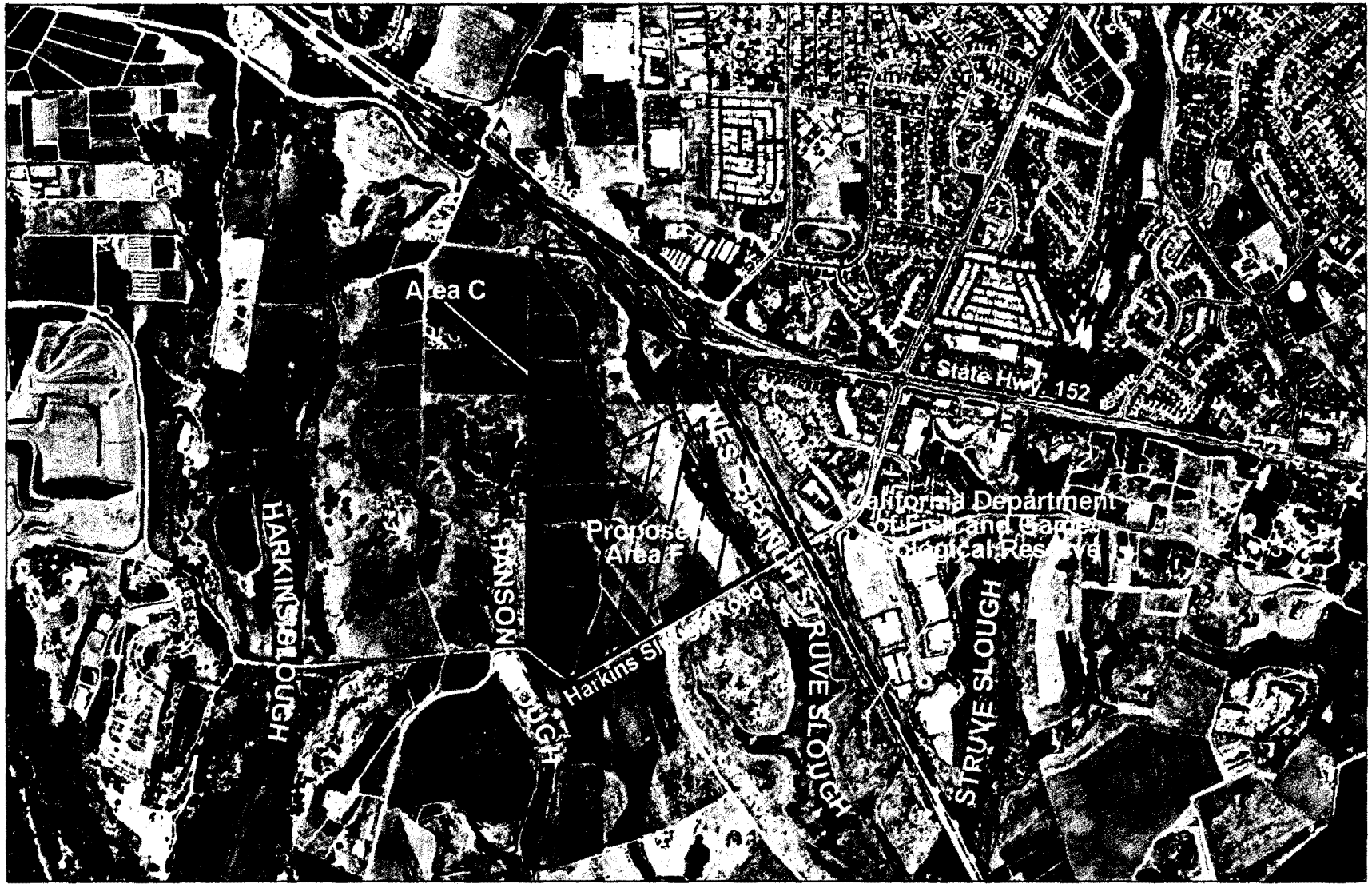
California Coastal Commission

GMB, JVC: 2/00

Figure 5: Area C and Proposed Area F Site Map



— Area C
Proposed Area F
- - Coastal Zone Boundary

Photo source: Air Flight Service. 6/22/1994.

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Feet

- NOTE -
Locations approximate. For illustrative purposes only.

Technical Services Division
California Coastal Commission

GMB, JVC: 2/00

of Area C.

Proposed Area F is bounded on the north by the lands under agricultural cultivation, on the east by the west branch of Struve Slough and then Highway 1, on the south by the Watsonville Slough Ecological Reserve, and on the west by Hanson Slough along with lands under agricultural cultivation. Approximately 27 acres of Area C is mapped in the LUP as an environmentally sensitive habitat area (ESHA); of which 14 of these habitat acres are within proposed Area F. There is a noticeable slope break running north and south which contains a dirt road that separates the habitat area and grassy slopes above it, from the remainder of the property. The remainder of Area F (and Area C for that matter), a total of approximately 70 acres, is currently used for agricultural production – mainly strawberry farming. The site has two small sheds, a well, a water storage tank and a fuel storage tank.

B. Amendment Procedural History

Although the amendment is much broader in scope, the essential impetus for this amendment is to facilitate the development of a third high school for the Pajaro Valley Unified School District (District).

1. Pajaro Valley Unified School District (PVUSD)

Pajaro Valley Unified School District is a large district stretching from mid-Santa Cruz County south through part of North Monterey County. The district serves a (1990) population of 89,000, approximately 20,000 of which (in 1999) are school age children attending grades K-12 in public school. The District currently has two major public high schools, Aptos and Watsonville High Schools, along with Renaissance, a continuing education high school. Aptos and Watsonville High Schools were designed and constructed to house approximately 1,400 and 1,800 students respectively; a total design capacity of 3,200 high school students. Notwithstanding these design constraints, Aptos and Watsonville High Schools are currently housing 2,200 and 2,360 students respectively; a total of 4,560 students. As such, these two District high schools are currently overcrowded by over 1,000 students. The District has estimated that by school year 2007-08, District high school facilities must be able to house an additional 2,000 students.[5]

2. Planning History for Proposed Third High School Project

A. Initial Site Selection Activities (1987 – 1995)

In order to relieve overcrowding and to address the needs of projected future high school students, the District is pursing development of a third high school facility. The District has been in the planning stages of such a proposed high school since at least 1987 when they first began searching for appropriate

[5] PVUSD Third High School FEIR (September 1998).

sites. In September of that year, the District's consultant (Gilchrist & Associates) evaluated several sites, including Area C. At that time, the subject Area C site was determined to be undesirable due to lack of water and sewer services, airport safety and noise concerns, wetland habitat constraints, and land use designations that allow only limited low-intensity development on the site.[6] Based upon the results of the 1987 study, the District chose to pursue a site on Green Valley Road near Pinto Lake. This site is in unincorporated south Santa Cruz County inland of Highway One and outside of the coastal zone (see site map Figure 6). An EIR was prepared for a high school at the Green Valley Road site. However, in the face of neighborhood and environmental group opposition, the District chose to abandon that site and a new site selection exercise began.

During 1991, the District's Alternative Site Committee reviewed eleven alternative sites for the high school. In January 1992, the District released a status report on the ability to approve the 11 alternative sites reviewed by the Committee. The report indicated that only one of the 11 sites (inland of Highway 1 near Ramsey Park in the City of Watsonville) had no noise or safety concerns. Five of the 11 sites were dropped from consideration entirely due to safety conflicts with Watsonville Airport operations; these sites were under the flight paths of aircraft performing flight maneuvers at low altitudes for airport approaches and departures.[7] Five more of the sites (including the subject Area C site) also raised some of the same airport safety and noise concerns due to proximity to Watsonville Airport operations. Because of these safety and noise reservations, the District was directed by the State Division of Aeronautics to pursue all other alternatives sites before selecting any of these five sites (see Exhibit J for Division of Aeronautics correspondence on appropriate school siting nearby the Watsonville Airport).

Subsequently, in early 1992 the District expanded the Site Selection Committee to include representatives from various agencies and local organizations. The Coastal Commission was not asked to participate on the Site Selection Committee. This Committee identified 8 potential sites for further analysis, which the Committee then rated and ranked. Criteria used to rate and rank those sites considered included: (a) a location within attendance area to serve students from the Green Valley Road Corridor, Corralitos, and Buena Vista; (b) transportation (PVUSD busing and public); (c) cost (land, development, etc.); and (d) acceptability by the State Department of Education. Other stated criteria in regards to impacts that were considered include impacts upon: (a) prime agricultural land and agricultural activities; (b) projected growth within the City; and (c) projected growth within the County of Santa Cruz in the Pajaro Valley.

The result of this ranking was that the subject Area C site was the top-ranked site; the second top ranked site was the previously identified Ramsey Park site (also known as the 'Console' site), followed by the Kato and Koenig (Calabassas Road) sites. These three sites were forwarded to the District Board of Trustees. The Console site was the site top rated by the Santa Cruz County, LAFCO, and Watsonville

[6] High School Site Suitability Study, John Gilchrist and Associates (September 1987).

[7] As identified by the Caltrans Division of Aeronautics. See Exhibit J for Caltrans Division of Aeronautics correspondence on appropriate siting for a District high school.

Wetlands Watch representatives on the 1992 Site Selection committee.[8] Area C was top ranked by the other committee members.

B. First EIR for the Subject Area C Site (1996 – 1997)

In 1996, the District issued a notice of preparation to prepare a draft EIR for a proposed high school at the Area C site. The District subsequently issued a draft EIR (DEIR) for the proposed high school dated February 24, 1997. The DEIR identified twenty (20) significant adverse environmental impacts which could be feasibly mitigated or avoided, and also identified three (3) significant adverse environmental impacts that would be unavoidable or for which no feasible mitigation measure could be used to reduce the impact below the level of significance. Forty-seven (47) mitigation measures were proposed in the DEIR. The surplus Watsonville Hospital site was identified as the environmentally superior alternative for the new high school. There were fifteen (15) comments on the DEIR. The District certified the first FEIR for high school development on the Area C site in May 1997.

In June of 1997 Watsonville Wetlands Watch and California Alliance for Resource Conservation filed a Petition for Writ of Mandamus against the District and it's Board of Trustees (Case No.133018) in Superior Court of Santa Cruz County seeking to overturn the EIR and alleging several violations of CEQA. This suit alleged, among other things, that the EIR did not adequately analyze, identify, and/or mitigate impacts to sensitive habitat, agricultural lands, and water quality; growth inducement; and cumulative environmental impacts. The suit likewise contended that the EIR's alternatives analysis was inadequate. See Exhibit I, EIR lawsuit documentation.

Rather than litigate this suit, the PVUSD Board decided to decertify the first EIR and circulate a revised draft EIR (RDEIR) with additional information and analysis to correct possible flaws in the first EIR. As a result of the Board's decertification of the first EIR, Watsonville Wetlands Watch and California Alliance for Resource Conservation dismissed their lawsuit (subject to recovery of attorneys' fees and costs).

C. Second EIR for the Subject Area C Site

In June 1998, the District issued a Revised Draft EIR (RDEIR). The RDEIR identified twenty (20) significant adverse environmental impacts which could be feasibly mitigated or avoided, while also identifying three (3) significant adverse environmental impacts that are unavoidable or for which no feasible mitigation measure could be used to reduce the impact below the level of significance. Sixty-six (66) mitigation measures are proposed in the RDEIR. This time the RDEIR concluded that the expansion of Watsonville and Aptos High Schools was the environmentally superior alternative (following the "no project" alternative). The PVUSD received 17 comments on the revised draft EIR. For example CDFG commented in a July 24, 1998 letter that "the Department believes that the proposed project would result in significant adverse impacts to biological resources including State- and

[8] This committee also had two PVUSD representatives, a City of Watsonville representative, a Farm Bureau representative, and a member of the citizen group opposing the original Green Valley Road site.

Federally-listed species."

The Final RDEIR (FEIR) was certified by the District's Board on September 9, 1998. The FEIR dated September 1998 identifies the same twenty (20) significant adverse environmental impacts that could be feasibly mitigated or avoided, while also identifying twelve (12) new significant adverse environmental impacts, for a total of fifteen (15), that are unavoidable or for which no feasible mitigation measure could be used to reduce the impact level below the level of significance. Hence, the Pajaro Valley Unified School District adopted a statement of overriding consideration through Resolution Number 98-99-06 for all unavoidable or unmitigatable impacts. Five new mitigation measures were added for a total of seventy-two (72) in the FEIR. The expansion of Watsonville and Aptos High Schools was still identified as the environmentally superior alternative (following the "no project" alternative).

In October 1998, Watsonville Wetlands Watch and California Alliance for Resource Conservation once again filed suit in Santa Cruz County Superior Court alleging that the FEIR failed to acknowledge that the site is located on prime agricultural land and that the project failed to mitigate or change the project as a result of it's inconsistencies with the Watsonville LCP and the Coastal Act (Case No.134587). On May 14, 1999 the Court found that the revised EIR complied with CEQA requirements, and that substantial evidence in the record supported the revised EIR's conclusions. The Court also specifically found that:

> *The above referenced findings [on the adequacy of the EIR] do not purport to bind the California Coastal Commission in its determinations regarding the third high school project.*

Thus, the Court's decision places no burden on the Coastal Commission's own determinations with regard to the LCP amendment and any impacts or issues therein.[9] As for the lawsuit, Watsonville Wetlands Watch and California Alliance for Resource Conservation appealed the Santa Cruz Superior Court decision to Appellate Court on July 19, 1999. As of the date of this staff report, several briefs have been filed with the Court, but the appeal remains unresolved and a date for oral arguments has yet to be set. See Exhibit I, EIR lawsuit documentation.

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[9] In correspondence received in the Commission office on February 29, 2000, Legal Counsel for the PVUSD asserts that the decision that the agricultural land on the site is not prime has already been made because the "*specific issue of whether sufficient evidence exists to conclude that the property is not prime agricultural land within the meaning of the Coastal Act has been litigated, and the court's finding in this regard serves as stare decisis.*" (Stare decisis is defined in Blacks Law Dictionary, Sixth Edition as "decided cases." Synonyms include "precedent" and "res judicata".) Commission staff disagrees with this assertion because the case has *not* been decided. The trial court decision was appealed by the plaintiffs and the appeal has not been heard as of this date. The Trial Court decision also specifically stated "*The above referenced findings do not purport to bind the California Coastal Commission in it's determinations regarding the third high school site.*" One of the "*above referenced findings*" found that, based on the school CEQA documents, the site did not contain prime agricultural land. Finally, the referenced litigation was based on a challenge to the school district's CEQA documents, and the Commission was not a party to the suit. For all of these reasons, the Commission is free to make an independent determination on the issue of prime agricultural land on this site. See Exhibit I for recent CEQA lawsuit correspondence received by the Commission.

D. Alternatives to the Subject Area C Site

The 1998 FEIR described and updated the alternative site analyses previously undertaken by the District as summarized above. The Console/Ramsey park site, which had been developed by that time with a shopping center, was no longer available. Although discussed in the 1998 FEIR, another of the District-identified sites, the Watsonville Hospital site, is also no longer available, having been converted to offices, including District administrative offices, and residences since the FEIR. The 1998 FEIR discusses how the subject Area C (called Harkins Slough Road) site compares favorably with the alternative sites.

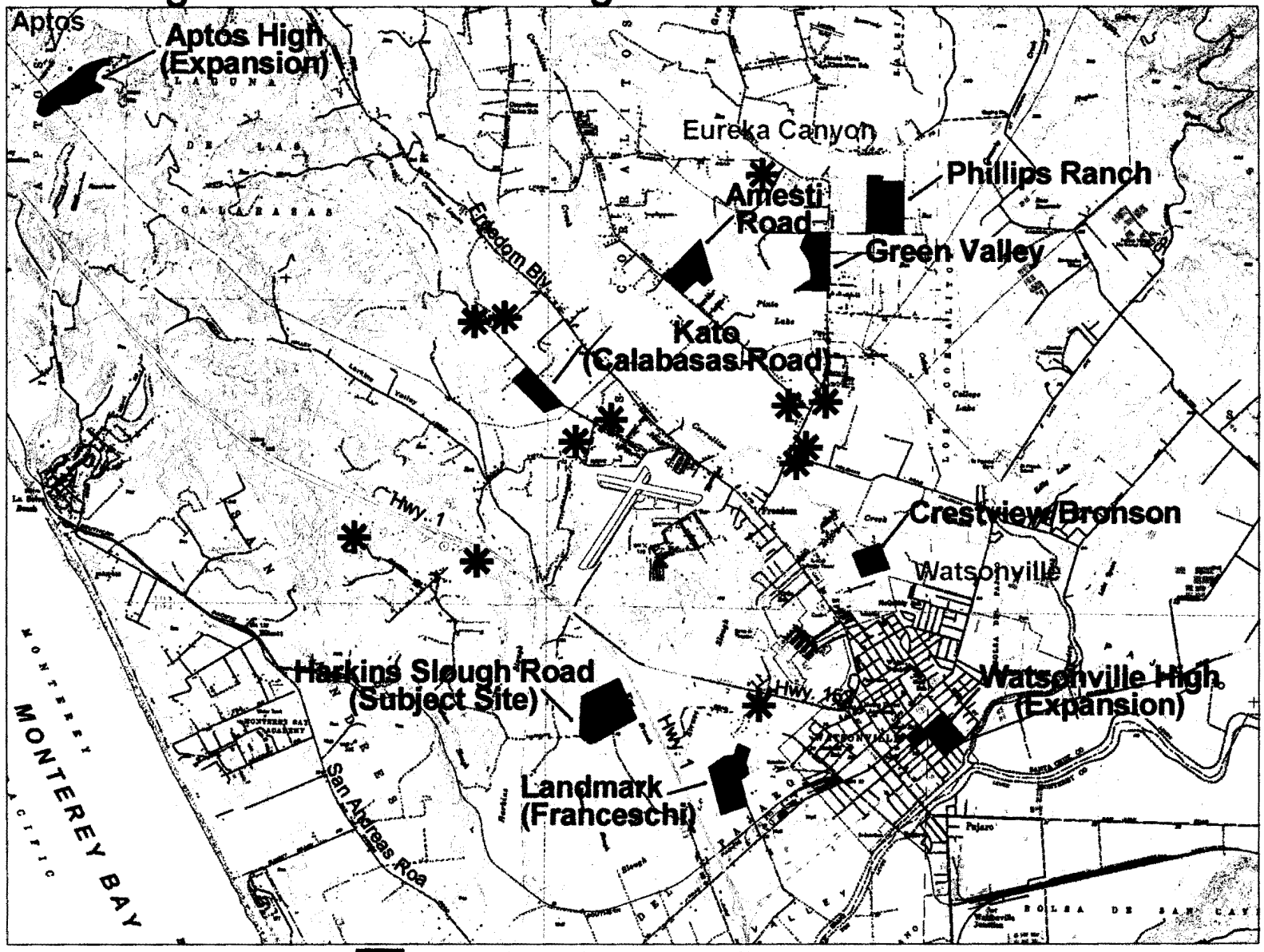
The table below summarizes some of the alternative sites that have not been committed to other uses that the PVUSD has previously considered (see Figure 6 for a location map of sites). The last column indicates the reasons why the District did not pursue these sites. These sites have characteristics similar to the subject Area C (Harkins Slough Road) site; i.e., need utility extensions, are on two-lane roads, are outside (with exception of Landmark) urban boundaries, are in (or have been) in agricultural use, and are near urbanized areas with sewer (except for Amesti Road) and water. The following sites are all directly adjacent to urban or suburban density residential development at least on one side with urban services (i.e., there is not a discernable urban-rural boundary such as a freeway and a slough separating these sites from developed areas).

Table 1: Alternative High School Sites Considered

Alternative Site 1: Landmark (Franceschi)	Reasons Why District Did Not Pursue
Approximately 85 acres of the area referred to as the "Landmark" remains undeveloped. The largest undeveloped parcel in the City of Watsonville is the roughly 67 acre privately-owned Franceschi property (APN 018-372-02), which is reportedly for sale, as a previous purchase agreement reportedly has expired. A City development feasibility study concluded that, after subtracting acreage slated for access road improvements and open space (Struve Slough) resources, approximately 53 developable acres were present on the Franceschi parcel.[10] A major thoroughfare (Ohlone Parkway, constructed to the site boundary) is planned to provide access through this site. Sewer and water connections are close to the site boundary at an adjacent urban residential housing development.	• Inadequate size • Unavailable for purchase or have to pay high severance cost • Other development proposals • Less direct route for students to access • Needed for jobs & housing • Not designated in General Plan for a high school • City would have to urbanize subject site (Area C) instead (i.e., to make up for development slated for the 'Landmark' area)

[10] *Landmark Development Feasibility Study*, Economic & Planning Systems, Inc. (September 1998).

Figure 6: Alternative High School Sites Considered



Additional Sites Considered (staff report Table 1)

Additional Sites Considered

- NOTE -
Locations approximate. For illustrative purposes only.

Technical Services Division
California Coastal Commission

Data Source: Watsonville LCP Major Amendment 1-99 Administrative Record.
Map Source: USGS 7.5 minute Quadrangle Series.

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The site is designated for Medium Density Residential and Environmental Management in the City of Watsonville General Plan. The site is currently in row crop production. The site's primary soil capability unit is IV (irrigated) and II (non-irrigated) and its Storie index is 44. This site does not have any constraints from an aeronautics perspective. In case additional acreage were required, this parcel is contiguous to the 18 acre Mine parcel also within the City limits. It is level and not currently being farmed. Another alternative in case additional acreage were required is a 27 acre contiguous parcel (Burgstrom Assessors Parcel Number 052-104-40) outside the City limits. LAFCO approved adding this to the City's sphere of influence, but then denied the City's annexation request in 1999. The County General Plan designates this area as Agriculture. The County Agricultural Resource classification is type 2B, limited agricultural land – geographically isolated. The City's General Plan designated this area for mixed industrial and commercial use, pursuant to a specific plan. The land is in row crop production. The site's primarily soil capability unit is IV and the Storie indexes are 44 and 36.	• Needs 200 foot agricultural buffer to adjacent property • Dependent on road widening and bridges • Adverse impacts on adjacent agricultural land • Near a designated elementary school site; undesirable to locate high school adjacent to elementary school • Potential highway noise
Alternative Site 2: Green Valley	**Reasons Why District Did Not Pursue**
This approximately 50 acre privately-owned site is located in unincorporated Santa Cruz County on Green Valley Road about ½ mile north of the intersection with Amesti Road, adjacent to residential neighborhoods. The street is two-lane (approximately 28 to 30 feet wide) with a sidewalk/bike path. Existing sewer and water lines pass by the site. Utility hook-ups would require LAFCO approval for the City of Watsonville to supply extraterritorial service or to annex the site (or a school would have to rely on on–site water and septic). The site is designated "Agriculture" in the County General Plan outside, but adjacent to, the Urban Services Line. The County's Agricultural Resource classification is 2-D – limited agricultural land experiencing use conflicts. The	• Local and environmental group opposition • Adjacent to Pinto Lake (safety concerns) • Adverse impacts to Blue herons & bird migration routes • Need to mitigate for seismic (on-site fault traces) and liquefaction constraints

site is designated "Agriculture" in the Watsonville General Plan. It is not currently in agricultural use. The site's primarily soil capability unit is II and the Storie index is 68. A 1987 Division of Aeronautics evaluation ranked this site as suitable for school development.	
Alternative Site 3: Crestview/Bronson	**Reasons Why District Did Not Pursue**
This approximately 25 acre, privately owned, level site is located in unincorporated Santa Cruz County adjacent to the Watsonville city limits and urban residential development off of Brewington Ave. The nearby streets are improved (approximately 40 feet wide) with sidewalks and contain water and sewer lines. Utility hook-ups would require LAFCO approval for the City of Watsonville to supply extraterritorial service or to annex the site (or a school would have to rely on on–site water and septic). The site is designated "Agriculture" in the County General Plan outside, but adjacent to, the Urban Services Line. The County's Agricultural Resource classification is type I-A – viable agricultural land. The site is designated "Specific Plan Area" for Residential use in the Watsonville General Plan. The site's primarily soil capability unit is III and the Storie index is 72. The site is an apple orchard. This site would not appear to have any constraints from an aeronautics perspective. If additional land were needed, there are similar agricultural parcels adjacent to the site, including a 22 acre site.	• Not in attendance area; too close to Watsonville HS. • Conversion of agricultural land • Adverse impacts on adjacent agricultural land • Potentially growth-inducing • Greater neighborhood traffic impacts • Not served by City fire & police • High liquefaction
Alternative Site 4: Kato (Calabasas Road)	**Reasons Why District Did Not Pursue**
This 29 acre, privately owned site is located in unincorporated Santa Cruz County on Calabasas Road. It is comprised of two parcels. There is a third adjacent parcel of approximately 34 acres; resulting in a total site area of approximately 63 acres. The site is adjacent to a residential neighborhood with sewer and water. This street to the site is two-lane (about 28 feet wide) with sidewalk. The sewer would have to be upgraded and extended or the site would	• Local opposition • Conversion of agricultural land • Adverse impacts on adjacent agricultural land • More costly

have to be served with a septic system. Any utility hook-ups would require LAFCO approval for the City of Watsonville to supply extraterritorial service or to annex the site. The site is designated "Agriculture" in the County General Plan outside County's urban services line. The County's Agricultural Resource classification of one parcel is 2-D – limited agricultural land experiencing use conflicts; the other parcel and the adjacent parcel have no agricultural resource overlay. The site's primarily soil capability unit is III and the Storie index is 66. The site is designated "Specific Plan" for residential use in the Watsonville General Plan. The site is currently in agricultural use; a combination of row crops and greenhouses/nursery. The adjacent parcel is an orchard. This site does not have any constraints from an aeronautics perspective. Alternative sites on Calabasas Road. For example, PVUSD considered "Koenig," an approximately 18 acre, site, comprised of 5 privately-owned parcels. The site is designated in the County General Plan as "Rural Residential,' outside County's urban-rural boundary. The site is designated "Specific Plan" for residential use in the Watsonville General Plan. The site's two primarily soil capability units are III and IV and the respective Storie indexes are 62 and 36. The site is used for residences, greenhouses, and grazing. This site does not have any constraints from an aeronautics perspective. There are other sites along both sides of Calabasas Road in this area that have more open acreage than Koenig, some of these had been considered in earlier screening by PVUSD. Generally, the more open lands are to the east and in agricultural use and so designated, while the lands to the west are in a rural residential designation, but have more structures and are of smaller parcel sizes.	• Farther from nearest fire station • Poor access: served by two lane road • Growth-inducing • Farther from commercial areas • No transit access

FEIR-identified "Environmentally Superior Alternative"[11]: Expanded Aptos & Watsonville High Schools	**Reasons Why District Did Not Pursue**
Aptos High School is located on a 65 acre site owned by PVUSD in unincorporated Santa Cruz County accessed off of Freedom Boulevard. It is served by sewer and water. The site is designated Public Services in the County General Plan outside, but adjacent to the County's urban services line. It is not agricultural land. This site would not have any constraints from an aeronautics perspective. An adjacent approximately 10 acre site would be purchased to accommodate some expanded facilities. Watsonville High School is located on a 36.38 acre site owned by PVUSD in the City of Watsonville on It is served by sewer and water. The site is designated "Public/Quasi Public" in the City of Watsonville General Plan. It is not agricultural land. This site would not appear to have any constraints from an aeronautics perspective.	• Need new EIRs • School district reorganization could not occur • Insufficient size • Poorer access to Aptos HS; need improved road • Sites would be too crowded • Poor fire and police response times • Code compliance issues
Previous Alternative: Phillips Ranch	**Reasons Why District Did Not Pursue**
This approximately 70 acre privately-owned, level site is located in unincorporated Santa Cruz County behind a subdivision off of Green Valley Road. The streets leading to the site are two-lane (approximately 40 feet wide) with sidewalks. and contain water and sewer lines. Hook-up would require LAFCO approval for the City of Watsonville to supply extraterritorial service. The site is designated "Agriculture" in the County General Plan outside, but adjacent to, the County's urban-rural boundary. The County's Agricultural Resource classification is type I-A –viable agricultural land. The site is designated "Agriculture" in the Watsonville General Plan. The site's primarily soil capability unit is II (III if non-irrigated) and the Storie index is 68. The site is in crop	• Loss of agricultural land • In a sensitive archaeological area • Infeasible due to cost of extending sewer service • Distance from population center • Access is difficult • High tension wires cross site.

[11] PVUSD Third High School FEIR (September 1998).

production. A 1987 Division of Aeronautics evaluation ranked this site as suitable for school development.	
Previous Alternative: Amesti Road	**Reasons Why District Did Not Pursue**
This approximately 45 acre privately owned site is located in unincorporated Santa Cruz County off of Amesti Road, a little over a mile from the intersection with Green Valley Road, adjacent to residential neighborhoods. The street is two-lane and contains a water line. Hook-up would require LAFCO approval for the City of Watsonville to supply extraterritorial service. There is no nearby sewer, nor is the site in a sewer service area; therefore, it would need an on-site septic system. The site is designated "Agriculture" in the County General Plan outside County's urban-rural boundary. The County's Agricultural Resource classification is type 2-D --- limited agricultural land experiencing use conflicts. The site is designated "Agriculture" in the Watsonville General Plan. The site's primarily soil capability unit is III and the Storie index is 62. A 1987 Division of Aeronautics evaluation ranked this site as suitable for school development. An alternative site located farther down Amesti Road at the corner of Pioneers Road is an approximately 48 acre sloping privately-owned site (not previously considered by PVUSD) with similar attributes to this one. The site is designated "Agriculture" in the County General Plan outside County's urban-rural boundary. The site is designated "Agriculture" in the Watsonville General Plan. The site's primarily soil capability unit is III (non-irrigated) and IV (irrigated) and the Storie index is 42. This site would not appear to have any constraints from an aeronautics perspective.	• Lack of sewer service • Limited septic suitability • Agricultural designation • Requires filling and compaction • Outside of sewer district • Productive agricultural land • High cost of extending services • Dangerous intersection of Pioneers and Green Valley Roads • Distance from population center

Landmark

Since the FEIR, and especially since the Department of Education's 1993 field site evaluation, several potential issues have been clarified, and several other conditions have changed relative to the Landmark

area alternative:

- The primary Landmark area parcel, the 67 acre Franceschi parcel, may be for sale. (At the time, the field site evaluation stated that condemnation would be required, whereas it would not be required on the subject Harkins Slough site[12]).

- Ohlone Parkway, the thoroughfare planned between Main Street and West Beach Street has been partially constructed. It now ends at the southern boundary of the site. (At the time, the field site evaluation stated that this was a gravel road, whereas FEMA was going to pay all the costs of extending utilities to the subject Harkins Slough site[13]).

- The City has completed a development feasibility study for the Landmark area which indicates that approximately 53 developable acres are present on the Franceschi parcel after subtracting acreage slated for access road improvements and open space (Struve Slough) resources.[14] (At the time, the field site evaluation indicated only 39.5 usable acres.)

The Landmark site shares some of the same general constraints associated with the subject Area C site (including lands in agricultural production and adjacency to Struve Slough). Some of the District's reasons for not pursuing this site would also apply to the subject Area C site. The constraints that the Landmark area does not share with the subject Area C site are that development at this location would not have the adverse growth-inducing impacts, nor further destabilize the current urban-rural boundary. Moreover, the site does not raise potential safety concerns relative to the airport. In fact, the Landmark site is in an area otherwise hemmed in by urban development that is slated for further urbanization in the future. As of the date of this staff report the Landmark (Franceschi) option appears feasible.

Expansion of Aptos and Watsonville High Schools

There are also changed circumstances with regard to the FEIR's environmentally superior alternative of expanding the existing District high schools at Aptos and Watsonville to accommodate additional students. At the time of the 1998 FEIR, the District's administrative offices were housed at the Watsonville High School campus. These offices have since moved to the old Watsonville Hospital (part of the reason that the Hospital site is no longer a potential alternative location for a high school). To the extent that this office space relocation has freed additional student space at Watsonville High School, this alternative may be even more attractive than as analyzed in the 1998 FEIR, when it was deemed by the District to be the "Environmentally Superior Alternative" under CEQA.

It is also noted, that while presented (and then rejected) as a complete alternative to constructing a third high school, some improvements at either or both existing schools could affect the ultimate size of the

[12] As it turns out, condemnation proceedings are required for the Harkins Slough site and are presently underway.

[13] This latter point is no longer true; furthermore, the analysis in this report has concluded that a bridge may have to be constructed on Harkins Slough Road for habitat and possibly flood prevention purposes. The City has preliminarily estimated its cost at $3.9 million.

[14] *Landmark Development Feasibility Study*, Economic & Planning Systems, Inc. (September 1998).

needed third high school. The two existing public schools combined sit on 110 acres and currently have capacity of 3200 students, but house 5190 students. This overcrowding is accommodated by utilizing a combined 45 portable classrooms. PVUSD has planned on eventually housing 2,200 students at the proposed new high school. This would leave 3,000 students currently at the other two schools and 4,000 students in ten years if the District's future student population projections hold. However, if some improvements could be made at the other high schools, then the amount of students assigned to the new third high school might change. Following is a table relating student body size to available acreage, based on State Department of Education (DOE) guidelines. The table includes proposed new guidelines that have not yet been formally adopted.

Table 2: State Department of Education High School Acreage Guidelines

Number of Students	Current DOE Guidelines (acres)	Proposed DOE Guidelines (acres)	Proposed DOE Guidelines if Class Sizes Are Reduced (acres)
1001 – 1200	31.3	33.5	
1201 – 1400	34.2	36.4	
1401 – 1600	36.1	38.7	
1601 – 1800	39.7	44.5	
1801 – 2000	41.6	47.1	
2001 – 2200	44.6	50.1	
2201 – 2400	46.5	52.7	
2401 – 2600	None	58.3	61.5
2601 – 2800	"	60.8	64.4
2801 – 3000	"	63.5	67.3
3001 – 3200	"	65.8	69.9
3201 – 3400	"	68.0	72.4

E. Coastal Commission Involvement and Comments

As noted, the Coastal Commission staff was not invited to be part of the PVUSD's site selection processes. And, indeed with the selection and subsequent pursuit of the Green Valley Road site, which is outside of the coastal zone, there was no urgency for the Commission to be involved.

However, in mid-1993, when it became public knowledge that the District had abandoned the Green Valley Road site because of neighborhood opposition and was considering the subject Area C site, Commission staff began what has since become a lengthy exchange with the District and the City. Commission staff has consistently informed both parties that the proposed Area C site west of Highway One raised (and continues to raise) a range of coastal resource issues, including, but not limited to

development adjacent to sensitive wetlands habitat, extension of public services and infrastructure to rural areas west of Highway 1, growth inducement, conversion of agricultural lands, impacts to the public viewshed, impaired water quality, and a destabilized urban-rural boundary. See Exhibit D for Commission staff correspondence.

In summary, in addition to numerous more informal phone conversations, the Commission staff made its views known through a total of ten letters, testimony at three District hearings, and testimony at one City meeting from 1993 through 1999:

- On July 28, 1993 Commission staff wrote to the District suggesting a meeting to discuss potential adverse impacts and inconsistencies with the local coastal program arising from siting a high school west of Highway One in the Coastal Zone. A similar request letter was sent to the District on June 22, 1995.

- In July of 1995, Commission staff expressed concerns to the School Board that the proposed high school location at Area C was inappropriate and that such development at this location could result in significant impacts to coastal resources. Commission staff subsequently met with the District staff. Follow-up letters were sent to the District on August 14, 1995 and to the City on September 15, 1995 discussing procedures for the necessary local coastal program amendments.

- On January 1, 1996, Commission staff requested that the City and District continue to consider the "Console" site as an alternative school site in the District's upcoming EIR "since it is not yet developed and is contiguous to urban uses." This site has since been developed with a shopping center.

- On April 11, 1996, Commission staff provided detailed comments on the notice of preparation for the first Draft EIR, identifying significant issues including, but not limited to: conflicts with the Coastal Act; growth inducement on west side of Highway 1; negative impacts on wetland habitat and adjacent agriculture ; non-point source water quality; and visual siting impacts.

- On March 26, 1997 Commission staff again testified before the PVUSD School Board, expressed serious concerns with the proposed project, and indicated that it is inconsistent with the Coastal Act.

- On April 9, 1997 Commission staff wrote a letter again identifying issues of concern and expressing inadequacies of the DEIR and urging pursuit of a less environmentally damaging alternative location. The Commission was subsequently informed at the April 1997 Coastal Commission hearing about the nature of the proposed high school project at Area C, and staff's serious concerns for siting such development at this location.

- On May 14, 1997 Commission staff again testified before the PVUSD School Board on the District's second public hearing on the Draft EIR and reiterated serious concerns over the proposed site.

- On August 5, 1998 Commission staff wrote detailed comments on the Revised DEIR again urging

pursuit of a less environmentally damaging alternative.

- On May 12, 1999 Commission staff informed the District by letter that condemnation proceedings on Area C (the Edwards property) were premature until an LCP amendment was approved, but again suggested pursuing alternative sites rather than the LCP amendment.

- On June 7, 1999, Commission staff testified at the City of Watsonville Planning Commission recommending that the City and the District pursue alternatives to the subject Area C site in order to avoid significant coastal resource impacts.

- On July 27, 1999 Commission staff wrote a letter on the subject LCP amendment package, once again reiterated the same set of serious concerns over the proposed high school project, indicating that the proposed LCP amendment package raised significant Coastal Act compliance issues and weakened the existing LCP.

See Exhibit D for the full text of these Commission staff correspondences on the project.

F. School Approval by State Department of Education and State Architect

Before pursuing an LCP amendment to allow a school on Area C, PVUSD had plans prepared and began condemnation proceedings for the proposed high school. The State Department of Education approved the final plans on October 21, 1998 and conditionally approved the school site on October 26, 1999. The approval by the State Architect is valid for four years. However, according to a representative of the Office of the State Architect, the approval must be extended each year. Currently, the District is waiting for approval of this year's extension.[15] The State Architect's office indicates that the extension will be approved once some minor changes to the plans are made.

G. City of Watsonville Approval of Proposed Amendment

The currently certified LCP does not allow for a high school at PVUSD's chosen site, nor does it allow for any development of that magnitude on Area C. Therefore, the LCP would need to be amended in order for PVUSD to be able to obtain a coastal permit to construct its proposed high school and related infrastructure improvements on Area C. Accordingly, PVUSD applied to the City of Watsonville for an amendment of the City's General Plan and it's Local Coastal Program to facilitate development of a high school off of Harkins Slough Road. The request was filed in September of 1998.

On May 19, 1999 the Watsonville City Planning Commissioner approved the LCP amendment package, by a vote of four to two. This action was taken notwithstanding the Commission staff's testimony summarized above and concerns raised by the California Department of Fish and Game that the proposed high school would have significant and unmitigatable adverse impacts on the Watsonville Slough system, on and off-site. The CDFG letter concluded (see Exhibit K for the full text):

[15] Phone conversation with Coastal Commission staff, February 29, 2000.

The Department finds the Final Revised EIR unacceptable and strongly advises the applicant to seek an alternative site.

On July 27, 1999 the Watsonville City Council reviewed the subject LCP Amendment package. By a vote of six to zero, the Watsonville City Council adopted Resolution 222-99 and ordinance 1080-99 thereby approving the proposed amendment to the City's Coastal Land Use Plan and Implementation Plan. This Council action also considered and concurred with the subject FEIR, and relied upon it in the Council's LCP findings (Resolution 221-99). Again, this action was taken notwithstanding Coastal Commission staff and Department of Fish and Game objections. CDFG's July 12, 1999 letter indicated that the subject site is biologically sensitive, and that if some form of development were to occur on the subject site, adverse impacts from such development cannot be mitigated on the site. It concluded:

We will continue to advise against locating the high school at this site.

See Exhibit K for CDFG correspondence.

H. Commission Action Since the City of Watsonville Approval of Proposed Amendment

The main amendment application package was received in the Commission's Central Coast District Office on August 23, 1999, and subsequent materials missing from the main package were received on August 27 and September 15, 1999. The application was filed on September 15, 1999.

The Coastal Act requires that where an amendment request contains both IP and LUP amendments, as is the case here, Section 30511(a) of the Coastal Act allows for a 90 day period within which the Commission must act. In this case, the 90th day fell on December 14, 1999 (i.e., September 15th + 90 days = December 14, 1999). Therefore, the amendment would have had to be scheduled for action at the Commission's December 7-10, 1999 meeting in San Rafael if it were to be decided within 90 days of filing. However, Coastal Act Section 30517 allows the Commission to extend, for good cause, the 90 day time limit for a period not to exceed one year.

In a letter received November 12, 1999 the City requested that the Commission hearing on the proposed amendment package take place no earlier than March 2000 in order to better enable the City to prepare necessary documentation supporting the amendment request. Pursuant to the City's request, the Commission extended the time-frame for action (for a period not to exceed one year) on the subject amendment at the December 9, 1999 Commission hearing. See Exhibit E.

C. Current LCP Policies: What is Allowed?

To better understand the implications of the City's LCP amendment submittal, it is instructive to consider the possible development potential on Area C under the currently certified local coastal

program provisions (i.e., land use plan text and maps and zoning text and maps).

1. Land Use Plan Policies

A. Agriculture is the Principle Use on Area C

Like the Coastal Act, agriculture is given priority protective status in the current land use plan. Policy III.C.1 lists agriculture as one of three permitted uses; the two others are passive recreation and aquaculture (which is a form of agriculture).

B. Provisions to Allow Non-Agricultural Uses

Notwithstanding the priority that agriculture is afforded, the LCP does open the possibility for other uses. In addition to the permitted passive recreational use, the LUP allows for *conditional* uses on Area C: residential on large-lot (5 acre minimum lot size per housing unit) or light non-nuisance industrial park (not including outside storage). However, LUP Policy III.C.4 states:

> *Non-agricultural use may be permitted only if continued agricultural use is demonstrated to be infeasible.*

Although "infeasible" is not defined in the City's LUP, Coastal Act Section 30108 defines feasible as follows

> *"Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.*

Thus, the City's LCP sets a high standard if conversions of agricultural uses on Area C are pursued. In short, it must be demonstrated that continued or renewed agriculture at the site cannot be "accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors."

C. Limits on Non-Agricultural Development

The LUP also includes specific performance standards to limit development at Area C. The LUP requires:

- Avoidance of all environmentally sensitive habitat areas; all ESHA acreage is to be excluded from calculation of lot size for number of residential units and allowed impervious surface coverage (Policy III.C.3.a);
- Minimum of 5 acre lot per housing unit (Policy III.C.3.b);
- Minimum of 15 acre lot for industrial use (Policy III.C.3.c);

- Minimum of 10% (of lot area) impervious surface coverage (Policy III.C.3.d);
- Minimum 50 foot setback from riparian areas (Policy III.C.3.e);
- Minimum 100 foot setback from wetlands or wetland transitional zones (Policy III.C.3.e);
- Slopes above 15% cannot be developed (Policy III.C.3.f);

All of these protections were certified into the LUP in acknowledgement of the appropriateness of limiting development on this sensitive site west of Highway 1. As stated in the certified LUP:

> *[Area C] presents the largest set of questions [in terms of the City's coastal zone areas]. Though zoned for residential development, it has the most varied terrain of any of the Coastal Zone areas and is the location of the city's most valuable coastal resource, Struve Slough. Without question any form of development of the site would be difficult and would require preservation of the natural resources. Potential options included transfer of development rights to Area A, extremely limited light industrial development with the requisite buffer zones and flood control maintenance requirements, or designation of the entire area for environmental management. Residential development would require very strict performance standards with the need to extend roads, sewer or septic tank and water systems, and the potentials for encroachment on the wetlands, flooding and further degradation of the groundwater, and the need for improved access to the parcels.*

That any non-agricultural and/or non-resource management development is allowed on Area C at all reflects the differing perspectives between the City's General Plan and the requirements of the Coastal Act when the LCP land use plan was originally certified on December 2, 1982. At the time of certification, although in agricultural production, the lands that were to become Area C were designated for residential use in the City's General Plan. The current LCP policies reflect a balance between the City's General Plan and the Coastal Act's protective resource policies, dictating continued agricultural use in Area C with the possibility of future conversion to other uses at a very limited intensity.

See Exhibit B for the selected land use plan text and maps.

2. Implementation Plan Policies

The City's Implementation Plan includes the text of the applicable sections of the City's zoning code and zoning maps. In general, a local government's Implementation Plan provides more detail than the land use plan concerning the specific uses allowed and the parameters for allowing them (e.g., setbacks, heights, parking requirements, etc.). While also true in this case, the City's certified Implementation Plan applicable to Area C in large measure mirrors land use plan restrictions for Area C.

The Implementation Plan **principal permitted uses** for Area C are: Public parks; publicly owned open lands, privately owned aquaculture facilities; public and quasi-public open space; irrigated agriculture;

non-irrigated agriculture; pasture and native grasses; animal agriculture; and wetlands. Some specific categories of park uses include tot lots, playgrounds, athletic fields, public golf courses, public pools, local or state parks, fairgrounds, zoos, botanical gardens, wildlife preserves, and public open space. However, it is noted that these are not all limited to passive recreational pursuits, as required by the Land Use Plan.

The Implementation Plan **conditional uses** for Area C are: Single family residences; Industrial machinery, equipment, and supplies-wholesale; Industrial nonmanufacturing, miscellaneous; Industrial pattern makers; Industrial truck services; and Highway right of way (within existing roadway area). Also, the principal permitted uses of the IP-Industrial Park District are Area C conditional uses. These include: Storage, limited to permitted IP District uses; Wholesale vehicles and equipment; Wholesale drugs, chemicals; Wholesale dry goods and apparel; Wholesale food distributors; Wholesale electrical goods; Wholesale hardware, plumbing, and heating supply; Wholesale machinery, equipment, and supplies; Wholesalers, miscellaneous; Research and development of manufacturing firms; Contractors, general; Construction, special trade contractors; Welding shop; Blueprinting service; Dairy products, manufacturing; Bakeries, large scale; Candy products, manufacturing; Beverage industries; Apparel and other products made from fabrics; Furniture and fixtures; Paper and allied products; Printing, publishing, and reproduction; Pharmaceutical products, manufacturing; Ice manufacturing; Rubber, plastic and leather products Stone cutting, monument manufacturing; Fabricated metal products manufacturing; Machines, business, manufacturing; Machine, service industry, manufacturing; Miscellaneous machinery, except electrical; Electrical machinery, equipment, and supplies; Transportation equipment Instruments, photo, optical goods, watches, clocks, manufacturing; Miscellaneous manufacturing industries Blueprinting, microfilming, service; Services to buildings, machinery, and property; Vocational trade schools; Tool designers; Delivery service; Packages, not freight; and Automobile parking facilities.

The Industrial Park requirements are somewhat different than those stated in the Coastal Implementation Plan. However, since the Coastal Implementation Plan says that the regulations both that it contains and that are found in the Industrial Park district section of the Municipal Code apply, there could be some dispute as to which set supercedes the other. Also, the City has slightly amended the Industrial Park permitted uses and requirements since the version (latest Reprint August 30, 1985) submitted with the Coastal Implementation Plan. However, since those subsequent changes were never formally submitted to the Coastal Commission as local coastal program amendments, they are not effective for the coastal zone.

There are clearly a large number of principal and conditional uses currently assigned to Area C. This should not be taken as evidence that such development is a certainty, however. In fact, the IP, like the LUP, stringently protects against conversion of Area C land from agricultural to non-agricultural uses. Such a conversion would be predicated upon a finding that "continued agricultural use is demonstrated to be infeasible" (IP Section 9-5.705(c)(4)(a)). Any non-agricultural use, principal or conditional, requires a finding that it is in conformance with LUP Chapter II policies including, but not limited to, LUP Policies II.A.1 and II.A.2 prohibiting conversion of land "suitable for agricultural use" unless

continued or renewed agricultural use of the land in question is not feasible, or such conversion would result in development near existing developed areas served by adequate public facilities.

The IP mirrors the LUP sets of performance standards and establishes the following minimum requirements:

Minimum Lot Area and Dimension (IP Section 9-5.705(c)(1)): 5 acres per residential unit, 15 acres per industrial use; each lot must have a frontage of 330 feet.

Minimum Setbacks (IP Section 9-5.705(c)(2)): 50 feet from riparian habitats and 100 feet from wetlands or transitional zones; 20 feet for front and rear yards, 5 feet for interior side yards.

Maximum Coverage and Height (IP Section 9-5.705(c)(3)): Maximum impervious surface coverage is 10%. Maximum height is 2½ stories or 30 feet.

The minimum lot dimension and maximum coverage calculations are net. Wetlands, riparian habitat, and other environmentally sensitive habitat areas are excluded from the minimum lot dimension and maximum coverage calculations.

See Exhibit B for the selected implementation plan text and maps.

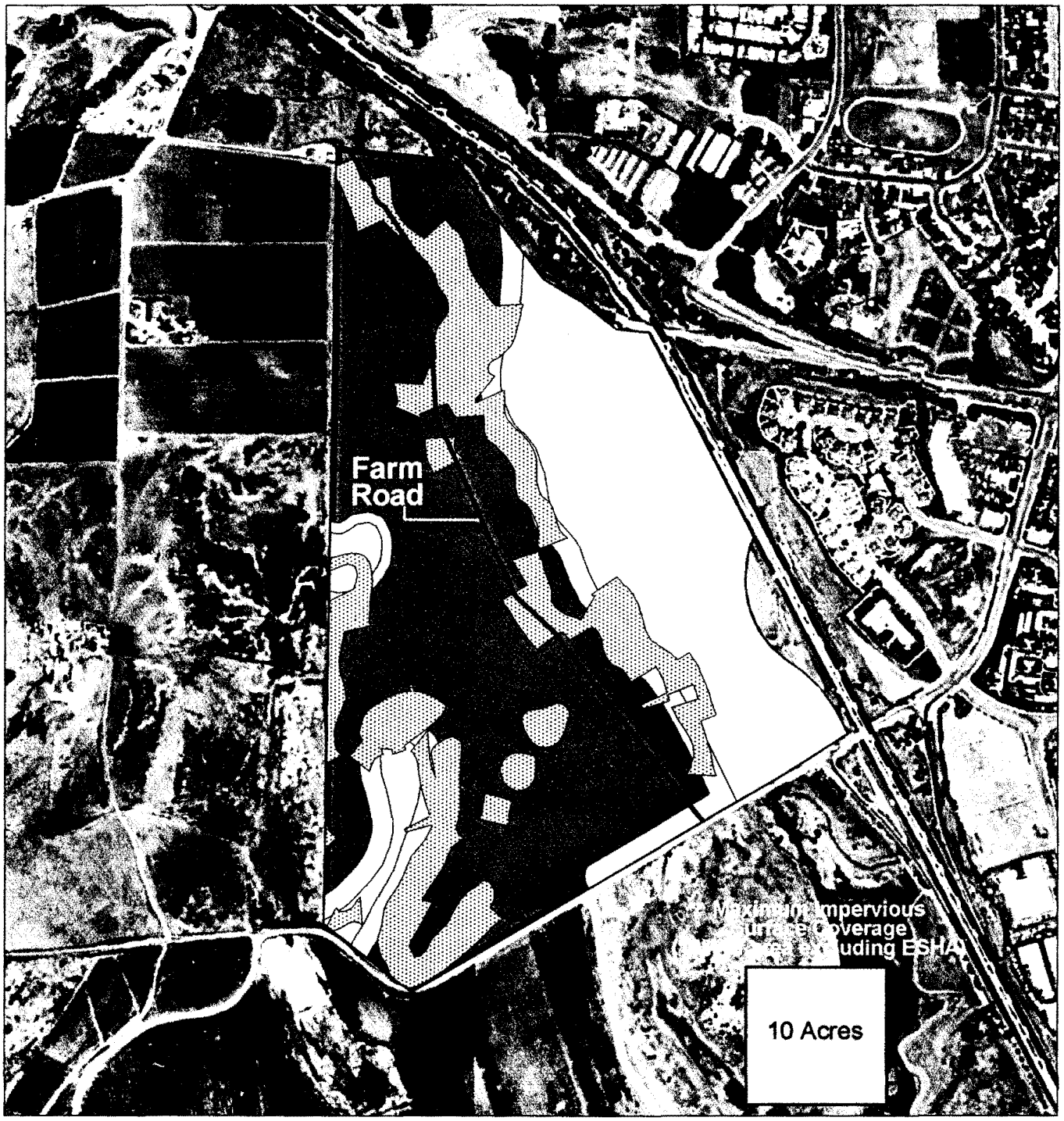
3. Relationship of Current Policies to Allowable Development

A. Maximum Amount of Development Area and Maximum Coverage

Under the current local coastal program there are two key calculations: the number of acres that a use can occupy and the maximum amount of impervious surface. The first calculation is based on LCP policies that require development to avoid and be buffered from the West Branch of Struve Slough, from Hanson Slough, from upland transitional habitats, and from adjacent agricultural operations. In addition, development would need to avoid slopes greater than 15%. This development envelope is calculated by removing from the 139 acre Area C the following: environmentally sensitive habitat (ESHA) (- 41 acres), 100 foot ESHA buffer (-16 acres), slopes greater than 15% (-28 acres), and property setbacks (generally 20 feet wide or -3 acres). The result (after accounting for overlapping categories) is approximately 63 acres of land. However, about five acres of this total is isolated from the remainder by steep slopes, hence netting a more realistic 58 acre development envelope. This is illustrated in Figure 7; also see Table 3 below.

The second calculation, for the maximum amount of impervious surface, involves removing ESHAs (-41 acres) from the 139 acre Area C and then taking 10% of that number The result is 10% of 98 (139 –41) or approximately 10 acres.

Figure 7: Current LCP Development Constraints: Area C



Agricultural (i.e. rear yard) Setback (20')
ESHA
ESHA Setback
Steep Slopes (15% or greater)
Developable Area *
Coastal Zone Boundary

N
500 0 500
Feet

- NOTE -
The information depicted on this map is subject to revision. Locations approximate. For illustrative purposes only.

*"Only if continued agricultural use is demonstrated to be infeasible." (LCP Policy III.C.4)

Data Source: Watsonville LCP Major Amendment 1-99 Administrative Record.
Photo Source: Air Flight Service. 6/22/1994.

Technical Services Division
California Coastal Commission

GMB, JVC: 2/00

Table 3: Current LCP Planning Constraints[16]

	Total Area C	Proposed Area F	Remainder of Area C
Total acres	**139**	76	63
ESHA mapped	**41**	14	27
Steep Slopes (>15%)	**28**	17	11
Buffers to Adjacent Agricultural Land (i.e., 20' rear yard setback)	**3**	1	2
Buffers ESHA	**16**	12	4
Developable Area (Total – ESHA – Slopes – ESHA Buffer – Ag Buffer)	**63**	39	24
Impervious Coverage allowed (Total - ESHA x 10%)	**10**	6	4

In conclusion, a maximum of approximately 63 acres (58 if one removed isolated "developable" areas; see Figure 7) of the 139-acre Area C site could be developed with non-agricultural uses and a maximum of 10 of these acres could be covered with buildings or pavement – and only *after* a finding was made that continued agricultural use was infeasible.

B. Illustrative Use Scenarios

If the agricultural conversion finding could be made, there are various options for other uses of Area C under current LCP policies. For purpose of analysis, three general future development scenarios that may be possible at this location are presented: continued open space use (i.e., agriculture), complete conversion to non-agricultural use, and partial conversion to non-agricultural use.

Continued Open Space, Agriculture and Habitat (Existing Scenario)

The LCP's primary intention is that agriculture and open space/habitat uses remain on the site. This is illustrated through their designation as principally permitted uses. Since agricultural use remains feasible (see agricultural finding below), this is the most likely scenario under the current LCP. Three other provisions in the LCP bolster the unlikelihood of residential or industrial development occurring:

> *LUP Policy III.C.3(j) states that the City should work with other agencies and organizations by promoting acquisition of the upper portion of the West Branch of Struve Slough;*
>
> *LUP Policy III.C.3(m) states, "It is anticipated that market forces and development costs will delay development of this area until after the infilling of comparable lands east of Highway 1."*
>
> *LUP Section 5(B)(Area C) states in summary, "Without question any form of development of the*

[16] All totals in acres.

site [Area C] would be difficult."

Under this scenario of continued agriculture, there would be no structural developments, save maybe for a barn or storage shed. The number of site occupants should average no more than 50.[17]

Complete Conversion to Non-Agricultural Use (Maximum Development Scenario)

This maximum possible development scenario is based on the possibility that at some time the City would make the required findings to allow agricultural conversion. As stated above, such a conversion to a non-agricultural use would require finding that continued or renewed agricultural use is infeasible, or that such conversion would result in development near existing developed areas served by adequate public facilities. If such findings were first made, the maximum amount of nonagricultural development that would then be allowed under current LCP policies are as follows:[18]

Recreational

The LCP allows parks that provide passive recreation. The amount of paving and other structural development in a park is usually minimal; the site for example, could have parking, restrooms, and perhaps some trails. The number of people in a park on Area C could vary greatly depending on the type of park uses provided. However, it would be very unlikely to have more than 1,000 daily visitors; in reality the number would probably be far fewer.[19]

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[17] The current tenant employs 20 to 40 people (Emidgio Martinez phone conversation of 1/31/00); the UFW testified at a LAFCO hearing that a 90 acre strawberry parcel employs about 60 farm-workers or 2/3 worker per acre. Given 70 acres of farmland on Area C that would yield 47 workers. The City testified to a lower figure.

[18] For purposes of analysis only, a maximum intensity development scenario is presented based the maximum intensities of each of the Area C permitted uses. Since there are many categories of recreational and industrial uses, the calculations are representative of what *might* occur. The final discretion would be the City's through the coastal permit process.

[19] Since the land is situated between two wetlands and adjacent to the Department of Fish and Game Reserve, the most fitting use would be as a wildlife preserve. The current adjacent reserve is closed to visitors; so the use intensity is effectively zero. A brief survey of other open space preserves revealed estimated weekend users any where from 30 to 500 on sites ranging from 33 to 173 acres. A rule of thumb for a nature trail is 50 people per mile of trail (Albert Rutledge, *Anatomy of a Park*, 1971). Assuming a loop trail and with maybe some connections could yield two miles of trails on Area C, which is about 2/3 mile long. Thus, usage would be approximately 100 daily visitors. Another allowed use is a botanic garden. A 65 acre botanic garden in Santa Barbara gets up to 800 daily visitors on spring weekends.
The nearest comparable park (i.e., with wetlands as opposed to a beach or forested public park) is Pinto Lakes County Park, although somewhat larger (183 acres) and containing sports fields. Its estimated summer use is 250 visitors on Saturdays and 400 visitors on Sundays.
Although active recreational uses are not allowed under the Land Use Plan, golf courses and sports fields are examples of potentially more intensive uses listed as subcategories of land uses in the zoning ordinance. A nine-hole golf course needs approximately 55 developed acres and 20 natural area acres. A rule of thumb is a maximum of eight golfers per hole at one time. (George Fogg, *Park Planning Guidelines*, 1990) Thus, there would be a maximum of 72 golfers on the site. Baseball fields, for example, require 350 to 400 feet square. Given the configuration of the developable area, no more than 10 fields could be accommodated. At 50 players (2 teams of 25) per field the would be 500 players. These intensities could be even higher if spectators were included, but then the amount of fields would have to be reduced for parking and other amenities. Furthermore, that level use would be limited to non-winter seasons and generally weekends.

Residential

Residential development within the 98 acre development envelope would also need to meet parcel size, frontage, and buffering requirements. The LCP allows five acre homesites, and requires a parcel frontage of at least 330 feet. Approximately 19 homes could theoretically be built under these constraints. Any such homes would need to be adequately buffered from on-site ESHA (a minimum of 100 feet from wetlands and 50 feet from riparian areas) and adjacent agriculture. Though the City's LCP does not include an agricultural buffering provision, the required setback for the adjacent County agricultural lands per the Santa Cruz County LCP is 200 feet. Residential development brings with it its attendant pets, lights, noise, and activity. At three people per house,[20] there would be approximately 57 people on the site at any given time.

Industrial

As noted there are about 98 useable acres, leaving maximum impervious surface coverage of just under 10 acres (10% of that figure per policy III.C.3.a), that could be covered with buildings and pavement. According to *Watsonville 2005 General Plan* (p.44), industrial uses generate an average of 25 jobs per acre under current LCP. This means that there would be approximately 250 workers on the site.

The LCP does not completely dictate how siting of these uses would occur beyond the steep slope and setback limitations. In other words within the potentially buildable area shown in Figure 7, there would be some discretion as to siting any conditionally-approved uses. The LCP does require a minimum parcel size of 15 acres for industrial development and permits industrial uses within an "industrial park." One 15 acre parcel would have ample room to house all of the industrial development allowed (i.e., the 10 acres of impervious surface) in an industrial park setting. Given site constraints and infrastructure costs, it can be anticipated that likely only one industrial park would be developed on Area C, leaving the balance of the site in open space, including possible continued agricultural use.

Vocational School

One conditionally allowed use under the industrial park category is a vocational trade school. Vocational trade schools can vary greatly in size and type. In Santa Cruz County, for example, there are tax preparer, hairdresser, massage, and truck driver schools. Thus, some of these schools need little space for a classroom. Some, like the District's current Academy Vocational Institute, just require office space as students apprentice at local businesses or complete a home study course. If others require on-site facilities, such as a paved area to practice truck maneuvering, then the acreage requirements could be quite large. If the vocational school were public for high school age students, it would be subject to the same guideline as for any other public high school.[21] This would mean no more than 1,000 students.[22] If the vocational school were private, then the size limitation would be governed by parking. Under the

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[20] Per the Watsonville General Plan p. 44.

[21] Letter from Department of Education February 1, 2000.

[22] Guidelines for 1,000 students are for 5.2 acres of parking and roads and 2.1 acres for hardcourts; which would leave 2.7 acres for building; guidelines for buildings are not shown separately, but are shown together with grounds (which could be mostly pervious surfaces); for up to 1000 students the guidelines are 6.2 acres.

City Municipal Code, one parking space per 3 students plus one per employee is required for trade, vocational and business schools. Assuming seven out of the available 10 impervious surface acres are devoted to parking at 320 square feet per space, and assuming a student instructor ratio of 25 to 1, then 2,550 students could be accommodated, subject to all other environmental constraints (see findings herein).

Partial Conversion to Non-Agricultural Use (Mixed-Use Scenario)

A third possible future scenario which would leave the balance of the site remaining in agricultural production is partial conversion to another, say for example, industrial use. As noted, the current LCP's allowance of conditional non-agricultural uses requires a minimum of 5 acres per residential unit and 15 acres for industrial development. Thus, there is the possibility that part of the site could convert to such conditional uses. Area C is currently made up of five separate parcels. This suggests that one or more separate developments of one type or another could be pursued by independent landowners with an investment backed expectation to develop on each respective site, while the others keep their land in agriculture. However, at this time all five parcels are in common ownership.

C. Conclusion: Use Intensities Under Current LCP

The current LCP allows for only agricultural use of Area C unless agriculture is determined to be infeasible. A little over half of Area C is currently in agricultural use. The portion that is not is composed largely of steep slopes and environmentally sensitive habitat areas where development is not allowed. There is a narrow strip of sloping land (roughly 100 feet by 1000 feet or 2 acres) east of the agricultural use and not explicitly prohibited from being developed adjacent to Harkins Slough Road. It's size, lack of services, and the LCP's visual policies would all serve to limit its development potential. It's most likely and encouraged use under the LCP would be for passive recreation, such as a park or open space preserve. There appears to be enough developable area under the current LCP to allow for some parking, restrooms, trails and other improvements to serve as a base to view the wildlife and scenic beauty of the West Branch Struve Slough wetlands. It would not meet minimum lot size for residential or industrial use.

The portion of Area C in agricultural use has historically been in that use with a recent change from grazing to cultivation. While the feasibility of continued agriculture might not have been apparent at the time that the policy was written two decades ago, at present, it is feasible to continue the use (see Agricultural finding below). However, for analytical purposes, if one assumes that a finding of infeasibility could be made at some point, then the site would have additional development potential under the LCP. As discussed above and as summarized in Table 6, this development could take the form of residences, industry, parks, or vocational schools. The figures generated in this report should be taken as only gross estimates, subject to the following constraints (in addition to the finding of infeasibility to continue agriculture):

- As noted previously, the acreage figures provided have some potential degree of error; site sizes given by the County's GIS are smaller. Since the calculated intensities are derived from acreage

multipliers, smaller acreages would reduce the calculated intensities.

- The development envelopes shown on Figure 7 are maximums. Their actual sizes and the sizes of any structures in them would be further constrained by the results of environmental review and application of all relevant LCP policies including those that relate to scenic resource protection (e.g., hide structures from Highway One, if feasible) and hazard avoidance.

- Any development would be subject to market considerations. The roughly isolated nature of the site and the lack of infrastructure are factors that may limit its development into some of the uses that the LCP allows. Furthermore, there may not be a demand for some of these uses or a demand for them at their maximum potential intensity.

D. Proposed LCP Policies

In total there are eight (8) proposed amendments to the Watsonville LUP and nine (9) proposed amendments to the Watsonville Implementation Plan. See Exhibit A.

1. Proposed LUP Policies

Proposed amendments to the Watsonville LUP include the following:

1) Amend Figure 1 of Section I to designate part of existing Coastal Area C to new Coastal Area F.

2) Amend Section II.A.2 by replacing the words "serve to concentrate development consistent with Policy 1," with "preserve prime agricultural land or concentrate development with Policy II.A.1."

3) Amend Figure 2 of Section II.D.1 to include a revised delineation of the environmentally sensitive habitat in new Coastal Area F.

4) Amend Section III of the Coastal Land Use Plan by inserting same text detailing permitted uses, conditional uses, performance standards, and criteria for non-agricultural use of Coastal Area C for new Coastal Area F, with additions and changes as listed below.

5) Amend new Subsection III.F.2 to add "Public school" as a conditional use in new Coastal Area F.

6) Amend new Subsection III.F.3.d to allow up to 50 percent maximum impervious surface in new Coastal Area F.

7) Amend new Subsection III.F.3.f to allow development of areas with up to 25 percent slope in new Coastal Area F.

8) Amend new Subsection III.F.4 to change the criteria of conversion to non-agricultural use to

circumstances where continued or renewed agricultural use is not feasible, or when such development would preserve prime agricultural land or concentrate development consistent with Policy II.A.1.

2. Proposed Implementation Plan Policies

Proposed amendments to the Watsonville IP include the following:

1) Amend Section 9-5.702 to allow the creation of Coastal Area F as the sixth separately designated coastal area of Watsonville.

2) Amend Section 9-5.703 by adding a new Subsection (F) stating principally permitted uses in new Coastal Area F. There is no change from the previously designated principally permitted uses for Coastal Area C.

3) Amend Section 9-5.704 by adding new Subsection (F) stating conditionally permitted uses in new Coastal Area F. The conditionally permitted uses are the same as the previous designation of Coastal Area C, with the exception of the addition of public schools as a new use.

9) Amend Section 9-5.705 by redesigning existing Subsection (f) to be "Subsection (g)" and by inserting the new Subsection (f) with the same text of Subsection (C) for Coastal Area C, detailing performance standards for new Coastal Area F, with additions and changes to such section as listed below.

4) Amend Section 9-5.705.f.3 to allow up to 50 percent maximum impervious surface in Coastal Area F.

5) Amend Section 9-5.705.i to expand upon criteria for agricultural use conversion by allowing such us which would preserve prime agricultural land or concentrate development consistent with Section II of the Land Use Plan.

6) Amend Section 9-5.705.f.4.ii to allow development of environmentally sensitive habitat areas less than 0.1 acre in size in Coastal Area F, provided that such areas are replaced at a minimum 2:1 ratio.

7) Amend Section 9-5.705.f.4.iii to allow development of areas with up to 25 percent slope in Coastal Area F.

8) Amend newly renumbered Subsection (g) to allow performance standards applicable to all areas to include the newly created Coastal Area F within such standard requirements

E. General Effect of Proposed Amendment

This section discusses the general effect of the proposed amendment, namely, to significantly increase the amount of development that could occur within the City's coastal zone over what is currently allowed. The specific coastal resource impacts of the proposed amendment are discussed in the Coastal Act consistency sections of this report.

1. Relationship of Proposed Amendment to Allowable Development

One proposed LCP policy modification, redefining the criteria for agricultural conversion, would apply to several parcels in Watsonville's coastal zone, as discussed below. The other proposed changes to LCP policies and maps would apply only to proposed new coastal Area F. Current policies discussed above would still govern the remainder of Area C. For analysis purposes, the following discussion is predicated on the City being able to make the proposed more liberalized finding of allowing a complete conversion of agricultural land.

A. Agricultural Policy Change

The proposed amendment would add one additional criterion to allow agricultural conversion in policy II.A.2 that is said to affect all areas. The current two criteria are "continued or renewed agricultural use is not feasible" and new "development would serve to concentrate development." The added criteria would be "to preserve prime agricultural land." However, at most, this may only apply to Areas A and B. This is because Areas D and E are developed and because there are existing, site-specific conversion policies for Areas B and C.

Area A

Area A already contains a yard waste mulching operation (which is a principally permitted agricultural use) and a golf range. Because these are not structural uses, because policy II.A.2 applies to "lands suitable for agricultural use," because the yard mulching operation is an agricultural use, and because the lands once were previously grazed, the policy, as amended, could apply were there a proposal for a different project. However, given that a non-agricultural use has already been allowed and given the site characteristics, having the additional available conversion criteria should not be material. The only other category of permitted use on Area A is open space recreation.

Area B

For Area B the only non-agricultural use allowed is visitor-serving. To permit it requires a finding that continued agricultural use is not feasible. The site is former grazing land that is not now in agricultural use. The larger of the two vacant parcels comprising Area B has a coastal permit for a 100-unit motel that has been extended since 1989. Assuming that a new project was proposed for Area B and the site

had not been returned to an agricultural use, then the two existing and one proposed criteria of Policy II.A.2 would apply, because the site, although not in agriculture, would be suitable for agriculture. Thus, the City would have more latitude in being able to approve the proposed use with the amendment, since the amendment would add another criteria to allow conversion.

Area C

The same reasoning would apply to the remainder of Area C that is not proposed to become Area F. This is because the specific, more limiting policy for Area C not being proposed for amendment would still apply ("non-agricultural use may be permitted only if continued agricultural use is demonstrated to be infeasible" – Policy II.C.4) over the more general policy II.A.2. Again, this latter policy would only apply were agricultural use to have ceased on the site prior to a development application.

Table 4: Agricultural Conversion Criteria

Applicable Conversion Criteria by Coastal Zone Area	Continued or renewed agricultural use infeasible	Development preserves prime agricultural land	Conversion concentrates development
Area A: golf driving range and composting facility; former grazing land	Under current LCP and amendment	Under amendment only	Under current LCP and amendment
Area B: permit for 100 unit motel and small vacant parcel; former grazing land; if site were vacant at time of a development proposal.	Under current LCP and amendment	Under amendment only	Under amendment only
Area B: if site were in agricultural use at time of a development proposal.	Under current LCP and amendment	Not a criteria	Not a criteria
Area C to become Area F current strawberry field	Under current LCP and amendment	Under amendment only	Under amendment only
Proposed **Area F** portion of Area C: current strawberry field	Under current LCP and amendment	Not a criteria	Not a criteria

The situation for the proposed Area F would be different under the amendment, which would set the criteria for conversion to be the same as policy II.C.4. Thus, the proposed amendment represents a more liberalizing threshold for allowing a conversion from agriculture. For example, if it were found that

continued or renewed agricultural use of the site was still feasible, a conversion could still be allowed if the City made a finding that the conversion resulted in preserving prime agricultural land or in concentrating development. Since the LCP states that "there is no prime land in the City's coastal zone" presumably a finding for developing this site could always be made as it would be an alternative to developing prime land elsewhere.

B. ESHA Redelineation: West Branch Struve Slough

The proposed redelineation of the portion of West Branch Struve Slough would result in only 29 acres of mapped ESHA instead of the 37 acres ESHA identified in the LCP for the West Branch (see Figure 8). The acreage of the 100 foot ESHA buffer would be reduced slightly. Since ESHA, wetlands and the LCP-required 100-foot wetland buffer cannot be developed, the effect of this part of the amendment would be that the amount of area that could be developed on the site would be greater by approximately 8 acres.

C. Other Wetland Redelineation and Fill

There are three other smaller wetland areas on Area C. One is an approximately 1.5 acre wetland finger of Hanson Slough outside of proposed Area F. It would not be affected by the proposed amendment. The second is another finger of Hanson Slough. It is almost 3 acres and would require a 100 foot buffer of 5 acres. The proposed amendment first shows a redelineation of this wetland to only less than 0.1 acre and then includes a policy change to allow filling of ESHA smaller than 0.1 acre. Thus, the effect of the amendment would be to increase the development envelope by approximately 8 acres. The third wetland area was not previously mapped in the LCP but was mapped during the EIR process for the new high school. It is also shown as just under .1 acre and so it could be filled.

D. Slope

The proposed performance standard change to allow slopes from 15 to 25% to be developed would affect approximately 10 acres. Also, an additional acre that was surrounded by undevelopable land would no longer be.

E. School Use

The proposed amendment would add "Public School" as an allowable conditional use for proposed Area F. As previously noted, there is a specific proposal for a public high school of 2,200 students, but the amendment is more general in just allowing a public school on the site, without specifying size or other parameters. However, there are State Guidelines that give a fair indication of what size school could go on proposed Area F. Assuming 62 available acres, this could support, for example, a 2,800 student high school, or a 900-student middle school and a 1,600-student high school (see Table 2 above). A 2,800 student high school would typically consist of eight outdoor field areas, 13 hardcourt areas, and eight apparatus areas. These physical education facilities would cover 28.9 acres, Buildings and grounds would cover 17.7 acres, and parking and roads would cover 14.2 acres under proposed revised State

guidelines. Under current guidelines even more students would be acceptable on a 62 acre site. On the other hand the Commission recognizes that PVUSD has already performed a site-specific analysis and environmental review and concluded that it would develop only 55 acres. Still, 55 acres is sufficient to support at least 2,400 high school students, even under the proposed revised State guidelines.

2. Increased Intensity of Development as a Result of the Amendment

The proposed amendment would significantly weaken the LCP resource protection goals. Assuming the City made findings to allow a conversion of agricultural land, the amendment components to allow wetland fill, to redelineate habitat, and to allow development on steeper slopes would combine to result in more potential development of the site because much of the site now cannot be developed due to presence of wetlands, ESHA, steep slopes, and impervious surface limitations. Any of the previously described allowable LCP uses for the site would be allowed to develop within new proposed Area F at this higher level of intensity.

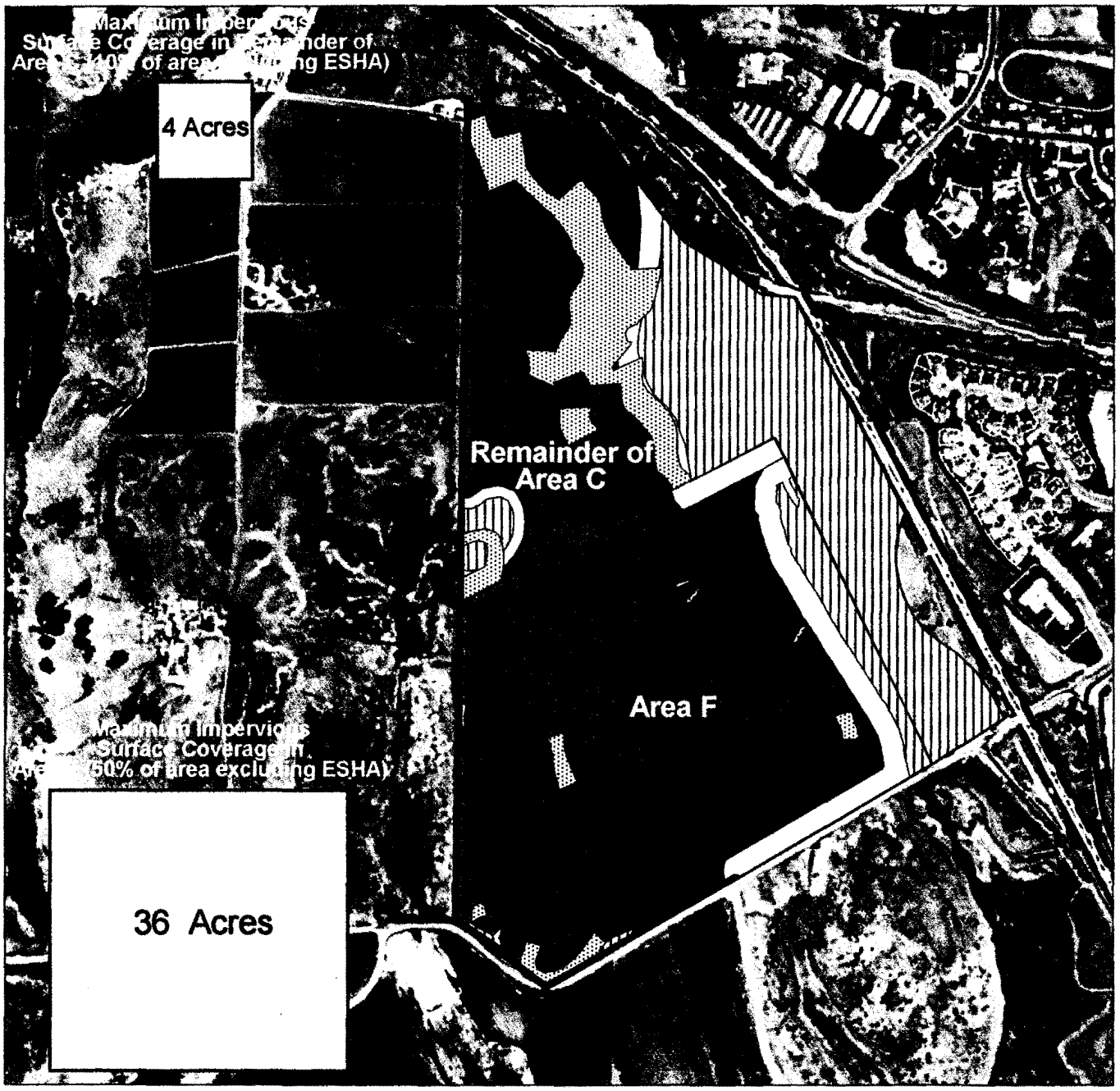
A. Increased Maximum Amount of Development Area and Maximum Coverage

Under the proposed amendment the acreage calculations for both the development envelope and the maximum impervious surface coverage would change. The new parameters for proposed 76 acre Area F would remove ESHAs only over .1 acre that have been redelineated (-4 acres), 100 foot ESHA buffer (-7 acres), slopes greater than 25% (-2 acres), and property setbacks (generally 20 feet wide or 1 acre). The parameters for the remaining 63 acre Area C would remain as before: ESHA (- 27 acres), 100 foot ESHA buffer (-4 acres), slopes greater than 15% (-11 acres), and property setbacks (generally 20 feet wide or 2 acres). The resulting buildable area (after accounting for overlapping constraints) would be 62 acres on Area F and 24 acres on remaining Area C or a total of 86 acres on what is currently Area C. See Figure 8 and Table 5.

The second calculation, for the maximum amount of impervious surface under the proposed amendment would also change. For proposed 76 acre Area F, the calculation would be based upon the new total acreage (76 acres), minus the propsoed Area F ESHA acreage (4 acres), multiplied by 50%; a maximum total of 36 acres of impervious surface coverage. For the remaining 64 acres of Area C, the calculation would be based upon the remainder total acreage (63 acres), minus the remainder ESHA acreage (27 acres), multiplied by 10%, for a total maximum of 4 acres of impervious surface coverage. The result is 36 acres on Area F and 4 acres on the remainder of Area C, or a total allowed impervious surface coverage of 40 acres on what is currently Area C.

In conclusion, the proposed amendment increases the development envelope on all of Area C from 63 acres to 86 acres or 137% of that currently allowed. It increases the maximum allowed impervious surface coverage on all of Area C from 10 acres to 40 acres, 4 times what is currently allowed.

Figure 8: City-Proposed LCP Development Constraints: Area C



N

500 0 500

Feet

- Agricultural (i.e. rear yard) Setback (20')
- Proposed ESHA
- Proposed ESHA Setback
- Steep Slopes*
- Proposed Developable Area**
- Coastal Zone Boundary

**Area F: Only if "(1) continued or renewed agricultural use is not feasible, or (2) such development would preserve prime agricultural land or concentrate development consistent with Policy II.A.1." (Proposed LCP Policy III.F.4) Remainder Area C: Only if "continued agricultural use is demonstrated to be infeasible." (LCP Policy III.C.4)

*25% or Greater in Proposed Area F
15% or Greater in Remainder Area C

- NOTE -
The information depicted on this map is subject to revision. Locations approximate. For illustrative purposes only.

Data Source: Watsonville LCP Major Amendment 1-99 Administrative Record.
Photo Source: Air Flight Service. 8/22/1994.

Technical Services Division
California Coastal Commission

GMB, JVC 2/00

Table 5: City-Proposed LCP Development Constraints[23]

	Total Area C	Proposed Area F	Remainder of Area C
Total acres	**139**	76	63
ESHA (habitat) mapped	**31**	4	27
Steep Slopes (>25% on F, >15% on remainder of C)	**13**	2	11
Buffers to Adjacent Agricultural Land (i.e., 20' rear yard setback)	**3**	1	2
Buffers to ESHA	**11**	7	4
Developable Area (Total – ESHA – Slopes – ESHA Buffer – Ag Buffer)	**86**	62	24
Impervious Coverage allowed (Total - ESHA x 50% for F, x 10% for remainder of C)	**40**	36	4

Table 6: Difference in Development Constraints Between Existing and Proposed LCP

	Change in Total Area C		Change in proposed Area F portion of Area C	
	Total acres	Percent increase/ decrease	**Total acres**	Percent increase/ decrease
Total acres	0	0%	0	0%
ESHA mapped	**-10**	-24%	-10	-71%
Steep Slopes (>25% on F, >15% on remainder of C)	**-9**	-41%	-9	-82%
Buffers to Adjacent Agricultural Land (i.e., 20' rear yard setback)	**0**	0	0	0
Buffers to ESHA	**-5**	-31%	-5	-42%
Developable Area (Total – ESHA – Slopes – ESHA Buffer – Ag Buffer)	**23**	37%	23	59%
Impervious Coverage allowed (Total - ESHA x 50% for F, x 10% for remainder of C)	**30**	308%	30	481%

B. Illustrative Use Scenarios Under the Proposed Amendment

Under the proposed amendment, there would be a slight increase in development if the site were to be

[23] All totals in acres.

used residentially. Since the mapped ESHA has been reduced by ten acres, two more homes could be built. The use intensity for a park should remain about the same. Following are two possible scenarios describing development that could occur under the amendment.

School on Area "F" and Industrial Development on Remainder of Area C Scenario

The proposed amendment would result in more surface coverage, as described above and more intensive site use if a school is developed on proposed Area F and industrial development occurs on the remainder of the site. Additionally, a school is likely to have a larger development envelope by virtue of the fact that it contains more pervious, but developed, areas for playfields, landscaping, and the like.

With regard to intensity of development: about 100 workers would be employed in remainder area C. A school could have up to 2,800 students plus 190 teachers and other staff.

The nature of the use would also be different if the site is developed for a public school. Students, teachers, employees, and visitors would need to make their way to the school and around the campus. During breaks in classes and after school, or during sporting events or other after-school activities, persons would be active on and around the campus. Public schools include such activity five days of the week for much of the year (PVUSD operates on a year-round schedule.). There may also be weekend events and recreational use of the grounds, including scholastic football games which could draw large crowds Such a major facility may also be available for other community uses (e.g., disaster relief center).

Industrial Development Scenario

As noted, the proposed amendment applies to all types of permitted uses of the site. If for some reason the site was not used for a public school, it could be developed with the industrial uses listed above. In that case, there would still be 30 more acres of (or 4 times more) impervious surface coverage, but only about 1,000 workers employed on site.

C. Conclusion: Comparison of Proposed and Current LCP Use Intensities

In general the proposed amendment would increase the potential intensity of use on Area C. Again, assuming that agricultural conversion findings could be made, there would be more impervious surface coverage and more area subject to development. The resulting number of people on the site would be greater. The figures presented give a rough idea of magnitude for comparison purposes, but are subject to the same caveats as described in earlier.

Table 7: Intensity of Use Under Different Development Scenarios

Development Scenario	Current LCP		Proposed Amendment	
	Coverage	People	Coverage	People
agriculture/habitat	negligible	60 workers	negligible	60 workers
parks, passive recreation	Parking, trails, etc.	Up to 1,000 visitors on peak days	Parking, trails, etc.	Up to 1,000 visitors on peak days
residential	19 houses	57 residents	21 houses	63 residents
vocational school	3 acres building; 7 acres parking	2,550 students; 102 teachers	12 acres buildings; 28 acres parking	10,200 students; 408 teachers
manufacturing	4 acres buildings; 6 acres paving	250 employees	10 acres building; 16 acres paving	1000 employees
school on 76 acre Area F & manufacturing on 63 acre remainder Area C	Not allowed	Not allowed	20 acres buildings; 20 acres paving	2,800 students 190 staff 100 employees 3,090 persons

The addition of public schools as a permitted use, coupled with the increased impervious surface and development envelope areas, represents a potentially significantly greater intensity of use (over what the LCP currently allows) than is reflected in the calculated numbers for the following reasons:

- A public school, in contrast to most of the other allowed uses under the current LCP, makes active use of pervious surfaces in the form of athletic fields, and at least five days per week (i.e., the entire development envelope will be actively used);
- The only other allowed use category that could develop throughout the allowable envelope (i.e., involve pervious surfaces) would be passive recreation. In contrast to a public school such use would be of lower intensity with heaviest use only two days per week (i.e., the weekend);
- A public school, by virtue of being public, offers intensive use opportunities at almost any time in the form of various indoor and outdoor community events;
- A public school will require a complete infrastructure; including off-site utility and road

improvements; public funding will be made available to develop the necessary infrastructure. There is not the same likelihood of scaling back intensity to the level of available or economical infrastructure that there is for the other uses allowed under the current LCP.

3. Other Effects of the Proposed Amendment

The described amendment and the resultant potential development scenarios have negative impacts both on and off the site on habitat, agriculture, water quality, and views. Additionally, the increased magnitude of allowable development may bring with it more urban aspects to the site, such as public services and utilities. Thus, the amendment would result in potential projects that further destabilize the urban-rural boundary and induce growth west of Highway 1, as described in the next section of this report.

3. Coastal Act Consistency

A. Standard of Review

1. Required Findings

The standard of review for proposed modifications to the City's LUP is consistency with the Coastal Act. The standard of review for proposed modifications to the City's IP is that they must be consistent with and adequate to carry out the policies of the LUP. In general, Coastal Act policies set broad statewide direction that are generally refined by local government LUP policies giving local guidance as to the kinds, locations, and intensities of coastal development. IP (zoning) standards then typically further refine LUP policies to provide guidance on a parcel by parcel level.

2. Relationship of Proposed Amendment to PVUSD's 3rd High School

As discussed, the proposed LCP amendment has been prepared to allow a specific proposal to move forward – a public high school. Therefore, the Commission can use the extensive information developed for that proposal in considering the amendment request. However, the Commission can only use the specific high school proposal as an example of what could occur under the amendment. More important, review by the Commission cannot be limited to examining only the proposed high school as described in

the final EIR for the following reasons:

First, construction of the high school is not yet assured. Pajaro Valley Unified School District (PVUSD) does not yet own the land on which the third high school has been proposed. Because there is an unwilling seller, PVUSD has commenced eminent domains proceedings to acquire proposed Area F. This suit has not yet been decided. PVUSD must also secure funding for the school. It currently has an application on file with the State Office of Education for $45 million. Also, if any work takes place in the Harkins Slough Road right-of-way, a coastal permit will be required from Santa Cruz County. PVUSD has submitted an application to the County for road widening. Road expansion into West Branch Struve Slough will most likely require Section 404 permit from the U.S. Army Corps of Engineers, Section 1601 Stream Alteration permit from the State Department of Fish and Game, and Section 401 certification form the State Water Resources Control Board.

Second, the high school proposal could change, especially as the result of funding constraints, i.e., there may not be money to build all of the elements of the proposal shown in the EIR and project plans to date or the state may disallow funding for all of the elements (for example, Scotts Valley High School recently had to cut back due to lack of funds) or the District's plans and priorities could change as a result of reorganization (recently the District split into three zones and there is a proposal to split it into two districts). Also, the high school itself will be subject to a coastal permit issued by the City of Watsonville. During such consideration certain design details may emerge or change in response to public hearings and the need to ensure consistency with the City's local coastal program and other ordinances and requirements.

Third, the high school could change either before it is built or in the future, even if built as currently planned. For example, there could be future growth at the school; the EIR is based on 2,200 students, but future population growth could increase that number and under the amendment more building could occur than currently planned. As noted, this has happened at the PVUSD's two existing high schools both of which exceed their initial design capacity. The current design shows 18 acres of impervious surface whereas the proposed LCP amendment would allow up to 36 acres, or twice as much. Also, proposed revised state guidelines say that 52.7 acres is sufficient for 2400 students and the developable site is at least 55 acres. This suggests that at a minimum another 200 additional students could be accommodated on the site. Also, as noted, these are only guidelines. Furthermore, as noted above the current project is below the maximum parameters of the proposed LCP amendment, which contains no cap on student body size. Thus, a different school design could be applied for (assuming a revised or supplemental EIR). Table 2 illustrates the various suggested sizes of a public high school given various available acreages.

Fourth, if the school doesn't happen, then the other conditional uses could be allowed at the increased intensity that the proposed amendment would allow. In other words, the proposed LCP amendment doesn't increase allowable coverage for schools only.

In conclusion, the Commission notes that this amendment is a general one to facilitate a high school

which may or may not be built, and if built, which may or may not resemble the plans currently available. If the PVUSD wishes to advance its high school proposal, then after approval of an LCP amendment allowing such a proposal, it would have to submit a coastal development permit application to the City of Watsonville (and possibly one to the County of Santa Cruz as well, for any ancillary improvements that would be in the County). The permit would be subject to specific conditions to ensure that all of the relevant LCP policies are implemented. The local permit decision would be appealable to the Coastal Commission because public schools and infrastructure are major public works and additionally because part of the site is within 100 feet of wetlands.

B. Coastal Act Issues Raised by the Proposed Amendment

The proposed LCP modifications would allow for more intensive development of Area C (within proposed Area F) on the primarily undeveloped lands west side of Highway One currently dominated by agricultural fields. As such, the proposed amendment raises core Coastal Act issues regarding concentration of development and maintaining stable urban-rural boundaries; preservation of coastal agriculture; the protection of ESHAs, including wetlands, and the protection of the scenic and visual qualities of coastal areas. These issues are discussed in the findings below.

Although the proposed LCP modifications would allow for a *general* increased development intensity applicable to any conditionally permitted use, the reality is that the PVUSD has proposed a 213,000 square foot, 2,200 student high school project. This proposal has in large measure shaped and driven the LCP amendment proposal currently before the Commission. As such, the issues discussion below indicates some of the expected resource impacts associated with the proposed high school project that would be enabled by the proposed LCP amendments. The Commission notes, however, that the high school is just one of many more intensive developments that would be enabled by the proposed amendments. Thus, the impacts of the high school, while illustrative, do not necessarily encompass all potential impacts of the proposed LCP amendments.

1. Development and Public Services

The Coastal Act directs development to be concentrated in appropriate areas, and public services to be designed and sized so as not to induce urban growth in inappropriate rural agricultural areas. Area C is currently agricultural and wetlands without urban services and is located in a rural agricultural area of Santa Cruz County. The proposed amendment retains provisions that state Highway One is the urban-rural boundary in the vicinity of Area C, but allows for possible public water and wastewater line extensions into Area C, as long as County property is not assessed to pay for them. The effect of the amendment will likely be the extension of public services and road improvements into Area C that

would have capacity to serve additional development beyond Area C. The amendment is thus inconsistent with the Coastal Act in that it allows urban development beyond the urban-rural boundary and makes no attempt to impose a new stable urban-rural boundary. A modified amendment can be approved that limits intensified development of Area C to a public school only, with limitations on the design and size of the public services to it, and strict controls and agreements to prevent any further urban development or service extension beyond the site.

A. Coastal Act Development and Public Services Policies

General development siting and public service issues are mainly the purview of Coastal Act Sections 30241(a), 30250, 30252 and 30254.

Coastal Act Section 30250 states:

> ***Section 30250(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 significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*
>
> ***Section 30250(b).*** *Where feasible, new hazardous industrial development shall be located away from existing developed areas.*
>
> ***Section 30250(c).*** *Visitor-serving facilities that cannot be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.*

Coastal Act Section 30252 states:

> ***Section 30252.*** *The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.*

Coastal Act Section 30254 states:

> ***Section 30254.*** *New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.*

The Coastal Act also speaks to the need to maintain stable urban-rural boundaries to minimize conflicts between agricultural uses and urban uses. Coastal Act 30241(a) states:

> ***Section 30241(a).*** *The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following: (a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.*

In general, Chapter 3 of the Coastal Act establishes clear parameters for the location, intensity, type, and design of new development in the coastal zone. First and foremost, Section 30250(a) requires that new development be concentrated in and around existing developed areas with adequate development capacities. Where such areas are not available, development must be located where adequate public services exist, and where the development will not have significant adverse effects, either individually or cumulatively, on coastal resources. Generally, public works such as water, roads and sewer systems, must be sized to serve planned development. Highway 1, though, must remain a two lane scenic road in rural areas under section 30254.

The Coastal Act also establishes a set of priority uses that operate within the locational and resource constraints for new coastal development. For example, if public services are adequate to support only a limited amount of urban growth, land use potential must be first allocated to coastal dependent uses, essential public services and vital industry, public and commercial recreation, and visitor serving development (Section 30254). The Coastal Act also requires that public recreational uses take precedence over private residential and general industrial or commercial development, but not at the expense of agriculture or coastal-dependent industry (Section 30222).

There are only limited exceptions to the general development requirements of the Coastal Act. Hazardous industrial development may be located away from developed areas (Section 30250(b)); and coastal-dependent industry may be permitted outside developed areas if other locations are infeasible or environmentally damaging, and the effects of such development are mitigated (Section 30260). Under

Section 30250(c), visitor-serving facilities may also be located outside of urbanized areas, but only if urban locations are infeasible for such development. Visitor-serving facilities must also be located in existing isolated development nodes or at select points of attraction for visitors.

Adequate separation between agricultural and urban uses is required. Overall, these requirements reflect a fundamental goal of the Coastal Act: to protect coastal resources by limiting new development to existing developed areas.

B. Existing and Proposed LCP Development and Public Services Policies

The previous section of this report has already outlined the proposed change intensity of use (basically more site coverage and more people on Area C) and the change in the type of use (public school added as a permitted use at this greater intensity level). Policy II.A states,

> *New development shall be located within, contiguous with, or in close proximity to existing developed area able to accommodate it and minimize energy consumption and vehicles miles travelled. However, visitor serving facilities that cannot feasibly be located in existing developed area may be located at selected points of attraction for visitors....*
>
> *Effect on Development: A similar policy exists in the City General Plan. This has the effect of discouraging "leapfrog" development and premature or excessive extension of streets and utility lines."*

With regard to the urban-rural boundary, the current LCP states that Highway One "serves that purpose now, with the exception of the industrial area at the crossing of Beach and Lee Roads." The proposed amendment contains no change to these wordings.

Despite this language regarding the urban-rural boundary, the current LCP does allow for the possibility of sewer and water extensions in Areas B and C. The currently approved LCP policies regarding new or expanded water and wastewater would continue to apply to proposed Area F for its new use (public school) or for intensified industrial uses, as allowed by the proposed amendment. The proposed amendment contains no changes to these provisions. These provisions include a verbatim part of the second sentence of Section 30254, "Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with the preservation of agricultural land and other coastal resources." This LUP policy (LUP Policy II.C) is reinforced by performance standard LUP Policy III.C.3.l specifically applicable to the subject site: "Sewer service will probably not be required if the site is developed at the recommended densities and a septic tank system is proven feasible. If sewer service is provided, it must be financed in a way which does not require assessments against properties along Lee Road outside of Area C, or against any agricultural property."

Text in the currently certified LUP explains the effects of these provisions on future development in these two quotations:

> *The large lot sizes are intended to ...allow the provision of adequately-sized septic tank leaching fields...Utility systems are encouraged not to be extended along the Lee Road [corridor] from Area C in order to avoid growth-[inducing] impacts on the west side of the road...(LUP, p. 18)*

> *The cost of extending improvements such as a sewer pipeline along Lee Road to serve Area C will not be assessed against abutting property owners except as determined by the County to be consistent with its LCP. (policy II.C)*

C. Background: History of Urban-Rural Boundary and Current Setting

The proposed amendment threatens the stable urban-rural boundary historically defined by Highway One in the vicinity of Area C.

1. Lack of Urbanization in Areas A, B, and C

Areas A, B, and C remain rural in nature in both the uses they support and their lack of urban services. Sewer and water do not yet cross Highway One to serve any of these areas. There is a developed off-ramp at Rampart Road that provides ready freeway access to Areas A and B. There is no off-ramp serving Area C. Road access to Area C is currently quite limited. The main access is provided by Harkins Slough Road from across the Highway. Past Area C to the west, Harkins Slough Road is flooded by Harkins Slough proper the majority of the year. When it is not flooded in some summers, Harkins Slough Road connects through to Buena Vista Drive to the west. Lee Road also connects through to Harkins Slough Road form the south. Lee Road, however, is likewise oftentimes flooded by the West Branch of Struve Slough. As of the date of this staff report, both of these roads were closed due to flooding. In addition, Harkins Slough Road has been known to be flooded immediately west of the Highway by the West Branch of Struve Slough. During the recent February 2000 rains, Lee Road was flooded and Harkins Slough Road was flooded at both ends. Since there is no public road access to Area C from West Airport Boulevard, Area C was not accessible by vehicle at this time. Although the flooding immediately west of the Highway has since subsided, Lee Road at the West Branch of Struve Slough and Harkins Slough Road at Harkins Slough remain flooded as of the date of this staff report. See Figure 10.

2. Commission Action and LCP Provisions

Given this rural area without public services, the Commission has consistently recognized Highway One as the urban-rural boundary within Watsonville's coastal zone; urban on the inland side and rural on the ocean side. In considering whether the coastal zone boundary should be changed, the Commission found

Figure 10: Selected Public Services in Vicinity of Area C

- NOTE -
Locations approximate.
For illustrative purposes only.

Technical Services Division
California Coastal Commission

— Area C

Data Source: Watsonville LCP Major Amendment 1-99 Administrative Record.
Photo Source: Air Flight Service. 6/22/1994.

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that Highway One through Watsonville was the most stable urban-rural boundary.[24] This determination was repeated in the Commission's findings for certification of the City's LUP, on December 2, 1982: "Since its construction Highway One has functioned as an urban/rural boundary on the western edge of Watsonville." The Commission findings of December 2, 1982 further state that, "the Commission recognized this line in its decision to deny a permit for a recreational vehicle park in Area B in 1977 and in requiring that sewer services not be extended into the City's Coastal Zone areas as a condition of approving a permit for a wastewater treatment plant expansion in 1981." In approving the permit for the wastewater treatment plant expansion the Commission found, "that abandonment of Highway One as a stable urban/rural boundary by permitting development west of it could have adverse impacts on agriculture and sensitive habitats." The Commission further found, "that such development could only occur after the LUP process had examined the cumulative impacts which could result and could propose appropriate land use intensities which could be found consistent with the Coastal Act."

As noted the City's certified LCP states that Highway One "serves that purpose [of an urban rural boundary] now, with the exception of the industrial area at the crossing of Beach and Lee Roads." This approximately 75 acre area west of the Highway within the City limits was removed from the Coastal Zone in 1979 by the State Legislature. It is currently developed with industry and a new hotel and is served by public utilities.

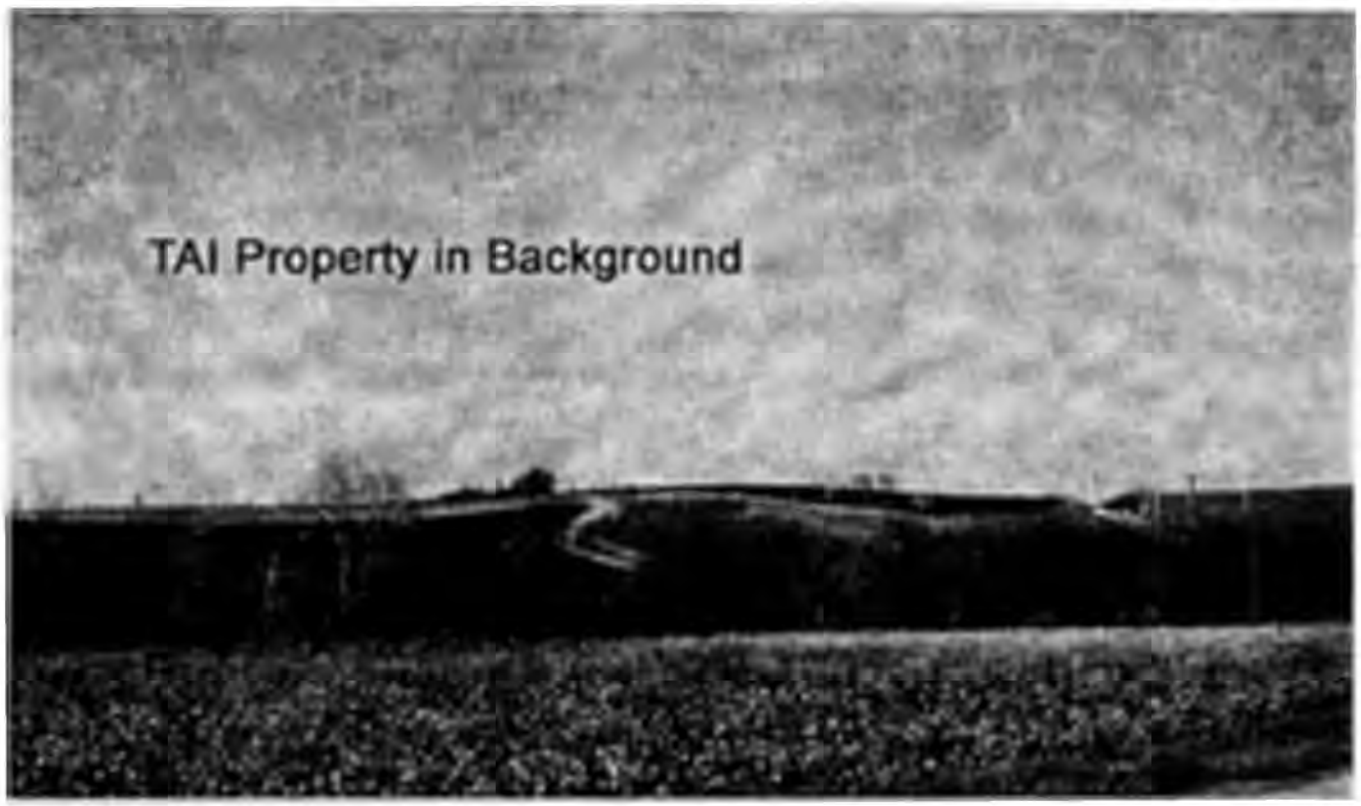
With regard to the City's land west of Highway One that remain in the coastal zone, the LCP provides for continued agricultural use of Area C as well as recreational use, which fall within the rural category. It also allowed for the possibility of more intensive uses, if continued agricultural use proved infeasible. The Commission concluded that, "proposed land use densities for Area C, 1 du/5 acres residential and minimum lot size of 15 acres, 10% lot coverage, are low and therefore will minimize impact on the area's resources." The conditional uses, as limited by the certified LCP, either fall into or at least are not inconsistent with the rural category. For example, residential use on five acre parcels is a rural use. Many of the other uses shown, while they can be considered and located in urban settings also appear in (and are compatible with) rural settings; this is especially true were they to be agriculturally-related (such as farm machinery service, food distributors, and farm machinery sales). As a further assurance that adjacent agriculture will be protected and that the area is not to be considered urbanized, the certified LCP states, "[t]he foregoing requirements will cluster development within the high, gently sloping terrace which runs along the middle of Area C where it can do the least damage to the low-lying environmentally sensitive areas, and protect the sensitive areas with buffer areas and dense plantings." This would also serve to buffer adjacent agricultural land. The certified text goes on to state that, "[t]he large lot sizes are intended to limit the populations of people and domestic animals in close proximity with the sensitive habitats." This too has the effect of minimizing conflicts with adjacent agriculture and supports maintaining the rural nature of the area.

[24] Coastal Commission hearing April 18, 1979.

3. Urbanization Initiatives Beyond the Urban-Rural Boundary

Despite the Commission's policy and LCP's acknowledgement of Highway One as the urban-rural boundary, there have been several incremental attempts to extend urbanization west of Highway One. As noted, the City approved permits for a hotel on Area B with a new sewer and water line crossing under Highway One to serve this site. Agriculture is the principle permitted use of the site; visitor serving commercial is the only conditional use allowed. In order to do this, the City had to find under LUP policy III.B. that the proposed facility could not be located in a existing developed area and continued agricultural use was infeasible.

In 1996 the City established an Enterprise Zone throughout a large portion of the City, including coastal zone Areas A, B, and C, to encourage economic growth and job development. The City also recently extended its Redevelopment Area to cover Area B and a portion of the Rampart Road and Highway One rights-of-way within the coastal zone. Redevelopment is touted as a way to bring public services into these areas. The Commission staff has expressed concerns about the growth inducing impacts of both of these actions. [25] As noted, the PVUSD has already secured Department of Education and State Architect approval of a high school on Area C that is to rely on public service extensions.



[25] Commission's August 12, 1996 letter to Charles Eadie, City of Watsonville; Correspondence to City, Jan. 13, 2000.

Beyond the current City limits, the City was active in pursuing urbanization of at least 850 acres of unincorporated Santa Cruz County lands in the coastal zone west of Highway 1. The City's Local Agency Formation Commission (LAFCO)-approved sphere of influence (the area defining lands eligible for annexation into the City) is currently coterminous with the City's western boundary. Notwithstanding this boundary, the City's General Plan (adopted in 1994) identifies an urban limit line west of the highway that allows for future growth in the coastal zone. These proposed growth areas include approximately 185 acres west of the Highway adjacent to or in the vicinity of Area C. See Figure 9. The City applied to LAFCO to expand its Sphere of Influence to encompass this land. Such a request is a pre-requisite to annexation and urban level development. However, in 1997, LAFCO deleted this area west of the Highway from its approval of a sphere extension. Expanding the sphere in the coastal zone was not approved primarily over concerns for preserving coastal agriculture and wetlands.[26]

A further sphere extension request was also in the works for 646 acres of coastal zone property adjacent to Area C, known as the Tai property (see Figure 9). Approximately 1,800 homes, a school, golf course, and other uses were envisioned for Tai. In 1997 the City passed a resolution adding this area to the General Plan-defined urban limit line for the City. However, two years later, after an adverse court ruling, the resolution was rescinded. Most recently, the City has been considering removing the Tai property from the special study category in its General Plan.

D. Analysis of Consistency With Coastal Act Development and Public Services Policies

1. Introduction: Proposed Amendment's Effect on Development and Public Services

If approved, the proposed amendment would no doubt result in a change in the provision of public services west of Highway One. The type and intensity of development allowed under the amendment is almost certainly guaranteed to bring with it urban water, public sewers, and improved roads with sidewalks, lighting, drainage, and so forth. Since a new school would most likely be desired to be a state-of-the-art-facility and also serve other functions (e.g., available for community events and disaster use), the Commission must assume that a full range of such services would occur as a result of this proposed amendment.

New Sewer Line

The proposed amendment will increase the allowable intensity of development and authorize a type of use on the subject site to a level that will most likely require a full range of public services. For example, if a 2,200 student public school occurs, it will generate 45,200 gallons of wastewater that must be treated. Were on-site treatment to occur using a septic system, a leach field size of about 5 acres would

[26] LAFCO Staff Recommendation August 28, 1997.

be required, according to Santa Cruz County standards. Given this large acreage requirement, slow soil percolation, City policy to require sewer system hook ups, and state funding and preference to do so, a sewer line extension is almost a guaranteed result of the amendment. In fact, though not before the Commission at this time, the City has already prepared plans to install an 8" sewer line under Highway One and along Harkins Slough Road. This is in addition to the aforementioned approved sewer line under Highway One to serve Area B.

New Water Line

Similarly, a public water supply extension will likely occur as reliance on an on-site well would require a separate treatment facility to make meet school drinking standards. In fact, again though not before the Commission at this time, the City has also prepared plans for a 14" water line extension under Highway One to serve the proposed school site at Area C. This is in addition to the aforementioned approved water line under Highway One to serve Area B. The City has provided information indicating the water quality is not suitable for potable use and that a school on the site would cover the area of the well. Other utility and public extensions would include telephone, street lights, electricity, and cable service.

New Roads and Parking

In the case of a public school being constructed on Area C, there are likely to be the following road projects: widening of Harkins Slough Road, additional access to the site, and pressure for the completion of a new off-ramp from Highway One.

The current limited access is sufficient to accommodate continued agricultural use in the area. The limited amount of development currently allowed by the LCP is not likely to require increased level of road service. The range of non-agricultural, conditional uses, while diverse in terms of potential road access requirements, is constrained by Area C performance standards. This limiting factor implies a correspondingly low level of pressure to widen roads and increase road amenities such as sidewalks and lights.

However, an increase in the amount of allowable development as would result from the proposed amendment, has much the opposite effect. More development brings with it the need for larger roads, more traffic controls, sidewalks, and other associated improvements. A much greater level of automobile access than currently exists will be required due to the potential for large sporting events and/or other school-type functions and special events at a school, the fact that the nearest transit stop is ½ mile away and the transit district has no plans to extend service to Area C, and the fact that Area C is not within walking distance of most population concentrations.

Harkins Slough Road Improvements

The City has already prepared plans for submittal to Santa Cruz County to widen Harkins Slough Road, which is currently 20 to 26 feet in width (this separate CDP is necessary because the road itself is outside of the City limits in unincorporated Santa Cruz County). These plans show a minimum 45 foot wide developed right of way (consisting of two travel lanes, bike lanes, and one sidewalk) widening to

54 feet where there is a turn lane, and to an even greater width where there are two turn lanes and a bus pullout. Additionally, fill slopes are shown on both sides of the road. The FEIR for the proposed high school project recommends that the roadway be lit, which it currently is not.[27]

New Area C Site Access

With regard to site access, the effect of the amendment will almost certainly be a new road on or impacting agricultural land. If secondary access is desired for such a major public development as a school, it would traverse agricultural land. This is because alternative access from current roads (i.e., Lee Road or Harkins Slough Road from the west) are unreliable. These roads are closed in winter due to flooding; the latter, most recently has been closed throughout the year and the most recent report is that it would be years before it is reopened. This leaves access from West Airport Boulevard which was actually discussed as an alternative primary access in the draft EIR, as the only other choice. Even if such a secondary access were not desired, it would result because, by allowing for a school on 75 acres of what was Area C, the remaining 64 acres will become landlocked. There is nothing in the proposed LCP amendment requiring such a road connection through the subject site from Harkins Slough Road and such a road would be incompatible with school planning. Accessing the remaining Area C from West Airport Boulevard would run through agricultural land that the City of Watsonville requested be added to its Sphere of Influence for future annexation and development. At a minimum, such a route would go through the 7 acre Moore parcel currently in strawberries, but designated "Commercial" in the City's General Plan. The road might also go through the adjacent strawberry field in the County. From there it would go through the remainder of Area C, also in production.

Another alternative is shown on the plans submitted to the County.[28] These plans show a second roadway off of Harkins Slough Road at the western property boundary of proposed Area F. The plans show this roadway to be a minimum 44 feet wide, with Harkins Slough Road improved with turn lanes to this point. The road would end in a stub at agricultural land at the edge of proposed Area F. As part of the condemnation lawsuit, the proposed parcel map that PVUSD has submitted shows such a road easement at the edge of the City.

New Highway One Off-Ramp

The State Department of Transportation is currently planning for improvements to the Highway One overpass at Harkins Slough Road, at the request of the City of Watsonville. While not clearly a part of the proposed PVUSD project, the project includes providing a southbound off-ramp on the west of the highway, a northbound on-ramp east of the Highway, widening raising the overpass and widening it to three lanes.

The LCP is unclear as to the permitted and conditional uses for the Highway right-of-way. Though within the City's coastal zone, this area is not explicitly included in Areas A, B or C of the City's LCP. As such, it can be implied that the general policies of the LCP apply to the right-of-way; the general

[27] PVUSD Third High School FEIR (September 1998).
[28] Received in the Commission's Central Coast office from the City January 3, 2000.

policies, however, do not include permitted and conditional uses. To the extent that any of the off ramp were to be located in Area C, it is not a permissible use because Area C only includes the highway right-of-way within the *existing roadway* as a conditional use. Beyond Area C, the Land Use plan is ambiguous as to what is allowed.

Parking

With regard to parking, more intensive development, particularly development that is not in close proximity to population areas, not only brings more automobile use, but also the need to provide parking for those vehicles. Increased parking needs means more areas of land given over to parking lots and/or parking lot structures. In the case of the proposed PVUSD High School project, a minimum 800 space parking area is proposed. This parking area would cover approximately 6.5 acres of Area C.

2. Increased Intensity of Development of a More Urban Nature in a Rural Area

As described above the proposed amendment would increase the intensity of use of Area C in three different manners. First, it would allow more impervious surface coverage. The increased impervious

surface coverage would make the area more urban. Second, the amendment would increase the development envelope. The increased development envelope could support scattered building sites and/or more pervious development that would be more urban. The specific addition of allowing a public school almost guarantees this because public schools require substantial acreage devoted to sports fields. Third, as described above, the proposed amendment will increase the number of people on site. This increased use intensity will also make the area more urban. Together, the increased impervious coverage, development envelope, and amount of people on site will change the heretofore agricultural landscape west of Highway One in this location. The result will be a breach in the stable urban-rural boundary at Highway One established by the Commission and the City, which is inconsistent with Section 30241(a).

The resulting local coastal program language will be internally inconsistent in that it will have provisions that contradict it's own description of Highway One as the urban-rural boundary. The proposed amendment is deficient because it does not further address the urban-rural boundary. For example, it could have attempted to ensure that the increased intensity and new use were limited in a manner to act as a transition from the urban to rural area. Or, although difficult, it could have included measures that would have suggested establishing a new urban-rural boundary. Examples of such measures are discussed in the findings for approval below.

3. Growth-Inducement From Water, Wastewater, and Other Utility Extensions

The proposed amendment would result in water, wastewater and other utility extensions into proposed Area F, as described above. Such service extensions have a history of being growth-inducing. There are two primary reasons for this: first, it is difficult to limit capacities of extensions to serve only limited areas; and second, such extensions become more and more financially feasible as more and more people are required to pay their share for them. As stated in *Smart Growth Versus Sprawl in California 2*, "Local policies that most significantly promote sprawl include...siting of schools and other public facilities at remote locations."[29]

Regarding the first point, if for example, the amendment results in a school project generating 45,200 gallons of wastewater, that flow could be accommodated in a very narrow pipeline (e.g., four inches). However, there is no way to size such a line for that limited amount of wastewater generation because those persons/agencies responsible for wastewater treatment will generally require a larger diameter line to account for peak flows that might occur, to prevent the lines from being clogged, to allow the lines to be flushed, and to allow for small cameras to be inserted into the pipes to check for other problems. Furthermore, notwithstanding down-sized lines, pumps could be installed that would increase the amount of wastewater that the line could handle. The same is true for a water line extension. Fire Departments typically now require oversized water lines for fire flow purposes (for both overall volume and appropriate pressure).

[29] Steven Moss, *Smart Growth Versus Sprawl in California 2*

The Commission knows from experience that capacity limitations do not always hold. For example, for a parcel in Area B of Watsonville's coastal zone, a previous extension of a City wastewater line to serve a new hotel was limited to six inches (for the portion under the Highway) and then to four inches (for the portion extending from the 6 inch line to the hotel itself) to the site so as not to induce future growth west of the Highway. Later, the City said that a larger diameter pipe was needed to avert clogging and long repair delays.[30] Similarly, only a 6 inch water line was needed to provide adequate water for use by the projected development, but the City subsequently changed this to an 8 inch line to have enough water for fire protection purposes.[31]

For the proposed amendment, no sizing requirements are specified. For example, if a school is built as a result of this amendment, it would be accompanied by an 8 inch wastewater collection line.[32] An 8 inch line is far larger than needed for just this one development. However, the final capacity of any of the service extensions allowed would be entirely discretionary by the City. The final approval could be for any sized sewer line.

Neither does the amendment explicitly require a direct tie in of service expansion to the actual use. The City could issue two coastal permits as it did for Area B (one for the structure and one for the infrastructure) and then actually construct the utility lines in anticipation of the structural development. If the development did not subsequently occur, then the capacity in the newly-constructed utilities would be available to serve other development in the area.

The two provisions in the existing local coastal program to limit service expansion are inadequate to address the intensified development that would be allowed by the proposed amendment. Land Use Plan policy II.C limits assessments for public works. However, this limitation applies only to special districts. Since service extensions to Area C would be by the City as the utilities provider, this policy may not be applicable because the City is not a special district. Similarly, Land Use Plan policy III.C.3.1 limits utility assessments against agricultural properties. However, this limitation applies only to sewer service, not for any other service or utility. As such, this policy would not prevent agricultural land from being assessed for road, water system, sidewalk, and other non-sewer utility improvements. While these LCP policies were viewed as adequate by the Coastal Commission back in 1982 in the context of the expected limited amount of development to occur on the subject site, they are not adequate to address Section 30254 in light of the proposed amendment and the additional information that is now known about the area. To ensure that public service extensions at the edge of rural areas do not destabilize an urban-rural boundary, there are a variety of legal measures that could be taken, such as bordering a serviced site with a no utility access strip. The proposed amendment is deficient in that it includes no

[30] Santa Cruz Sentinel, February 27, 1997

[31] The City has changed the conditions of these two permits without proper notice or hearing on the changes. Commission staff has notified the City that, lacking a properly noticed coastal permit amendment hearing and decision, the original conditions apply. On February 18, 2000, the City indicated to Commission staff that they concur with this assessment and the original permit conditions shall stand.

[32] According to documentation received from the City January 3, 2000, and the PVUSD Third High School FEIR (September 1998).

such protections.

Thus, if the amendment resulted in available sewer or water capacity west of Highway One, other properties could come under increased development pressure because of the availability of new utility extensions. One property would be the aforementioned 646 acre Tai property. This property is directly across Harkins Slough Road from proposed Area F. As indicated, there are few limitations on the extension of utilities to serve Area C. Thus, it is possible that as a result of this amendment there would be a sewer and/or water line being installed adjacent to the Tai site with enough extra capacity to serve that site. This would make the cost of developing Tai somewhat less, thus increasing growth pressure on it. In fact, potential developers of the Tai site could work out some arrangements with the developer of proposed Area F and the City to ensure the former's access to such utility extensions. Other adjacent or nearby parcels could experience similar growth pressures, as a result of the proposed amendment.

4. Growth-Inducement From Improved Roads, Circulation, and Parking

The above analysis is equally applicable to the circulation system. While parking lots can be sized so as to serve just site-related uses, the road system can not and the likely improvements described here will no doubt be growth-inducing. The United States has a history of constructing new freeway interchanges followed by new sprawling development as the road system improves. Additionally, improving Harkins Slough Road to the very end of the property (or even beyond) and/or building a new road through or adjacent to agricultural fields may increase pressure on the nearby parcels to convert to non-agricultural uses. This is because infrastructure improvements bring down development costs for adjacent properties, which in turn makes them more attractive for potential developers. This also brings associated pressure on governmental institutions to then respond to development opportunities.

There may be some ways of designing roads so that they function more as driveways to and end in new developments to prevent them from being growth-inducing. However, the proposed amendment contains no such standards. Again, as with the service extensions, the City will have discretion in the coastal permit as to what level of road improvements it requires to serve any new development, such as a school, on Area C. To date the noted plans of the City to improve both the Highway One interchange and Harkins Slough Road do not address the need to prevent growth inducement.

Under the Coastal Act new public facilities are to be designed and sized to accommodate the amount of development allowed by the LCPs. Since the City and the School District have already gone on record as saying the off-ramp is not needed to accommodate intensified use on site (i.e., a public high school), this proposed used would be inconsistent with Section 30254 lacking any other traffic-related justification for the project. To assure that potential future infrastructure proposals and investments address the need to maintain the stable urban-rural boundary, evaluation standards for such projects should be carefully spelled out.

Finally, the LCP amendment does not discuss any alternative transportation strategies or mechanisms to minimize automobile use as required by section 30252. Such mechanisms are particularly important for

supporting intensive uses like public schools, which tend to generate large amounts of traffic at discrete times of the day.

5. Coastal Act Consistency Conclusion

Land Use Plan Amendment Inconsistency with the Coastal Act

In conclusion, there are two overarching problems with the proposed land use plan amendment from a Coastal Act perspective. First, it allows intensified uses that will be urban in nature, in a rural area, which is inconsistent with the Coastal Act Section 30241a. Such allowed development will also have adverse resource impacts as discussed in the findings below, which should, therefore, render Area C unsuitable for urban expansion. Instead the proposed amendment embraces such expansion.

Second, even if one assumes that intensifying uses in Area C was appropriate, the proposed amendment fails to reaffirm or reestablish a stable urban-rural boundary, inconsistent with section 30241. Instead, through the lack of constraints placed on services and roads, the amendment almost assures that there will be future growth in what is now a rural area – an area that is not appropriate for any significant level of growth under Coastal Act resource, agriculture, scenic, and concentration of development policies. Against this backdrop of lack of policies, the Commission views this amendment as continuing a trend of more sewer, water, and road extensions coming into what is – and should stay – a rural, agricultural area. Therefore, the Commission finds that the proposed Land Use Plan amendment would result in a Land Use Plan inconsistent with Coastal Act Section 30241(a)

Implementation Plan Amendment Inconsistency with the Certified Land Use Plan

The proposed implementation plan amendment mimics the proposed land use plan amendment. It contains no additional standards that address the urban-rural boundary. It maintains the 50 foot riparian and 100 foot wetland setback, with the requirement that tall trees be planted in the habitat buffer. Where there is no habitat area at the site perimeter (and hence no habitat buffer requirement), the only setback required is five (for side yards) or 20 feet (for front and rear yards). This will place urban development too close to, and unbuffered from, rural agricultural and other lands.

Since the proposed Land Use Plan amendment is being denied, the certified Land Use Plan will remain what is currently in effect. As noted, what it currently states is that Highway One is the urban-rural boundary. Since the proposed Implementation Plan amendment provides for urban uses in the rural area, it must be denied as being inconsistent with the certified Land Use Plan.

E. Modifications Required to Achieve Coastal Act Development and Public Services Conformance

In order to approve a Land Use Plan amendment, it must be consistent with the Coastal Act. In order to approve an Implementation Plan amendment, it must be consistent with and adequate to carry out the Land Use Plan.

1. Modifications to Result in a Certifiable Land Use Plan Amendment

Determining acceptable provisions for Watsonville's local coastal program is challenging. The local coastal program must cover three areas (Areas A, B, and C) that extend from inland across Highway One into what is, and should remain under the Coastal Act, a rural agricultural area. On the other hand, being within the City limits carries with it the expectation of urban development, especially when Watsonville has been rapidly growing and projects additional growth that it is attempting to accommodate. One clear need for the City is a new public high school. The high school does not have to be within the City limits because the PVUSD extends miles beyond the City limits. Nevertheless, although the Commission's staff has expressed its serious concerns with the proposed high school on Area C since at least 1993, the School District and the City have identified the site as the only viable location for the much needed third High School and have brought forward this LCP amendment.

This objective of the proposed amendment–to allow for a high school -- can be accomplished through a modified local coastal program amendment. There is a parallel to this accommodation in how Area B was addressed. For that site, the Commission agreed with the City that visitor serving uses (which are a priority under the Coastal Act) could replace agriculture if the proposed facility can not be located in an existing developed area and continued agricultural use is infeasible. (No other non-agricultural uses are allowed on Area B).

The above analysis suggests some general approaches in order to maintain consistency with the Coastal Act's development-related policies. One approach is that if there is to be any intensification or expansion of uses, it should be limited in a manner that retains the rural nature of the area. Another approach is to allow urbanization, but redraw a stable urban-rural boundary seaward of Highway One. Under either approach, minimizing the possibility of future breaches in the urban-rural boundary is a necessity.

Retention of the Urban-Rural Boundary

The approach of re-establishing the stable urban-rural boundary somewhere seaward of Highway One in the vicinity of Area C is problematic. There is no one or combination of physical features comparable to Highway One that surround Area C or the proposed Area F that would act as a stable urban-rural boundary. A buffer drawn around proposed Area F would not be as potentially stable as Highway One. On two sides urbanized Area F would be adjacent to agricultural land. On the third side there would be a rural road separating urbanized Area F from agricultural land and a wildlife wetland reserve. Urbanization of Area F implies a full range of urban services. Extending them beyond the boundaries of Area F would be much easier and less costly than extending them over (or under) the freeway. Urbanization of Area F also implies a lot more people on the site. Preventing them from intruding onto or indirectly disturbing the adjacent agricultural lands and Fish and Game habitat is much more difficult than if such urban uses remain on the other side of the freeway. Also, if urbanization of proposed Area F brings with it an off-ramp to the ocean side of the freeway, it will be still more difficult to create the type of barrier that the freeway currently provides. In conclusion one would be looking at an artificial created buffer rather than a large, physical buffer, which Highway One currently provides. Therefore, to maintain conformance with the Coastal Act the urban-rural boundary should be retained at Highway

One.

Allow A Public School Only In a Manner That Is Not Further Growth-Inducing in the Rural Coastal Zone

If the purpose of the amendment, namely allowing a high school, is to be accommodated, then the high school and its attendant utilities should be designed to retain the rural nature of the subject site. A stable urban-rural boundary is one that both physically and institutionally separates the two patterns of uses in a manner that cannot be breached. There may be some of the same uses in both areas, but rural areas are characterized by lower densities and intensities and by reliance on on-site, rather than public, services. From the Coastal Act perspective, rural areas maintain their aesthetic appeal of being primary open space and pastoral and their accommodation of agricultural uses without undo disruptions or complaints. Thus, physically, there should be a clear physical separation of urban from rural areas by such features as fences, buffer strips, plantings, berms, and similar physical demarcations. Sometimes there are transition areas from urban to rural, such as large lot subdivisions and isolated manufacturing plants (as the conditional uses currently allow). Physical features that make urban-rural boundaries more stable include landforms (e.g., a ravine) and urban edge designs (e.g., cul-de-sacs) that are difficult for urban services to cross. While a large high school will have some urban characteristics, its siting and attendant service needs can be directed in a manner so that the entire project site reinforces the urban-rural boundary to prevent any further breaches in it. In a sense the school can function as a transitional use between the urban uses on the inland side of the freeway and the rural agricultural and habitat uses beyond.

Institutionally, there should be legal requirements to support the chosen physical boundary features. Examples of some techniques to help stabilize an urban-rural boundary include:

- preventing unnecessary or uncontrolled service expansions and extensions;
- limiting and directing the sizing and location of service extensions;
- zoning the rural area for continued rural-only development;
- placing the buffer or adjacent rural area in a protective easement or deed restriction;
- public or land trust acquiring development rights;
- requiring public votes or more than majority votes to redesignate rural lands;
- having joint City and County agreements on concerning the location of the urban-rural boundary and on mechanisms for changing it.

The key to ensuring a stable urban-rural boundary is that there be enough of such mechanisms and features in place, and that these be supported by all of the official documents, to act to discourage those who might contemplate applying to convert rural land to urban land. The more pressure for growth, the greater the need for a complement of sufficient measures designed to limit future urban expansion. And, the subject area is under significant growth pressure.

The Commission notes that the local coastal program alone can not make happen some techniques which could help, because there are other entities not bound by the local coastal program. For example, a local land use plan policy that discourages annexation by itself does not guarantee a stable urban-rural boundary if other agencies, such as water and sewer districts, have policies, and hence promote service improvements, that favor such annexations. And some of the techniques noted above, such as permanently preventing development through restrictive easements or deed restrictions on lands adjacent to Area C are beyond the purview of the subject amendment because they involve lands in the County. So, while these cannot be instituted through suggested modification to the City's local coastal program, the following are measures that can .

Greater Site Intensity Exclusively for a Public School

First, any increase in intensity of site use should be for a public school exclusively (see modification 4.A.2). While, some increase in intensity for the other permitted uses might not breach the Highway One urban-rural boundary, the increase in up to 50% coverage for residences or industry would almost certainly. If the high school or another public school project ultimately does not locate on the subject site, then any other proposal for more intensified use needs to be examined on its own merit. Since that is not the stated objective of the amendment and since there are so many potential non-public school uses, it is premature at this time to offer any modifications to allow for more intensive development for other than a public school.

In fact the Commission makes no commitment to allowing any such increase in intensity by continuing to find that agricultural use remains the priority use for the site (see next finding). The Commission further finds that any increases in the maximum intensities already potentially allowed for any other uses may not preserve the urban-rural boundary. The intent of the local coastal program provisions, when all read together, is to ensure that any of these other uses do not alter the rural character of the area and are not growth-inducing. It is possible, however, that a liberalized application of each policy on its own could result in some development that is problematic. Therefore, the Commission finds that some additional specificity with regard to siting and public services is necessary to fully guarantee that any other use that may be approved will be rural in nature. This is accomplished by adding modifications to require clustering, concurrently allowing smaller residential and/or industrial parcels. (see modification 4.A.2) Since residential uses will require septic systems, a minimum one acre parcel is needed according to the basin plan. For industrial uses, the City elsewhere allows 20,000 square foot parcels, so there is no reason to require a large minimum size. Of course, if they are to be served by septic systems they may have to be larger.

Special Study Area for Comprehensive Planning

Second, at this discussion suggests, the entire Area C must be addressed comprehensively. It should not be divided into two planning areas. (see modification 1) Rather, the entire site needs to be planned as a whole, especially as it is in single ownership (see modifications 4.A.1 and 4.A.2). Without some comprehensive planning, there could be incompatible development sitings and poorly located or duplicative public services or utilities that would be growth-inducing. There is precedent for this

approach already in the *Watsonville 2005 General Plan*; such areas are called Special Study Areas. If there is to be an intensification of use for a public school, then no other use beyond agriculture, recreation, or habitat preservation on the balance of the site is appropriate.

Retain Rural Character in Design

Third, the school must be designed and located to minimize visual resource impacts and to minimize adverse impacts on adjacent resources. The necessary modifications are discussed in the following findings (see Section 6.4.3).

Use Onsite Services Where Feasible

Fourth, each public service extension or improvement necessary for a school must be approved only after it is concluded that on-site service provisions are infeasible or environmentally more damaging. This means considering a well for water service and an on-site wastewater treatment facility (e.g.,. septic tank). In addition, Pajaro Valley groundwater basin is currently and has been in overdraft for sometime. Modification 4.A.2 therefore requires a city finding of that this water supply situation will not be exacerbated by more intensive development on Area C. Given a choice, requiring on-site wastewater treatment is a priority because sewer lines are more associated with urban growth than water lines.

Size and Locate Any Public Service Extensions to Not Be Growth-Inducing

Fifth, any public service extension must be located and sized in a manner so as not to be growth-inducing. While it is not possible to size utilities to serve only the development to be served, the size can at least be commensurate with the desired uses. In this case, there will be a hotel on Area B and a high school on Area C that may require utility extensions under Highway One. It is not really possible to size sewer and water lines small enough to service only one 100 unit motel or one high school. A line that small (e.g., 4" would still have some excess capacity). Additionally, the City desires minimize pipeline diameters for water line to be capable of being adequate for fire suppression purposes and for sewer lines to be capable of insert video cameras; which they maintain is a 8" minimum.

To at least minimize excess capacity and the possibility that the amendment will bring with it growth-inducing utilities inconsistent with the Coastal Act, the City could instead extend only one line across Highway One to serve both a hotel and a school. This will also serve to prevent a duplicate set of costly utility extensions across Highway One. And with other suggested modifications that may result in a school being built closer to the hotel parcel (see modification 3.A.1), this directive would be even more financially attractive. If there is only one line, then it will be the City's responsibility to site it appropriately. The candidate area appears to be an extension from the intersection of Westgate Drive and Anna Street. This will then require a line paralleling the Highway One right-of-way for a few hundred feet. Caltrans only allows such line placement under limited circumstances.[33] It appears that such findings can be made, but the final decision will rest with Caltrans. If, for some reason, a Caltrans right-

[33] That is, must: not adversely affect highway safety and traffic operations or the highway facility itself, can be accessed for future maintenance other than from the highway; no economically feasible alternatives, not allowing it would adversely affect agricultural land; from *Caltrans Project Development Procedures Manual*, Chapter 3-20, Article 20, 1995.

of-way cannot be approved, an exception can be made to place a line on County lands, but only if appropriately restricted to prohibit future tie-ins.

Together the development on Area B (a 100 unit hotel estimated to generate 10,000 gpd of wastewater) and the intensified development on Area C (for example, a 2,200 student school estimated to generate 40,000 gpd) can easily be accommodated by an eight inch sewer line, if it is gravity flow, and a six inch line if it is a force main. For both the Moss Landing (estimated 107,000 average gpd) and the Castroville extended interceptors (estimated 214,000 average gpd) the Commission approved only six inch lines. If a force main is used, then the key to capacity will be the size of the pumps. The final design and location of a school will thus dictate the kind (gravity and/or force) and location of the sewer line. Once this is known, then the engineering can be completed to determine the minimum size necessary for the sewer lines. Since water lines will need to be more than the minimum size for fire suppression purposes, then the key to preventing utility growth-inducement lies with minimizing the diameter of the sewer pipes and the capacity of any pumps. This can be accomplished as a condition of approval of a specific school public project. Additionally, the location of the lines should be such that they hook directly into the buildings plumbing and that there are no stubs leading to undeveloped portions of the site or beyond. (see modifications 4.A.2 and 6.A.1)

Size and Locate Roads to Not Be Growth-Inducing

Sixth, for various transportation improvements, again they need to not be growth-inducing, in terms of size (capacity) and location. It appears that the ultimate road improvement decision will be the County's to initially make and the Commission's to review if such a decision is appealed. There appear to be two alternatives for improved road access to Area C both involving Santa Cruz County jurisdiction; i.e. via Airport Boulevard or Harkins Slough Road. The current plans show Harkins Slough Road being widened and a sidewalk on one side of the street being installed. The alternative is to extend the roadway from Airport Boulevard. This alternative for road access was contained in the first "Proposed Third High School Site" draft EIR. There was no map nor detailed analysis of such routing, just a brief conclusion that the impacts would be similar to those from a project with access off of Harkins Slough Road. This routing appears to have a number of advantages. First, Airport Boulevard already has a functional interchange with Highway One; Harkins Slough Road does not. Adding an off-ramp to Harkins Slough Road would impact wetlands and their required buffer. Additionally, any improvements to Harkins Slough Road would impact West Branch Struve Slough and Hanson Slough wetlands and would likely be inconsistent with County LCP policies (the road is in the County). Airport Boulevard is an improved road dead-ending into farm fields. Rather than improving another road through wetlands in this area that should stay rural, redirecting the end of Airport Boulevard into a high school parking lot may be a more stabilizing and less-growth inducing alternative.

A possible disadvantage of this alternative is that in order to extend roads from Airport Boulevard, there will be some intrusion onto County land through the Moore parcel (Assessor Parcel Number 052-021-21) which is in strawberry production. Although this could be considered growth-inducing and a violation of the urban-rural boundary, the County is in a better position to protect its agricultural lands

than the City. The County has numerous agricultural protection policies in its local coastal program that the City does not. Design and sizing of such a road and utilities could possibly be accomplished in a manner consistent with the Coastal Act and the County's local coastal program. In conclusion, as noted, the County will be in the position to determine whether to allow improvements of the Harkins Slough Road corridor. This analysis suggests that the County give serious consideration to requiring the use of Airport Boulevard as an alternative to any service or utility extension along Harkins Slough Road; keeping road improvements to the minimum necessary to serve Area C; and avoiding fill of West Branch Struve and Hanson Sloughs.

Finally, as previously discussed, the Highway One off-ramp proposal is not needed to serve Area C, Nonetheless, the LCP should address the possibility of such a project in light of the integral relationship between public infrastructure and planned urban intensities outside of the urban-rural boundary. In addition to meeting the habitat protection and setback policies (which currently appears difficult although Caltrans staff say it appears to be possible at this early stage in the design process), this means showing that there are no alternatives to address the situation that it is supposed to address; that the capacity is limited to that necessary to serve the development that the LCP allows, and that alternative transportation components are incorporated to satisfy section 30252 (see modification 2.A.3). The City of Watsonville indicates that such an off-ramp (and Harkins Slough Road overpass widening) is needed to relieve congestion at Green Valley Road and Main Street, ¼ mile outside of the coastal zone boundary. This modification would ensure that alternatives such as improving that intersection are examined, before committing to such a growth-inducing project in the coastal zone.

Install Infrastructure Only If Development Occurs

Seventh, there needs to be a complementary assurance that the new infrastructure does not get installed prematurely (see modification 6.A.1). Otherwise, if the infrastructure were constructed and then for some reason the development that it was designed to serve did not occur, there would be excess capacity available to serve inappropriate development.

Establish Legal Instruments to Prevent Urban Development in Rural Areas

Eighth, institutional measures to ensure that there is no future urbanization in the area need to be incorporated into the amendment. (see modifications 4.A.2 and 6.A.1). Even with the modifications listed above, there will be some excess utility and road capacity that could be used to serve other development beyond the urban-rural boundary; and the costs of developing such land will be reduced by some amount given the development of the subject Area C site. The fact that these lands will now be closer to a developed site, and this approval of an amendment to allow that conversion from agriculture to occur, will increase the development pressure in the area. Therefore, it is necessary to countervail such perceptions by establishing clear legal instruments against further annexations and utility extensions. This can be achieved by extending the prohibition on assessing agricultural property to water lines as well as wastewater lines, prohibiting utility extensions outside of the City limits, and enacting a City resolution committing to no further annexations. Exceptions can be made for water lines that would serve to irrigate agricultural land, because if that land does not have water, then it's urbanization

potential increases. The two methods of providing irrigation water are by reclaiming wastewater and capturing excess winter flow runoff, both potential projects of the Pajaro Valley Water Management Agency.

Review for Large Special Events

Finally, as noted, a large public school and its ball fields has the potential to be used for special night, weekend, and school vacation events. Some of these could draw large amounts of people and be of a different nature of use than a school and the resulting impacts could thus be greater or different than those of a school (e.g., an outdoor concert). The Commission has established guidelines for special events to address such circumstances that sometimes require separate coastal permits. The City's land use plan could have similar provisions (see suggested modification 4.A.2)

Conclusion

In conclusion, if so modified in all of the ways outlined here according to the cited modification texts, then the Land Use Plan as amended and as further modified is approved as addressing Coastal Act policies with respect to development and public service issues.

2. Modifications to Result in a Certifiable Implementation Amendment

In order to approve an Implementation Plan amendment, it must be consistent with and adequate to carry out the land use plan. As described, a deficiency was noted with regard to criteria for development within the freeway right-of-way. In order to be consistent with existing LUP policies II.A.1 with regard to minimizing energy conservation and vehicle miles traveled and II.E.3 with regard to public transit, any road improvements need to have an alternative transportation component (see modification 2.B.4) and any intensified use must not encourage vehicular use with excessive parking (see modifications 4.A.2 and 4.B.2).

Next, since the land use plan is being amended and modified in the manner just described; likewise, the Implementation Plan must be so modified. This means that the Implementation Plan must contain modifications to limit any increase in intensity to a public school (see modification 4.B.1), require clustering (see modification 4.B.4), treat Area C comprehensively (see modification 4.B.3), have design standards that speak to the rural character of Area C (see modifications 4.B.3 and 8.A.1), use on-site services where possible (see modification 3B.1), have one sewer and water line cross Highway One (see modifications 3.B.1 and 4.B.1), restrict the sizing of utilities (see modification 3.B.1, 4.B.3, and 6.B.3), provide for non-access easements on any extended utility lines (see modification 4.B.3), address special events (see modification 4.B.4), limit further annexations (see modifications 2.B.4 and 4.B.3), and have criteria for allowing a new off-ramp and roadway widening (see modification 2.B.4). Additionally, since the modifications will reduce minimum parcel sizes to encourage clustering, frontage requirements can also be reduced (see modification 4.B.1).

Furthermore, not only must implementation plans be consistent with the land use plan provisions, they must provide the necessary detail to ensure that the land use plan provisions are carried out. Thus, a new

overlay zoning district is necessary to apply to the edge of Areas B and C as a legal mechanism for preventing the extension of utilities beyond the City limit (see modification 6.B.1). Also, more detail is needed to ensure that the suggested policy of tying infrastructure installation to the construction of the permitted structures occurs (see modification 6.B.3).

Finally, implementation plans must be adequate to carry out land use plans. One way to ensure adequacy is for the implementation plans to contain coastal development permit requirements consistent with the Coastal Act, since it will be through the coastal development permit and appeal processes that new development can be approved and held to the criteria of the local coastal program. This is especially important with regard to this proposed amendment because it will facilitate a large development in the City's coastal zone. Experience with various coastal jurisdictions has demonstrated that sometimes local coastal program provisions can not be adequately carried out, if the developments are approved through emergency permit or permit extension provisions or if they are approved without correctly being noticed as appealable (to the Coastal Commission). Therefore, clarifying modifications are needed to those corresponding portions of the City's Implementation program to ensure that proper coastal permit determinations are made. (see modification 10 and 4.B.3).

If so modified in all of the ways outlined here according to the cited modification texts, then the Implementation Plan as amended and as further modified is approved as being consistent with and adequate to carry out the certified Land Use Plan as amended and as further modified with respect to development and public service issues.

2. Agriculture

Protection of agricultural land is a fundamental Coastal Act policy. Area C is currently in agricultural use, meets the criteria for being prime agricultural land, and is adjacent to and in an area of agricultural land. Although the submitted LCP amendment text mirrors one Coastal Act policy, the overall effect of the amendment will be to convert a large portion of Area C to non-agricultural use, with the potential to generate conflicts with any remaining agricultural use of the site and with adjacent and nearby agriculture. The amendment is thus inconsistent with the Coastal Act because it fails to retain the maximum amount of prime agricultural land, direct development away from agricultural lands, provide for an adequate buffer to agricultural land or prevent further conversions through limiting land divisions and public service extensions. However, the amendment can be approved if modified to: (1) limit intensified development of Area C to a public school only for a limited period of time; (2) require a finding of no feasible alternative site; and (3) include an agricultural educational component, adequate buffers to adjacent agricultural land, and an acknowledgement of the potential conflicts from adjacent and nearby farming.

A. Coastal Act Agriculture Policies

The Coastal Act establishes requires the preservation of both prime and non-prime agricultural lands. In particular, the Act sets a high standard for the conversion of any agricultural lands to non-agricultural uses. Significantly, Coastal Act Section 30241 requires the maintenance of the maximum amount of prime agricultural land, to assure the protection of agricultural economies:

> ***Section 30241.*** *The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the area's agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:*
>
> *(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.*
>
> *(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.*
>
> *(c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.*
>
> *(d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.*
>
> *(e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.*
>
> *(f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.*

Coastal Act Section 30241.5 identifies specific findings that must be made in order to address the agricultural "viability" of prime lands around the periphery of urban areas subject to conversion requests. These findings include an assessment of gross revenues from agricultural products grown in the area and an analysis of operational expenses associated with such production. Subsection (b) specifically requires that such economic feasibility studies be submitted with any LCP or LCP amendment request. Section 30241.5 states:

> ***Section 30241.5.*** *(a) If the viability of existing agricultural uses is an issue pursuant to subdivision (b) of Section 30241 as to any local coastal program or amendment to any certified local coastal program submitted for review and approval under this division, the determination of "viability" shall include, but not be limited to, consideration of an economic feasibility*

evaluation containing at least both of the following elements:

(1) An analysis of the gross revenue from the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.

(2) An analysis of the operational expenses, excluding the cost of land, associated with the production of the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.

For purposes of this subdivision, "area" means a geographic area of sufficient size to provide an accurate evaluation of the economic feasibility of agricultural uses for those lands included in the local coastal program or in the proposed amendment to a certified local coastal program.

(b) The economic feasibility evaluation required by subdivision (a) shall be submitted to the commission, by the local government, as part of its submittal of a local coastal program or an amendment to any local coastal program. If the local government determines that it does not have the staff with the necessary expertise to conduct the economic feasibility evaluation, the evaluation may be conducted under agreement with the local government by a consultant selected jointly by local government and the executive director of the commission.

Section 30242 establishes a general standard for the conversion of agricultural lands:

Section 30242. *All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (l) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.*

The next section addresses protection of the soil resource itself:

Section 30243: *The long-term productivity of soils ... shall be protected....*

Finally, the definition of prime land is found in Section 30113:

"Prime agricultural land" means those lands defined in paragraph (1), (2), (3), or (4) of subdivision (c) of Section 51201 of the Government Code.

These Section 51201 paragraphs define such lands as:

1. *All land that qualifies for rating as class I of class II in the Natural Resource Conservation Service land use capability classifications.*

2. *Land which qualifies for rating 80 through 100 in the Storie Index Rating*

3. *Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.*

4. *Land planted with fruit- or nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than two hundred dollars ($200) per acre*

B. Existing and Proposed LCP Agriculture Policies

As discussed above, the amendment proposes changes to the agricultural conversion policies of the certified LCP that, while mirroring Coastal Act policies, would weaken the protection of agricultural lands for Area C in the certified LCP. With specific regard to Area C, the LCP currently supports agriculture as the principal use. It allows for a limited amount of non-agricultural development at Area C, provided that continued agricultural use is demonstrated to be infeasible. The LUP prohibits conversion of land "suitable for agricultural use," such as that currently in agricultural production on Area C, unless: (1) continued or renewed agricultural use of the land in question is not feasible; or (2) such conversion would result in development near existing developed areas served by adequate public facilities. The proposed amendment also would add another non-agricultural conditional use (public school) and it would modify development standards to make non-agricultural development more attractive (by allowing for more site coverage and reducing mapped ESHA area).

C. Background: Historic and Current Agricultural Use

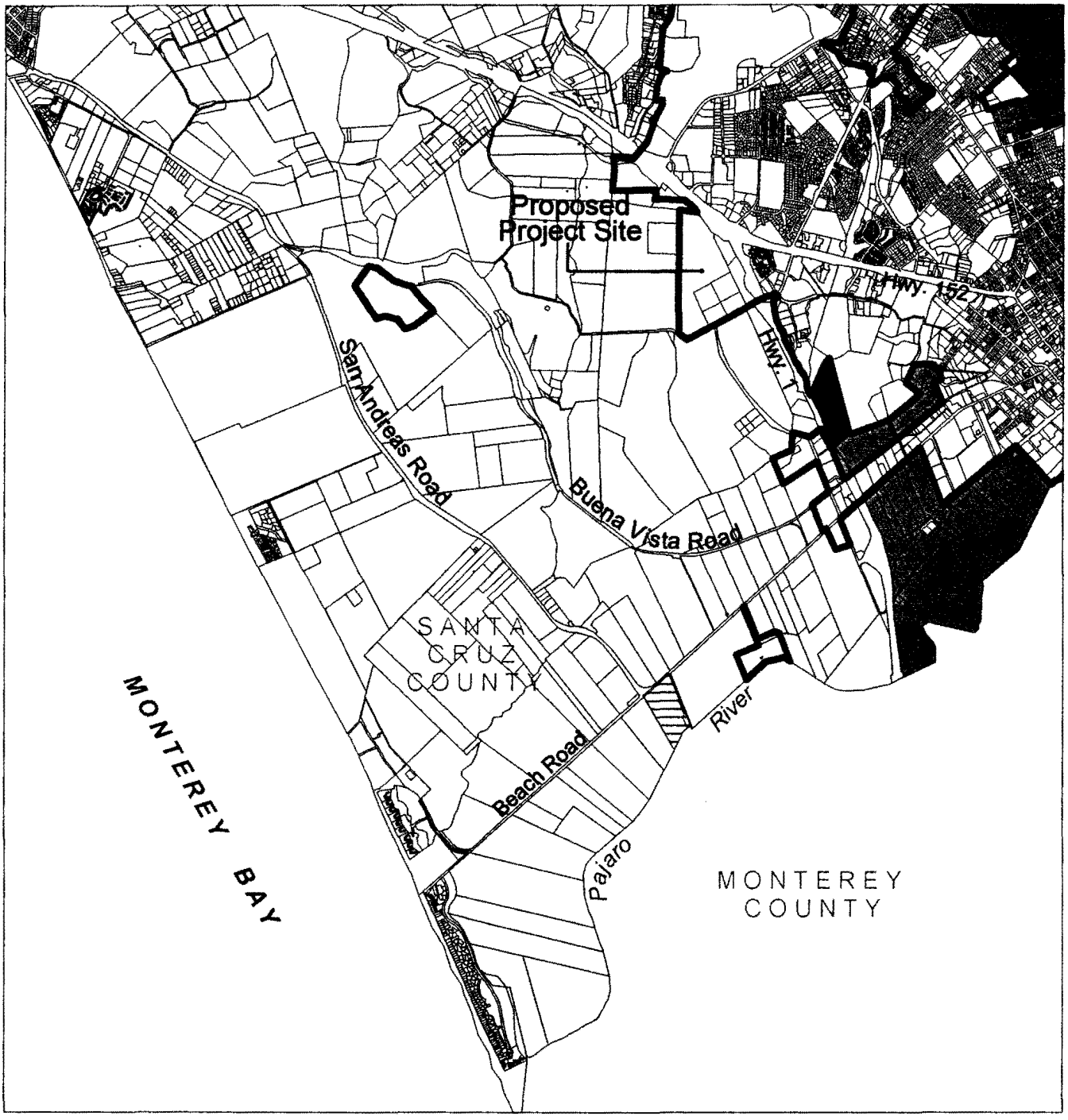
1. Agricultural Use of Site and Surroundings

Area C has been in agricultural use for many years. Historic agricultural use in the Pajaro Valley dates back to pre-European times. The subject site was originally part of James Hanson's dairy in the 1800's and appears to have stayed in grazing use until recently, as documented by aerial photographic analysis in the PVUSD FEIR. Also, at times the grasses were mowed and likely used for feed, as evidenced by hay bales on the site in a 1931 aerial photograph. The background report to the LUP written in 1982 says the site at that time was partially in grazing use and partially in row crops.[34] Current agricultural use of the subject parcel has been strawberry cultivation, a use that has been occurring for the last decade.

Area C is situated in an agricultural area and is indistinguishable from adjacent strawberry farms. According to the South Santa Cruz County Ranch Maps of 1997, other agricultural properties within the

[34] California Department of Water Resources Maps show the part of the site closest to Harkins Slough Road in row crops in 1975 and the entire farmable portion of the site in row crops in 1982.

Figure 11: County Agricultural Lands in Vicinity of Area C



Viable Agricultural Land in Coastal Zone
Viable Agricultural Land
Agricultural Preservation Zone
Limited Agricultural Land-Geographically Isolated
City of Watsonville
Parcels

N

0.5 0 0.5
Miles

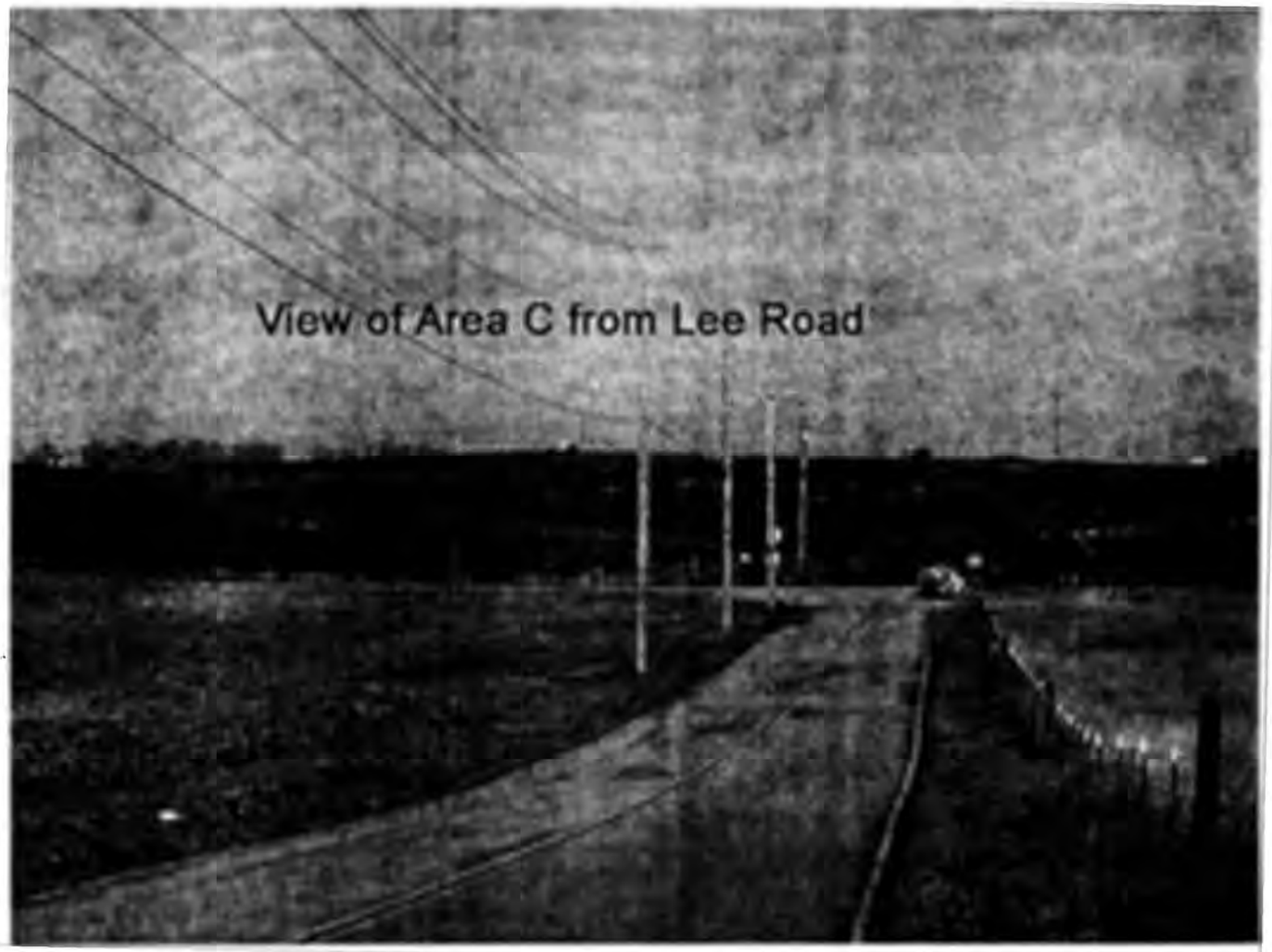
Data Source: Santa Cruz County Planning Department. 2/00 County LCP and General Plan Agricultural Land Classifications. (City Agricultural Land not shown).

GMB, 2/00

- NOTE -
The information depicted on this map is subject to revision. Locations approximate. For illustrative purposes only.

Technical Services Division
California Coastal Commission

vicinity and region of the subject site have been used for pasture, strawberries, and vegetables.[35] This document reveals that use across Harkins Slough Road to the southwest has more recently been for vegetable crops and a small amount of grazing. Until recently there was also an apple orchard located to the southwest as well. However, the trees have since been removed. Use of the lands adjacent to proposal site to the west and northwest has also more recently been for grazing and strawberry



cultivation.

Area A was described as in grazing use at the time of LUP preparation. It currently contains a composting facility that is categorized as an agricultural use, although it is obviously not soil-dependent. Area B was described as in grazing and row crops at the time of LUP preparation. It is currently fallow.

[35] Santa Cruz County Agricultural Commission, *South Santa Cruz County Ranch Maps 1997.*

2. Agriculture Industry in the Pajaro Valley

Watsonville's coastal zone is part of an area where agriculture is paramount to the economy. According to the *Pajaro Valley Futures Study, November 1998*, "unlike other cities in Santa Cruz County, Watsonville's economy is almost entirely dependent on agriculture." This study provides valuable information both in the form of statistical analysis of trends in crop acreage and values over the past 20 years; and also qualitative assessments based on interviews with people who work in the industry everyday – growers, processors, labor, service industries, real estate, etc. The following is a summary of the study's findings:

> *The ideal growing conditions in the Pajaro Valley create high demand for the finite amount of agricultural land and land values that are considerably higher than in nearby areas. While urbanization may escalate land values to 8 to 10 times the value for agriculture, the high agricultural land values indicate the importance of the Pajaro Valley as agricultural land. Over the past twenty years agricultural production in the Pajaro Valley have increasingly shifted to higher income commodities such as strawberries, while apple production has declined. This is likely to continue as outside competition and high costs of land, water, and labor make lower income crops less economical.*

A review of the 1979 Soil Survey map reveals that there is an abundance of prime agricultural lands within the vicinity of Watsonville's coastal zone. This status is a function of these soils' inherently high potential to be productive due to their natural physical characteristics (i.e., they meet the first Capability Classification or the second Storie Index Rating criteria). The vast majority of these soils occur to the south of Area C within the broad flat valley floor surrounding the Pajaro River. Other lands to the west of Area C along Harkins Slough and between San Andreas Road and Gallighan Slough contain prime soils as well.

D. Analysis of Consistency With Coastal Act Agricultural Policies

1. Introduction: Effect of the Proposed Amendment on Agriculture

The proposed amendment would have several effects on agriculture on the site and beyond. It would result in a conversion of all of the agricultural land on proposed Area F, if it results in an intensified use such as school, which requires all of the available development envelope. It may result in a conversion of all of Area C from agriculture, if the remaining area becomes too constrained to farm because of conflicts with the adjacent use on proposed Area F or if development is made easier or more economical due to the growth-inducing effects discussed in the previous finding. The proposed amendment also has the potential to result in a split of the large Area C into two parcels, with the remainder being less viable for agriculture, given its smaller size, location adjacent to a school, and lack of water (the school site would encompass the well that currently supports Area C farming).

Beyond the site, the proposed amendment has the potential to adverse affect adjacent agricultural uses as it introduces an intensive and sensitive use and attendant urban services next to them. Similarly, this adverse effect could reach beyond in the vicinity of the site for the same reason. These effects clash with several provisions of the cited Coastal Act policies, as will be described.

2. Prime Agricultural Land Determination

The agricultural capacity of Area C land is central to an evaluation of LCP amendment Coastal Act consistency. As discussed below, neither Areas A nor B would qualify as prime agricultural land at this time. However, under Coastal Act criteria, there is little doubt that the cultivated portion of Area C is prime land.

Areas A and B

According to the 1979 Soil Survey, Areas A and B do not meet the first two prime agricultural land criteria. Capability Classifications for these areas range between III and VI, while Storie Index ratings range between 28 and 62. In addition, both of these areas have already been committed to non-soil dependent operations, making the application of the third and fourth prime land criteria moot at this time. However, since the uses of Area A do not permanently cover the soil, and since Area B is not yet developed, these areas could become prime if they returned to cultivated or grazing uses in the future.

Area C

Contrary to the findings of an Agricultural Viability Study submitted by the City[36], there is substantial evidence that Area C, the location of the proposed high school, meets two of the four Coastal Act tests for prime agricultural land. First, though, it is important to address the context of the certified LCP.

Certified LCP

The certified LCP is contradictory with respect to its characterization of the agricultural status of Area C in 1982. First, the LCP states that "[t]here is no prime agricultural land within the present boundaries of the City's coastal zone" (p. 5). Yet, the LCP also states that "Areas A, B and C consist of 145 acres of prime range land . . . (p. 22)." The Commission's findings for the original LUP suggest that the root of this contradiction perhaps lies in the distinction between agricultural land and agricultural soils. The Commission's December, 1982 findings state:

> *Coastal Act sections relevant to the agricultural component of the LUP include 30113, 30242, and 30250. The Coastal Act utilizes the Williamson Act definition for prime soils. There are several different tests in the definition; one is that a soil is considered prime if it is rated class I or II by the Soil Conservation Service, another is if the land is above 80 on the Storie Index Rating. The highest classification of soil in Watsonville's Coastal Zone is Class III, the highest Storie Rating is 62. The bulk of the land is rated lower than these figures. Therefore the City*

[36] Andrew Mills, *Agricultural Viability Study for the Proposed Third High School Site*, August 20, 1997 (Appendix B of the Revised EIR.)

appears correct in its evaluation of the areas within the LUP jurisdiction as having non-prime soil.

In other words, while the Commission characterized Area C as prime range land, it also found that the *soils* of Area C did not meet the SCS Soil Classification or Storie Index Rating for prime soils. Notably, the Commission did not specifically evaluate the capability of the land under the third and fourth tests required by the Coastal Act. Thus, it appears that the Commission did not completely evaluate Area C for its agricultural capability in 1982.

These contradictory LCP statements, though, are not, and can not be, determinative of the agricultural status of Area C today. As with environmentally sensitive habitat assessments, the Commission must evaluate the agricultural capability of Area C based on the status of the resource as it currently exists on the ground. This is particularly true when an LCP amendment is being proposed that could result in significant conversions of land currently in agricultural production.

Coastal Act Soil Type Tests

Regarding the first and second tests, according to the USDA Soil Survey published in 1979, there are five separate soil types found on Area C. These soils range from III to VI in the NRCS Capability Classification system and from 28 to 62 in the Storie index. As such, none of these soil types contain a Capability Classification or Storie index rating that alone would qualify Area C's soils as "prime agricultural land" under the first two tests. This is also consistent with the Commission's 1982 finding concerning the application of these two tests.

Coastal Act Grazing Land Test

Area C would qualify as prime agricultural land under the third test if it were being used for grazing. First, based on U.S. Department of Agriculture criteria, four of the five soil types found within Coastal Area C could be expected to yield, under a high level of management, ten (10) to twelve (12) animal unit months (AUM) per acre.[37] An animal unit month is defined by the USDA as the amount of forage or feed required to feed one animal unit (one cow, one horse, one mule, five sheep, or five goats) for a period of thirty days. Therefore, these soil types far exceed the single annual AUM requirement of Government Code Section 51201 (c)(3), by providing expected yields between ten (10) and twelve (12) AUM's during a thirty day time period, for twelve months out of the year. In addition, while expected yields are not available for the fifth soil type, the USDA Survey indicates that this soil type is mostly used for range. It should be noted that Santa Cruz's coastal rangelands are naturally more productive than similar land located in interior counties or other coastal counties. Factors that contribute to this increased productivity include greater rainfall and a longer growing season. In short, based on soil type alone, prime range soils would appear to cover nearly all of the proposed new Coastal Area F and also constitute a majority of Coastal Area C.

Second, as noted above, the entire site has in fact been used for the grazing of livestock, and the adjacent

[37] United States Department of Agriculture, *1979 Soil Survey*.

site remains in grazing use. Thus, actual site use supports the soil type analysis. Indeed, the City's viability study acknowledges that the site has been used for livestock grazing "with some frequency throughout the years." The study goes on to describe the soils of the property as:

> *sufficient to support many of the high-nutrient native and exotic plant species common in the area such as burclover, soft chess, pine bluegrass and purple needlegrass,* ***which provide excellent feed for cattle and livestock***[38] *[emphasis added].*

Notwithstanding this conclusion, the viability study cites the lack of actual production records and makes estimates, based on summer site observations (late June to early July), that the land could accommodate only one animal unit per 4-5 acres from late spring through mid-fall (7-8 months). The study does not address the USDA soil capability criteria, or provide any supporting documentation for this conclusion. Indeed, the study concludes that it is "difficult to ascertain with any degree of certainty how many animal units the property could support in the absence of actual production records." Given this uncertainty, coupled with the historical evidence of actual grazing use, the USDA yield criteria, and the study's conclusion that the soils are sufficient to provide "excellent feed" for cattle and livestock, the Commission concludes that there is substantial evidence that the land of Area C would be prime under the third Coastal Act criteria. Insufficient evidence has been presented to conclude otherwise.

Coastal Act $200/acre Return Test

Area C also qualifies as prime agricultural land under the fourth test: the $200 return per acre criteria. First, as discussed above, Area C has been in strawberry cultivation for the last decade. There is no doubt that strawberries are a high end crop in Santa Cruz County and California generally. In 1994 California's annual strawberry crop was valued at over $300 million, and accounted for approximately 75% of fresh strawberry consumption in the U.S.[39] About 95% of the state's strawberries are produced in coastal areas, because of the extremely favorable marine environment. Of the 19,250 acres of strawberries planted in 1994, more than half were in central coast counties.[40]

The average yield for strawberries in the County is 5,000 flats per acre, while typical sales prices range from $3.00 to $7.50 per flat. The PVUSD FEIR also acknowledges this. Recent data suggests that the prices and/or yields have generally ranged on the higher side, with the value of strawberries "hovering around $30,000/acre" for the last 20 years.[41] The production costs of strawberry production can vary widely depending on site characteristics. Establishing site specific cost data is also a sensitive area; however, information provided to staff from a reliable source indicates that an average input cost range for strawberries, including harvest, of $25,000. One published study supports this finding, estimating the production costs at $24,600/acre.[42] Another study found higher costs, placing production costs for an

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[38] Mills, p. 11

[39] Gliessman, Stephen, et al., *Conversion to an Organic Strawberry Production System in Coastal Central California: A Comparative Study*, Agroecology Program, U.C. Santa Cruz, (1994).

[40] *Id.*

[41] Pajaro Futures Study, 4-8.

[42] Gliessman, p. 1.

average harvest of 5,000 trays closer to $30,300.[43]

As with most agricultural crops, the net economic gain from strawberries can fluctuate year to year, depending on market trends, climate, etc. Nonetheless, because of their high economic value, strawberries also generally produce a high net income. Two studies prepared for the Commission in the late 1970s determined net incomes for strawberries that far exceed the $200 standard. *Economic Considerations of Coastal Agriculture* (1979) indicated a net revenue of between $2,237 (10-year average) and $3,080 (5-year average) and *Analysis of Agriculture on the Oxnard Plain* (1977) indicated a net income of $2,278 per acre. More recent reports indicate that profits of $3,500, $5,000 per acre are not uncommon and one study showed a return of up to $9,738 per acre for organic strawberries no less.[44]

Slightly over half of Area C is planted with strawberries and harvested. Conversations with Mr. Emigdio Martinez, the current agricultural operator of Area C, indicate that he leases 70 acres. [45] The City's Viability study describes 15 acres of available land on the project site, and 45 additional acres of cultivated land on the remainder of Area C. Mr. Martinez also indicated that strawberries on Area C are profitable, and that Area C produces between 5000 and 7000 trays/acre, which is generally higher than the County average. Using the range of average sales prices for strawberries, the gross income for the site could range between $15,000 and $52,500 per acre in any given year.[46] Assuming 6000 trays per acre at $5.25/tray, the gross income of the site would be $31,500. Even assuming a high production cost scenario of $30,000/acre, the net return would be $1,500/acre, well over the $200/acre criteria of the Coastal Act. This would translate to approximately $52,500 – $60,000 net income for the 35-40 acres of the site that the current operator indicated is usually in production.[47]

Of course, as mentioned earlier, it should be acknowledged that a particular crop may not be "profitable" in any given year depending on a variety of conditions.[48] Nonetheless, given the return of the typical strawberry crop, it would be difficult to conclude that Area C is not prime agricultural land under the $200/acre return criteria over the longer run. (This assumes that "return" in the Williamson Act means "net" return as opposed to gross. Under the more liberal interpretation that return means gross income, there is absolutely no doubt that the site would qualify as "prime".[49])

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[43] Agricultural Extension University of California, 1996.

[44] Gliessman et al. 1990; Webb 1994; Cochran 1994; all cited in The IPM Practitioner Vol. 16, July 1994.

[45] Personal Interview, Emigdio Martinez, 1/31/00

[46] Some factors contributing to price fluctuations typically include market demand, quality, and condition. Others may include whether the strawberry crop has been grown for juice, packaged freezer sale, or fruit purposes. There are numerous factors affecting the selling price, some of which the grower is unable to influence. No evidence is apparent that conditions of Area C are so drastically different than the norm that it would be unable to return at least $200 annually per acre.

[47] Martinez, 1/31/00.

[48] While indicating that strawberry production on Area C was generally favorable, Mr. Martinez also indicated that he will break even with some harvests. Martinez, 1/31/00.

[49] Unfortunately, the Williamson Act does not provide a definition of "return." The Commission notes that litigation is currently being pursued alleging that the site would qualify as prime agricultural land under the fourth criterion revolving

The Commission also notes that the $200 figure may not be appropriately adjusted for current economic conditions. Indeed, the State Commission on Local Governance for the 21st Century has examined this issue and recommends raising the fourth prime standard to $400 per acre, as adjusted annually by a factor which is equal to the ratio obtained by dividing the consumer price index for January of the immediately preceding year by the consumer price index for January 1, 2000. Still, even if the Legislature adopts this revised criteria, the site would still easily meet the "prime" test, based on net return.

In contrast to this general and site specific economic evidence, the City's agricultural study states that, "it may be concluded that the agricultural viability of the site is at the lower end of desirability and profitability in the area." With respect the productivity of strawberries, the study concludes:

- *Cultivation of 15 acres on the proposed high school site (currently for strawberries) is insufficient to support a farmer with the proceeds of production;*
- *Production on the high school project site does not contribute significantly to the general production of the Watsonville area in any given crop, and;*
- *The trend in recent years has been that increasingly fewer acres are cultivated while there has been a corresponding increase in costs per acre to farm, resulting in steadily declining productivity and profits.*

The Commission finds insufficient support for these conclusions. First, Coastal Area C totals 139 acres and the portion west of the farm road is currently used in its entirety for agricultural production. The current and past agricultural practice at this location has been to rotate crops over the entire area with some acreage being actively cultivated, while the rest is left to fallow. This is common practice for strawberry operations. The City's submitted viability study is based on an analysis of only 15 acres of the Area C site – that is, a small portion of the proposed new Coastal Area F. This is not an appropriate methodology given that the entire Coastal Area C west of the farm road is used for agricultural production.

Second, strawberry production at the proposed site does constitute a contribution to Santa Cruz County's top grossing crop. Annual crop reports for the County from 1993 to 1998 confirm this, and indicate a fluctuating gross income from strawberries between 72.3 to 104.4 million dollars annually. In addition, the amount of acreage constituting the strawberry operation upon Coastal Area C is comparable to similar operations in the greater Watsonville area.

Lastly, there has been no trend in decreasing amounts of cultivated acreage in recent years within Santa Cruz County. The United States Department of Agriculture performs an agriculture census every five

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largely around the question of whether "return" means "net" or "gross." While the $200 "return" may seem to be a low threshold to determine prime land, especially if it is to represent a "gross" figure, one must be aware that it's context is the Williamson Act, a measure designed to give tax breaks to agricultural land owners.

years. Census data for the County for the years 1987, 1992, and 1997 indicate that the total harvested cropland has remained relatively stable during this time period, ranging between 20,469, 22,541, and 22,229 acres for the respective census years. The Santa Cruz County Agricultural Commission reports that strawberry production has increased 269% between 1977 and 1997.[50] Indeed, the recently conducted Pajaro Futures Study concludes:

> *Strawberry production should remain secure, although it may not continue to expand at the same rate that it has recently. There is no competition for summer production.*[51]

Although the Pajaro Valley Futures Report provides some discussion of possible future increases in water and labor costs, Commission staff has been unable to verify the statement of increasing production costs for the County through any published sources. However, it can be argued that since there has been relatively little change in the amount of acreage harvested, there has been no trend in significant increase in the costs to farm.

Apart from the general conclusions of the City's viability study, the study did provide a more specific analysis of Area C productive capability. When examined closely, this analysis also supports the Commission's conclusion that Area C land is prime under the $200/acre return test. The study estimates that strawberries on the site would generate a profit of $1,950 per acre or $29,250 for the 15 acres. This assumes an average yield of 5000 trays/acre for 15 acres, produced at a cost of $6.36/tray, and sold for $6.75 per tray. However, the study also assumes that 30-40 acres are needed to produce 15 acres of strawberries, because the crop must be rotated. This reduces the per acre profit to between $731 and $975 per acre. The Study then assumes that 55 acres (the proposed area of the school) must be rented to produce the 15 acre profit, thereby reducing the per acre profit to $532/acre ($29,250/55). Finally, the analysis then notes that the rental cost of the property is $750/acre and concludes that the "profit potential from the production of strawberries . . . is minimal at best."[52]

This conclusion, though, would seem to be based on a number of critical incorrect assumptions. First, rent does not have to be subtracted from the per acre profit because the production cost formulas used to derive the $6.36/acre production cost figure already included a land rent cost of $1,000 per acre -- $250 more than the apparent rent that the current operator pays.[53] Without such double counting of rent, the Area C profit would be $532/acre – well over the $200/acre criteria.

Second, although strawberries may be grown on a rotation basis, it is not uncommon in California for strawberries to planted as an annual, as opposed to perennial, crop.[54] Mr. Martinez indicated that he usually had 35-40 acres of the 70 acres of Area C that he leased, in production at any one time.[55] This

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[50] Pajaro Valley Futures Study, p. 4-13.
[51] Id. 4-2.
[52] Mills, p.10.
[53] Agricultural Extension of University of California, *Strawberry Sample Costs 1996.*
[54] *IPM Practitioner.*
[55] Martinez, 1/31/00.

would mean that a profit of $1950/acre would be earned for these acres every year. Even assuming that Area C profit was $1950/acre every other year, the average annual profit would still be $975/acre, or $39,000 a year. Moreover, if and when strawberries aren't planted, an alternative crop may be planted, which would make up some of the lost income for that year and acreage.[56]

It is clear that the $1,950 greatly exceeds the $200/acre criteria, as does the adjusted figure of $975 assuming one year of production, one year fallow. In short, the Study's conclusion should have been that the site is prime land under the fourth criteria of the Coastal Act. The $1,950 figure is consistent with other published data cited above.

Finally, apart from the economic analysis of Area C strawberry production, the FEIR assumes, and the PVUSD has recently asserted again, that the site is not profitable because the current tenant is reportedly unable to make his rental payments. However, it is not appropriate to use social or personal factors to determine whether the prime criteria is met, because the criteria is based on "normal" conditions. The non-receipt of rent says nothing about the actual return of the land based on harvest and market conditions. In short, the City presents no credible evidence to refute that Area C's agricultural acreage can "normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than two hundred dollars ($200) per acre."

Other Tests

The Commission notes that while it must rely on the Coastal Act/Williamson Act definition of prime agricultural land, other classification schemes have been developed to attempt to more appropriately categorize agricultural land. These have been offered in recognition that some lands which rate low on the Storie Index or land use capability system, such as Area C, are extremely productive for certain crops, and that these indicies may not fully account for other factors such as climate and the economic return of certain crops that would make certain lands prime.

For example under State Law, local agency formation commissions are required to use a definition of "prime agricultural land" that encompass the four criteria referenced in the Coastal Act uses plus two additional criteria (which are also found in the Williamson Act): Land which has returned from the production of unprocessed agricultural plant products an annual gross value of not less than $200 per acre for three of the previous five calendar years (this used to be a Coastal Act criteria, but was amended out) and "land which is used to maintain livestock for commercial purposes." As another example, the State through the Department of Conservation has developed the following categorization for important farmlands: "Prime Farmland," "Farmland of Statewide Importance," "Unique Farmland," and "Farmland of Local Importance."

Examining these other criteria, the upper half of Area C is primarily mapped as "Unique Farmland" and "Farmland of Statewide Importance" with slivers of "Prime Farmland" and "Grazing Land." Land under

[56] Mr. Martinez in fact indicated that he had grown broccoli in the past; the City's study notes that the cite was planted in broccoli in 1996, p. 10.

these categories is considered "prime" by the County of Santa Cruz. The County also considers all lands having a designation of Commercial Agriculture to be prime agricultural land. Commercial agricultural land is composed of ten different types, including the State's Unique Farmland. The County conducted a detailed assessment of its agricultural land about 20 years ago to arrive at its agricultural resource determinations (and it has a process for updating these determinations).

Conclusion

In conclusion, the Commission finds that the evidence supports a determination that the agricultural portion of Area C is "prime." This land meets both the $200/acre economic return criteria and the grazing capacity criteria of the Coastal Act. Nor has any substantial evidence has been presented to negate this finding. Moreover, the agricultural portion of Area C would appear to continue to be considered "prime" under an economic criteria adjusted to reflect inflation and current conditions.

3. Direct Loss of Prime Land

The proposed amendment does not achieve the Coastal Act Section 30241 mandate that the maximum amount of prime agricultural land be maintained in agricultural production in order to maintain the agricultural economy of the area. Under the current LCP, the maximum site coverage for non-agricultural uses is 10%. While the LCP does not guarantee that the remaining acreage stay in agriculture, that is a likely outcome. Indeed, since preparation of the LUP in 1982, agricultural use on Area C has converted to a high end agricultural crop.

Under the proposed amendment, maximum impervious coverage is 50% on proposed Area F and 10% on proposed Area C. Beyond impervious surface coverage, schools (as opposed to industrial developments) have significant pervious surfaces for playfields (as the PVUSD's draft site plan for its high school illustrates). Also, given the incompatibility of a school with agriculture, the proposed amendment increases the potential to eliminate the entire prime agriculture acreage on proposed Area F. This does not comply with the maximization of the amount of prime land required under Coastal Act Section 30241. And as will be discussed below, it leaves less possibility of any continued agriculture on the farmable portion of the remaining 63 acres of Area C. Again, this does not maximize prime agricultural land retention.

The Commission notes that even if the land in question were not itself defined as prime, Section 30241 is relevant. The determination of whether the land in question is prime land is not the key to analyzing the proposed amendment. More significantly, the amendment proposal is located in an area that makes a contribution to the agricultural economy of the region. In other words, Area C is situated in an agriculturally productive area -- one of the most productive in the state. Preservation of this economy is the primary intent of Coastal Act policies addressing agriculture. Under this goal the preservation of prime agricultural soils seeks to preserve the substrate that is inherently able to make a substantial contribution to this sector of the economy. Thus, the various subsections of Section 30241 apply to any amendment for the site (see finding below for more discussion).

4. Lack of Buffer Between Urban and Agricultural Uses

The proposed amendment would not serve to create the stable urban-rural boundary required by Section 30241(a) of the Coastal Act, as discussed in the above finding 6.2.2. Nor does the proposal include adequate buffers to agricultural land use in the vicinity (Section 30241(a)), or prevent the diminishment of the productivity of adjacent prime agricultural lands pursuant to Section 30241(f) (as well as Section 30242 for non-prime land conversions).

The proposed amendment could result in the complete elimination of agriculture on Area C. The City's submittal indicates that the proposed school project will have a 200 foot buffer to adjacent agricultural land. However, a review of the draft plans does not reveal so wide a buffer. In fact grading is shown up to and even beyond the boundaries of proposed Area F. The Commission, though, is not reviewing the project application at this time, it is reviewing the LCP amendment request. The actual submitted text revision contains no mention of a 200 foot, or of any, agricultural buffer. The LCP provides for only a 20-foot setback from front and rear property lines, regardless of the adjacent uses. On the perimeter of proposed Area F there is about 1,400 feet of agricultural land across Harkins Slough Road and about 1,000 feet of grazing land on the adjacent Rocha property in Santa Cruz County to the west. Proposed

View of Area C Site Looking North

Area F borders remaining Area C's fields for about 1,500 linear feet. The remaining Area C borders agricultural land grazing land and cultivated fields to the west for about 2400 feet and a slight bit to the north.

Typical incompatibility issues raised at urban-agricultural land use interfaces include: noise, dust, and odors from agricultural operations; trespass and trash accumulation on agriculture lands; road-access conflicts between agriculturally related machinery and automobiles; limitations of pesticide application, urban garden pest transfer, theft, vandalism; and human encroachment from urban lands.

Pesticide application on adjacent agricultural fields is particularly important to this amendment. The proposed amendment introduces a new potential site use – a public school – that involves a substantial number of youths and adults on the site, including outdoor use. In recent years, concerns have been raised by parents concerning PVUSD schools (e.g., Ohlone and Amesti) adjacent to agricultural fields. Historically, such conflicts mark the beginning of the end for agricultural practices that soon become branded as public nuisances as urban uses encroach upon them.

Current requirements for users of "restricted materials" are such that they must obtain both special training and a site-specific permit from their county agricultural commissioner. One such "restricted material" that may be used on adjacent strawberry fields is Methyl Bromide, which is scheduled to be phased out of use by 2005. Methyl Bromide is a fumigant commonly used in strawberry cultivation operations. Before the Agricultural Commissioner can issue a permit they must first take into account the presence of sensitive sites in the area. Sensitive sites typically include schools, hospitals, and residential neighborhoods. Faced with this, a Commissioner may deny the permit, or may require specific use practices designed to protect health and the environment. Without an adequate buffer between a public school use and adjacent agricultural fields, the current permitting process by the county Agricultural Commissioner may further impact the viability of adjacent agricultural operations. For example, without an adequate buffer the potential exists for the Agricultural Commissioner to deny pesticide application permits on adjacent fields due to the presence of a school. Over a period of time this may negatively impact the viability of the adjacent agricultural operation. Furthermore, additional specific use practices not previously required may also negatively impact adjacent operations by increasing costs. Either situation illustrates the proposal's inability to prevent conflicts between urban and agricultural land uses.

In conclusion without any mention of agricultural buffering and with only a minimal 5 to 20-foot setback, the proposed LCP amendment clearly does not meet the Coastal Act's buffering standard.

5. Premature Compromising of Agricultural Viability

The proposed amendment would not facilitate agricultural conversion due to severely limited agricultural viability caused by urban conflicts, which is another test of Coastal Act Section 30241(b). This section of the Act is meant to situations where urban uses are actually putting stress of adjacent agricultural lands. For example, if there was destructive particulate matter in the air from industrial

development or high levels of vandalism, then these impacts could be a justification for agricultural conversion.

No evidence is apparent or presented by the City that urban uses are impacting Area C's fields. As noted, nearly all surrounding land from the western border of Highway 1 all the way to Monterey Bay, is currently in agricultural production (see Figure 11). Current agricultural use is not in conflict with urban areas across Highway 1. Highway 1 presents a suitable buffer to prevent conflicts from arising and the access to the area west of the highway is adequate. If anything, agricultural viability of the area has been enhanced over the years as the site now supports row crops where it previously was only used for grazing. Thus, the proposed amendment clearly does not meet the conversion standard of 30241(b).

The City nonetheless has made the assumption that viability has been compromised by urban conflicts. Therefore, as discussed earlier, it has submitted a viability analysis pursuant to Section 30241.5, to ascertain economic viability. Again, this study states that, "it may be concluded that the agricultural viability of the site is at the lower end of desirability and profitability in the area." However, as discussed previously, there is not convincing evidence indicating that the economic viability of the agricultural operations at the site have already been compromised.

6. Developing Beyond Completion of a Viable Neighborhood

The proposed amendment would not complete a logical and viable neighborhood and contribute to the establishment of a stable urban-rural boundary -- another test of Section 30241(b). As previously discussed, the amendment does not propose a new urban-rural boundary. The "boundary" that would result from the amendment would be much less stable than the existing Highway One boundary. Since there is no other urban use nearby, the proposed amendment would not complete a logical and viable neighborhood; it would instead be seen as the start of new neighborhood. While there are very few residences on the ocean side of Highway One in the vicinity that would use a high school, if it were built on the site, the site can not be considered within a neighborhood for school attendance purposes.

The area west of Lee Road and south of Harkins Slough Road (referred to as the Tai property) across from Area C has been the subject of a recent application for residential development. Owners of the Tai property requested a general plan amendment that would have allowed 1,800 housing units. However, in 1999, the City rescinded its resolution to include this area within it urban limit line. This development proposal would be the only potential neighborhood in proximity to the site. However, since the proposal is currently inactive it carries no relevance in the context of this LCP amendment request.

Thus, the proposed amendment clearly does not meet the viable neighborhood standard of the Coastal Act.

7. Other Land Available for Conversion Not Being Pursued

The amendment would result in conversion of agricultural lands prior to developing available lands not suited for agriculture, which goes against the direction of Section 30241(c) of the Coastal Act.

Although the City of Watsonville has limited options to expand urban development, there are other possibilities that do not involve agricultural land. The issue of where Watsonville should expand is a controversial, hotly-debated topic locally. The Coastal Commission is unfortunately only in a position to decide on urban expansions into Coastal Zone agricultural lands, as any other expansion areas are outside of the Coastal Zone. Thus, the Commission is not in a position to offer a detailed analysis of alternative urban expansion areas that do not involve conversion of agricultural lands. Nor is it in a position to weigh the tradeoffs of developing certain agricultural lands instead of others where there is no choice but to expand onto farmlands.

Nevertheless, the Commission has reviewed the documents associated with this discussion and notes that both urban infill (including redevelopment) and urban expansion, toward what is known as the Buena Vista area, appear to be viable alternatives to expanding on coastal zone agricultural land. Furthermore, the Commission notes that growth pressures in the southern Santa Cruz County coastal zone are result of both local demand and external pressures. Watsonville General Plan cites the need for more housing and jobs to serve its youthful citizen's as they become adults. However, a study also reveals that a significant number of Watsonville's jobs are held by non-residents.[57] Even the City itself has expressed concern about a major industrial park in nearby Gilroy that could result in Watsonville being overwhelmed with park employees looking for less expensive housing. At some point, future growth in the area may need to be directed to more appropriate locations other than the coastal zone.

8. Public Services and Other Impairments

The proposed amendment makes an incomplete attempt to ensure that agricultural viability is not impaired through increased assessments as required by Section 30241(e) of the Coastal Act. The City's LCP currently has a provision that prevents special public works districts from forming or expanding so that the assessment and the provision of the service would not induce new development inconsistent with the preservation of agricultural land. This policy is retained and would apply to this site after the amendment. However, as noted in the Development findings, this assessment policy is incomplete, covering only certain types of assessment and certain areas.

The amendment also makes an attempt to prevent degraded air and water quality, which is also required by Section 30241(e) of the Coastal Act. The LCP currently has provisions addressing air and water quality. Under these provisions new development must be consistent with the requirements imposed by the Monterey Bay Unified Air Pollution Control District, designed to conserve water to the greatest practical extent, and collect and dispose of runoff from impervious surfaces and areas subject to vehicular traffic in a way which does not result in soil erosion or degradation of water quality. These provisions are important because some of the conditionally allowed uses could be potential air and water polluters. Again, allowing increased intensities of such uses would commensurately increase the potential pollution problems. Water quality issues, non-point pollution from storm water runoff of

[57] Economic and Planning Systems, *Watsonville Economic, Business/Industrial Park, and Labor Force Market Analysis*, July 1997.

created impervious surfaces. In conclusion, the proposed amendment does not adequately address impaired agricultural viability as required.

9. Land Divisions to Split Viable Agricultural Land

The proposed amendment may complicate Coastal Act Section 30241(f)'s mandate to not diminish the productivity of the prime lands through subdivision. The effect of the amendment is to divide the agricultural use of Coastal Area C, all of which is currently used as part of a much larger agricultural operation. Division of the parcel by committing approximately half of it to the proposed high school would diminish the productivity of the prime land found on Area C. Therefore, the proposed amendment does not adequately address divisions of prime agricultural land as required.

10. Non-prime Agricultural Land Conversions

The proposed amendment contains language that mirrors Coastal Act Section 30242. Were the land in question to be all undisputedly non-prime, then this amendment language begins to make sense. However, as discussed above, that is not the case. And, the prime definition is in part an economic criteria that could change over time. Thus, the proposal to use the non-prime conversion test as the sole test is problematic. In particular, it ignores the possibility that the land could be prime and thus ignores the Coastal Act policy to protect the general area's agricultural economy. Additionally, as previously noted, there is an internal inconsistency built into the document in terms of the different conversion allowances languages. Furthermore, by containing the Section 30242 language only and the assertions that there is no prime land in the City's coastal zone, the land use plan, as amended, leaves the impression that the operative provisions of Section 30241 do not have to be applied.

11. Coastal Act Consistency Conclusion

Land Use Plan Amendment Inconsistent with Coastal Act

In conclusion the proposed amendment is clearly inconsistent with the Coastal Act's agricultural policies for two overarching reasons. First, it does not maximize prime agricultural land preservation, rather it results in a reduction of prime agricultural land. Second, it does not in any way seek to minimize conflicts between agricultural and urban land uses. There are few specifics for buffers, assessments, runoff control, and the like that would be necessary to have a compliant policy. None of the five criteria under Section 30241 are met. Therefore, the amendment must be denied as submitted.

Implementation Amendment Inconsistent with Certified Land Use Plan

The lack of specific ordinances to address the Coastal Act agricultural protection policies is carried over into the Implementation Plan. Typically, an implementation plan contains more detail to be able to implement the policies. Since the proposed amendment simply mimics the proposed land use plan amendment, and since the land use plan amendment must be denied, so too must the implementation plan amendment. If there were a land use plan amendment that carried out the Coastal Act, then an adequate implementation plan would have more detailed measures such as precise buffer procedures and

the like. The proposed implementation plan contains none of this.

E. Modifications Required to Achieve Coastal Act Agriculture Conformance

In order to approve a Land Use Plan amendment, it must be consistent with the Coastal Act. In order to approve an Implementation Plan amendment, it must be consistent with and adequate to carry out the Land Use Plan.

1. Modifications to Result in a Certifiable Land Use Plan Amendment

Some of the objectives of the City's submittal can be accomplished through a modified local coastal program amendment that addresses the Coastal Act agricultural policies. The denial findings indicate that alternatives are available for urban expansion other than using the subject site. Also, the Coastal Act does not require that a local coastal program accommodate all projected local growth. It is more accurate to contend that in the coastal zone, growth is to be limited by the constraints of resource protection. Agricultural use remains the priority use for the site. Any weakening of the standards to allow a conversion to other uses or any increase in the maximum intensities already potentially allowed for any other uses would not preserve the maximum amount of prime agricultural land as required by Section 30241.

Modifications Generally Applicable to the City

The intent of the local coastal program provisions, when read together, is to ensure that any uses allowed on Area C do not alter the rural character of the area and are not growth-inducing. The effect of applying all of these policies should be for the site to remain in agriculture or at least mostly in agriculture. It is possible, however, that a liberalized application of each policy on its own could result in some development that does not have such a result. Therefore, the Commission finds that some additional specificity with regard to siting and public services is necessary to fully guarantee that any other use that may be approved will preserve the remainder of Area C and the lands beyond in agriculture. This is accomplished by adding modifications to: (1) recognize that Section 30241 of the Coastal Act is also applicable to the City (see modification 7.A.1) and that there are prime agricultural lands in the City (see modification 7.A.2); (2) ensure that both the general agricultural conversion policy and then specific area policies are internally consistent and consistent with the Coastal Act. (see modification 7.A.1); and (3) ensure that the coverage limitations result in clustering (see modification 4.A.2). Although the City of Watsonville does not have any required non-impervious surface coverage (e.g., landscaping) for industrial uses, such uses typically have some small percentage of their sites (e.g., 10%) so devoted to green spaces. Allowing 10% for landscaping and grounds would result in a building envelope of 8 acres and leave about 55 acres for agricultural use and buffers. A building envelope of 8 acres (and an impervious surface coverage maximum of 7 acres) would be more than adequate for the other permitted uses as well (e.g., for 15 homes), especially if septic systems were allowed beyond these envelopes

within the agricultural buffer zone.

Modifications Specifically Applicable to a Public School on Area C

With regard to a public school use on the site, the Commission recognizes that it is a critical public use and the primary objective of the City's proposed amendment. The Coastal Act also recognizes the importance of education, both in terms of mutual planning for such beneficial uses, and in terms of the importance of an educated citizenry to the protection of the natural environment:

> *30001.5 (e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.*
>
> *30012 (a) The Legislature finds that an educated and informed citizenry is essential to the well-being of a participatory democracy and is necessary to protect California's finite natural resources, including the quality of its environment. The Legislature further finds that through education, individuals can be made aware of and encouraged to accept their share of the responsibility for protecting and improving the natural environment.*

Unfortunately, State Planning law does not require coordination of municipalities' general plans with school siting, nor does it prohibit school siting on agricultural lands. Thus, it is not surprising that the current City of Watsonville General Plan (and Local Coastal Program) does not have adequate school sites reserved for the amount of population that the plan allows. It is also not surprising that the proposed amendment targets agricultural land on the edge of the City, since such land is usually less expensive to purchase, there are fewer neighborhood concerns to address, and other land is already developed or committed to other uses.

Also, to date, there has not been a mandatory program in this area to directly mitigate against agricultural land conversion. For example, in the City of Carlsbad, developers of agricultural lands that are allowed to be converted have an option of paying a one-time mitigation fee of between $5,000 and $10,000 per acre A recent Santa Cruz County permit for temporary stockpiling on agricultural land nearby (A-3-SCO-98-96; still pending before the Commission on appeal) established a $600 annual fee per acre for every year that the fields would be unavailable to farm. The County has an Agricultural Conservation Easement program "to preserve and protect productive farmland in Santa Cruz County and to provide farmers an economically viable option to remain in agriculture. The program purchases agricultural conservation easements, which are valued as the difference between the fair market value of the land without restrictions and the value with restriction (i.e., with the easement). For example, the program purchased the development rights on the nearby 39.8 acre Cardoza Ranch (of which 18.5 acres are in agricultural production) for $212,000 (or $10,800/ agricultural acre). However, this program was established in order to receive grant money, not for compensatory mitigation purposes.

In addition to the suggested modifications discussed above with regard to urban services, modifications to the amendment could address the various criteria of Coastal Act Section 30241 and the deficiencies

noted in the denial findings in the following ways:

No Feasible Alternative for Limited Time Period

First, a school could be allowed only if there is no other feasible alternative location. Coastal Act section 30241(c) requires developing available lands not suited for agriculture prior to conversion of agricultural lands. The Commission is not in a position to dictate alternative public high school sites especially since the viable sites are outside of the coastal zone, and that task is the responsibility of the school district. The Commission notes that the school district has examined alternative sites and rejected them. Some of the alternative sites would not involve conversion of agricultural land but have other characteristics that make them less desirable to the School District than the subject site. Thus, while one may argue that technically these sites are "available" since the School district has condemnation powers, they may not be available in a timely manner necessary to secure funding and build a high school expeditiously to relieve overcrowding because the school district has not pursued them (or has stopped pursing them in the case of the Green Valley site) in the same fashion that it has pursued the subject site. If the Commission were to deny the amendment in total without offering any modifications, then the school district would be set back for some time period in pursuing one of these alternatives. Therefore, a modification can be added to give the City authority to allow a specific public school project (e.g., the proposed high school), if it makes a finding that there are no suitable non-agricultural sites available for the proposed public school use (see modification 4.A.2).

If the PVUSD does not or cannot pursue its proposed high school on Area C in the near future, then this rationale disappears. If PVUSD pursues another alternative, or the district is reorganized in a manner that obviates the need for a school in the vicinity, or student enrollment projections change so that a new high school is unnecessary, then the site will not be needed for a public school and this option can sunset. If a new school is still being contemplated more than ten years from now, circumstances in terms of availability and feasibility of sites will have changed enough to render this exception rationale outdated. Furthermore, under the Coastal Act, ten years encompasses at least two periodic review cycles (although as a practical matter, more likely one). Periodic reviews offer the Commission a chance to examine a local coastal program in light of new circumstances and knowledge, but not to unilaterally make changes. By including a sunset provision, the Commission is not permanently bound to this decision to allow a more intensive site use and can use the periodic review process to reexamine this issue.

Compact Design

Second, a provision could be added requiring a public school to be sited and located as compactly as possible in a manner to preserve the remainder of the site in agricultural use and not be further subdivided. (see modification 4.A.2). However, there is trade-off in this approach. The proposed high school does cluster development on the southern portion of the site; thereby, suggesting the northern portion could be restricted to continued agricultural use. However, the currently proposed design intrudes on sensitive lands, as will be discussed in the subsequent findings. Therefore, the allowable building envelope will extend into the remainder of proposed Area C. Given Area C's wetlands and

environmentally sensitive habitats, steep slopes, and proximity to agricultural and habitat lands, the maximum development envelope of the site, after buffering, is approximately 42 acres. According to official State guidelines, that could accommodate a high school of 2,000 students. These are only guidelines and through judicious site planning, the envelope could likely accommodate more students. Although PVUSD desires to house 2,200 students at this site eventually, if enrollment projections did not materialize, and if a tight site plan were prepared, or if PVUSD is prevented from building in this area because of airport safety reasons, then all of the development envelope may not be needed for a school. If PVUSD were to acquire all of Area C, then it should be required to make available for farming any of the land not in school use (or habitat or buffer use). Although the remainder area may be small, the adjacent parcel is also farmland (the current Area C tenant also leases that adjacent parcel), so a farmer could combine farming on the remainder with other land he or she also leases.

Water Availability

Third, the well on the site could be made available for agricultural use. Although PVUSD officials expressed concern that retaining the well would interfere with a school design, it should be possible to isolate the well in a space off-limits to students and construct a pipe from it. The current tenant expressed that he could continue farming on any remainder of the property, but only if he could still make use of the well. (see modification 4.A.2).

Buffer

Fourth, there could be a buffer between a public school and agricultural use. There is no magic in terms of what is an adequate agricultural buffer. The Coastal Act does not provide for specific buffer distances. Consequently, these are appropriately determined through localized planning processes such as LCP's. North Monterey County uses at least a 200 foot buffer. Santa Cruz County uses a 200-foot buffer, but allows case by case reductions based on certain criteria. San Luis Obispo County uses a variable buffer ranging from 50 ft (for grazing) to 800 feet, depending on the type of agriculture. The Commission findings for coastal permit 3-83-076-A13 provide useful guidance as well. These findings reference a 1998 study conducted by the City of Santa Cruz on agricultural buffer policies within 16 counties and 4 cities in the State. In summary the results of the survey were such that buffer distances varied widely. Those jurisdictions with a specific buffer distance had row crop buffers ranging from 25 feet to 500 feet. In addition, in almost every case buffer distance requirements could vary (both increase and decrease) from the specified distance depending upon site-specific conditions

A complication with regard to Area C is that the site is already in agricultural production. Usually, buffers are provided on sites to be developed so as not to compromise the adjacent agricultural land. In this case, however, it will be necessary to take agricultural land out of production to achieve any needed buffer. Thus, maximizing the buffer may not be the best solution if it entails removing agricultural land that could otherwise be kept in production. On the other hand, any new use with its buffer should be compatible with continued adjacent agricultural use so that the adjacent use does not have to give up some farmland to make up the difference. Given the nature and intensity of the school use, and given Santa Cruz County's buffer standards (that apply elsewhere in the vicinity), a 200-foot buffer between

any public school use and adjacent agriculture is the minimum appropriate (see modification 4.A.2).

Right-to-Farm
Fifth, as a complementary measure the City of Watsonville could enact a "Right-to-Farm" policy. Such policies put the jurisdiction on record that its citizens should coexist with the area's economy and not consider it a nuisance. (see modification 4.A.2).

Agricultural Education
Sixth, the school could have an agricultural education component, as does Watsonville High School, for students to learn about sustainable agriculture. Watsonville High has an agricultural department with eight separate classes. Perhaps some agricultural elements could occur on site (e.g., organic garden). (see modification 4.A.2).

Conclusion
In conclusion, if so modified in all of the ways outlined here according to the cited modification texts, then the Land Use Plan as amended and as further modified is approved as addressing Coastal Act policies with respect to agriculture.

2. Modifications to Result in a Certifiable Implementation Amendment

In order to approve an Implementation Plan amendment, it must be consistent with and adequate to carry out the land use plan. Since the land use plan is being amended and modified in the manner just described, likewise, the Implementation Plan must be so modified. This means that the Implementation Plan must contain, in addition to the modifications described in finding 3.B.1.E above to ensure that urban development does not extend beyond the City limits, modifications to: require portions of Area C not being developed or in habitat to be used for continued agriculture (see modifications 4.B.1 and 4.B.4); ensure availability of the agricultural well (see modification 4.B.1), include an agricultural buffer (see modification 4.B.1); require an agricultural hold-harmless, right-to-farm agreement (see modification 4.B.1); ensure that the extension of water/sewer is not assessed against agricultural operations in the area (see modification 4.B.3); and incorporate an agricultural educational component (see modification 4.B.1).

Not only must implementation plans be consistent with the land use plan provisions, they must provide the necessary detail to ensure that the land use plan provisions are carried out. Thus, a new zoning section is necessary to detail the mechanics of ensuring that legally-binding mechanisms for permanent buffers as well as protection of any agricultural lands are put in place (see modifications 5.B.3 and 7.B.1). Additionally, an ordinance needs to be incorporated into the Implementation Plan to detail right-to-farm and hold harmless provisions with regard to preventing conflicts between agricultural and non-agricultural uses. Since the conflicted land would be in the County and since the County already has provisions for such hold-harmless agreements, the County certified local coastal program language is used as a model for the modification, along with a right-to-farm ordinance adopted by San Luis Obispo

County (see modification 7.B.2). Finally, the provisions of the required Agricultural Viability Report need to be refined to ensure that there is enough detailed guidance for future reports to contain sufficient and accurate information and conclusions (see modification 7.B.3). If so modified in all of the ways outlined here according to the cited modification texts, then the Implementation Plan as amended and as further modified is approved as being consistent with and adequate to carry out the certified Land Use Plan as amended and as further modified with respect to agricultural issues.

3. Wetlands and Other Environmentally Sensitive Habitats (ESHAs)

The Coastal Act provides for the protection of wetlands and other environmentally sensitive habitats. As mapped in the certified LCP, Area C contains approximately 41 acres of wetland and valuable upland grassland habitat. Additional upland habitat (not mapped in the LCP as ESHA) occupies another approximately 25 acres. The proposed LCP amendment would substantially shrink the delineation of mapped wetland habitat areas and confine an ESHA designation only to those areas determined by the City to meet the Army Corps of Engineers definition of wetlands. Further, the amendment would allow for fill of small areas of wetland. Thus, the amendment would allow conversion of some wetlands and associated habitats to non-resource dependent uses. It would also decrease the effective wetland buffer areas anticipated under the current LCP, and potentially harm the slough-related habitats and wildlife at the site through accelerated polluted runoff, noise, lights, and increased activity from intensified development. The amendment is thus inconsistent with the Coastal Act in that it fails to protect wetlands and other environmentally sensitive habitat both from direct and indirect impacts. A modified amendment can be approved that: redefines appropriate ESHA delineations; provides for adequate and functional ESHA buffer areas; ensures appropriate habitat restoration; limits impervious surface coverage; includes drainage controls and filtering mechanisms for site runoff; directs road improvements away from sensitive habitat areas to avoid direct wetland fill for such improvements; minimizes landform alteration and development on steep slopes; ensures that habitat and buffer restoration and management is adequately planned by experts in the field; limits noise, lights, glare and activity visible and audible from ESHAs and requires adequate screening to ensure this is the case; and that provides for adequate legal protection for sensitive habitats and ESHA buffer areas.

A. Coastal Act ESHA Policies

The Coastal Act is very protective of sensitive resource systems such as wetlands, riparian corridors and other environmentally sensitive habitat areas (ESHAs). The Coastal Act defines environmentally sensitive areas as follows:

> ***Section 30107.5.*** *"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in*

an ecosystem and which could be easily disturbed or degraded by human activities and developments.

Almost all development within ESHA's is prohibited, and adjacent development must be sited and designed so as to maintain the productivity of such natural systems. In particular, Coastal Act Section 30240 states:

Section 30240(a). *Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.*

Section 30240(b). *Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

Article 4 of Chapter 3 of the Coastal Act also describes protective policies for the marine environment and specifically calls out wetland resources. Coastal Act Sections 30230 and 30231 provide:

Section 30230. *Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

Section 30231. *The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

In addition, Coastal Act Section 30233(a), 30233(c) and 30233(d) specifically address wetlands protection. In particular, Coastal Act Section 30233 limits development in wetlands to a few limited categories where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects:

Section 30233(a). *The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be*

limited to the following:

(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

(3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25 percent of the degraded wetland.

(4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.

(5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(7) Restoration purposes.

(8) Nature study, aquaculture, or similar resource dependent activities.

Section 30233(c). *In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division....*

Section 30233(d). *Erosion control and flood control facilities constructed on water courses can impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for such purposes are the method of placement, time of year of placement, and sensitivity of the placement area.*

As discussed below, the LCP amendment submittal is not consistent with these coastal resource protection policies of the Coastal Act.

B. Existing and Proposed LCP ESHA Policies

Similar to the Coastal Act, the LUP places a high value on environmentally sensitive habitat areas, and only uses dependent upon ESHA resources are allowed within these areas. Significant disruption of an ESHA is not allowed. Development adjacent to ESHA must be sited and designed so as also protect continuation of ESHA habitat values. LUP general (i.e., affecting all coastal zone areas) Policy II.D.2 and II.D.3 state, in applicable part:

> ***LUP Policy II.D.2.*** *Environmentally sensitive habitat areas (including but limited to those mapped in Fig. 2) shall be protected against any significant disruption of habitat values, and only uses dependent on such resource shall be allowed within such areas.*
>
> ***LUP Policy II.D.3.*** *Development of areas adjacent to environmentally sensitive habitat areas (including but not limited to those mapped in Fig. 2) shall be sited and designed so as to prevent impacts which would significantly degrade or be incompatible with the continuance of such habitat areas.*

The LUP specifically defines wetland and associated upland transitional areas as ESHA.[58] LUP Figure 2 (the LCP's ESHA map, see Exhibit C) maps approximately 41 acres of ESHA (including different areas of freshwater wetland, upland transition, and riparian habitat) on Area C. In addition to the LUP's general policies, Area C-specific ESHA policies further describe ways in which on-site ESHA resources are to be maintained. LUP Policy III.C.3.a states in part:

> ***LUP Policy III.C.3.a.*** *Environmentally sensitive habitat areas must be kept in a natural state and protected from the incursion of humans, domestic animals and livestock, from erosion, sedimentation and contaminated runoff, and from loud noise or vehicular traffic....*

The LUP's Area C buffer requirements state that all development, including agricultural activity, is to be set back 50 feet for riparian areas and 100 feet from wetlands or wetland transitional zones (LUP Policy III.C.3.e).

The IP does not contain any equivalent general application ESHA policies, though the IP does require consistency with the LUP Chapter II policies (IP Section 9-5.705(f)). For Area C, the IP contains similar implementing performance standards for ESHA protection and required setbacks.

The proposed amendment retains these ESHA policies. However, the proposed amendment also adds a policy (that would apply only to proposed Area F) to allow development within ESHA less than 0.1 acre in size provided any such ESHA fill is mitigated at a 2:1 ratio. The current LCP ESHA map does not

[58] See also redelineation section in analysis that follows.

show any such smaller ESHA areas. The amendment would also more significantly, however, redelineate ESHA for the proposed Area F portion of Area C. This redelineation would result in Hanson Slough no longer being protected by the LCP's ESHA policies, and would result in a reduction of approximately 7 acres of the area mapped as the West Branch of Struve Slough in LUP Figure 2. Two smaller areas of mapped ESHA newly identified by the City would be allowed to be filled under the new proposed ESHA fill policy.

The proposed amendment would also add another extremely person-intensive non-agricultural conditional use – the public school – and it would modify development standards to make non-agricultural development more easily accommodated (by allowing for more site coverage and development on steeper slopes). Inasmuch as the slope and impervious surface coverage limitations were put in place to protect ESHA, and the less intense uses were certified for the same purpose, these policy changes are ESHA-related as well.

Thus, although only one explicit ESHA policy is proposed (to allow ESHA fill), when read together, the proposed amendment represents a significant change to the LCP's ESHA policies. As discussed below, it would also result in a substantial negative impact to the wetland and ESHA resources of the Watsonville Slough system.

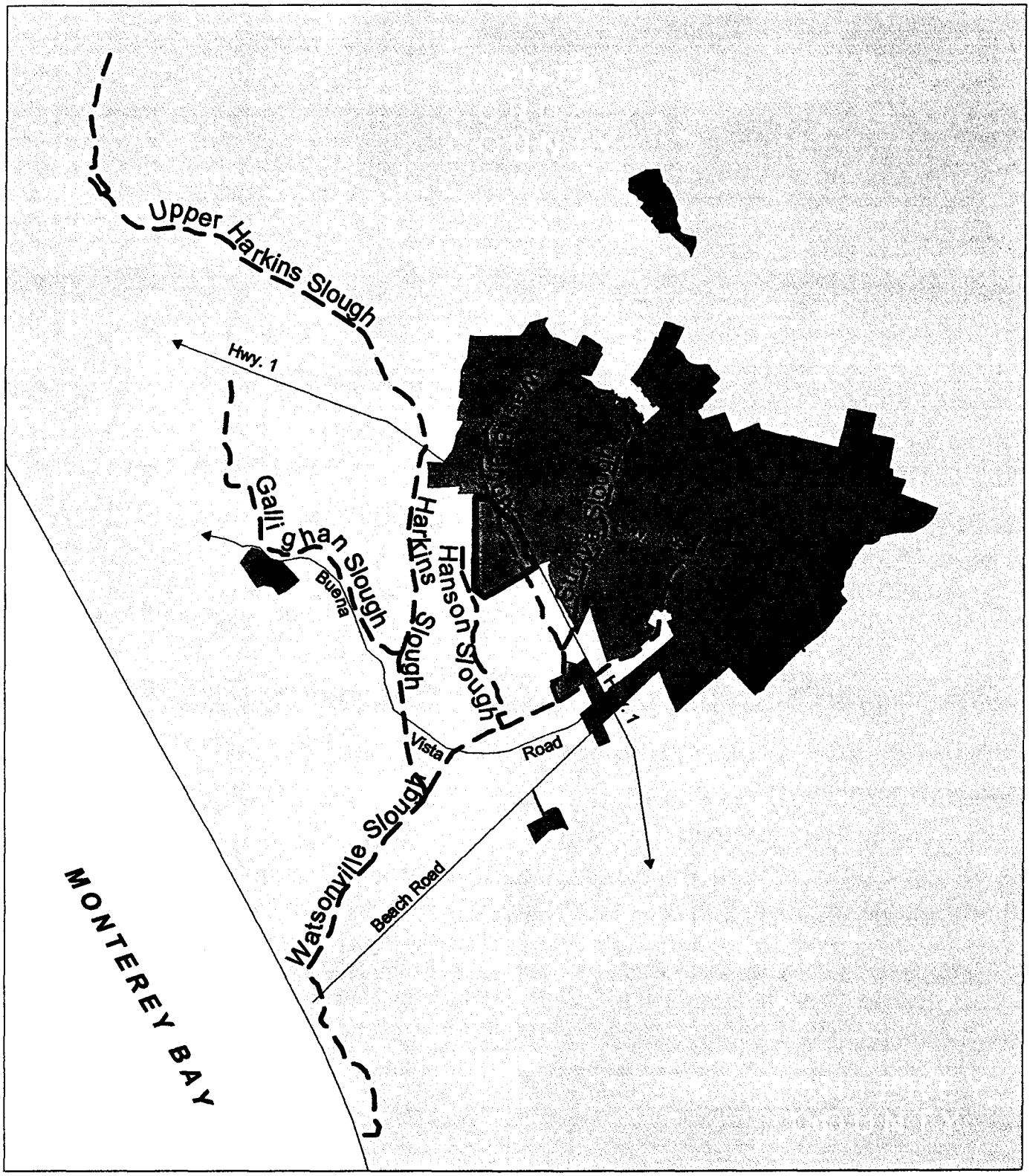
C. Background: Current Site and Vicinity Habitat Resources

Area C contains significant wetland resources and complementary upland habitat. It is part of a large, important wetland system: the Watsonville Slough wetland complex. As a result, the site supports habitat for a wide variety of animal and plant species that combine to make it an extremely fertile biological resource.

1. Wetland Resources

The subject site (Area C) encompasses large tracts of wetland resources, including portions of Hanson Slough and West Branch Struve Slough. Hanson and West Branch Struve Slough are two of the six major branches of the Watsonville Slough System (see Figure 12). The Watsonville Slough System drains an approximately 13,000 acre coastal watershed in south Santa Cruz County. This slough system, which winds in and out of the City of Watsonville and ultimately to the Pajaro River Lagoon/Estuary and on to the Monterey Bay, is probably the largest and most significant wetland habitat between Pescadero Marsh (in San Mateo County) to the north and Elkhorn Slough (in Monterey County) to the south. The entire Watsonville Slough System has been designated by the California Department of Fish and Game (CDFG) as an "Area of Special Biological Importance."

Figure 12: Main Branches of Watsonville Slough



- NOTE -
Locations approximate.
For illustrative purposes only.

Technical Services Division
California Coastal Commission

Slough System
Area C
City of Watsonville

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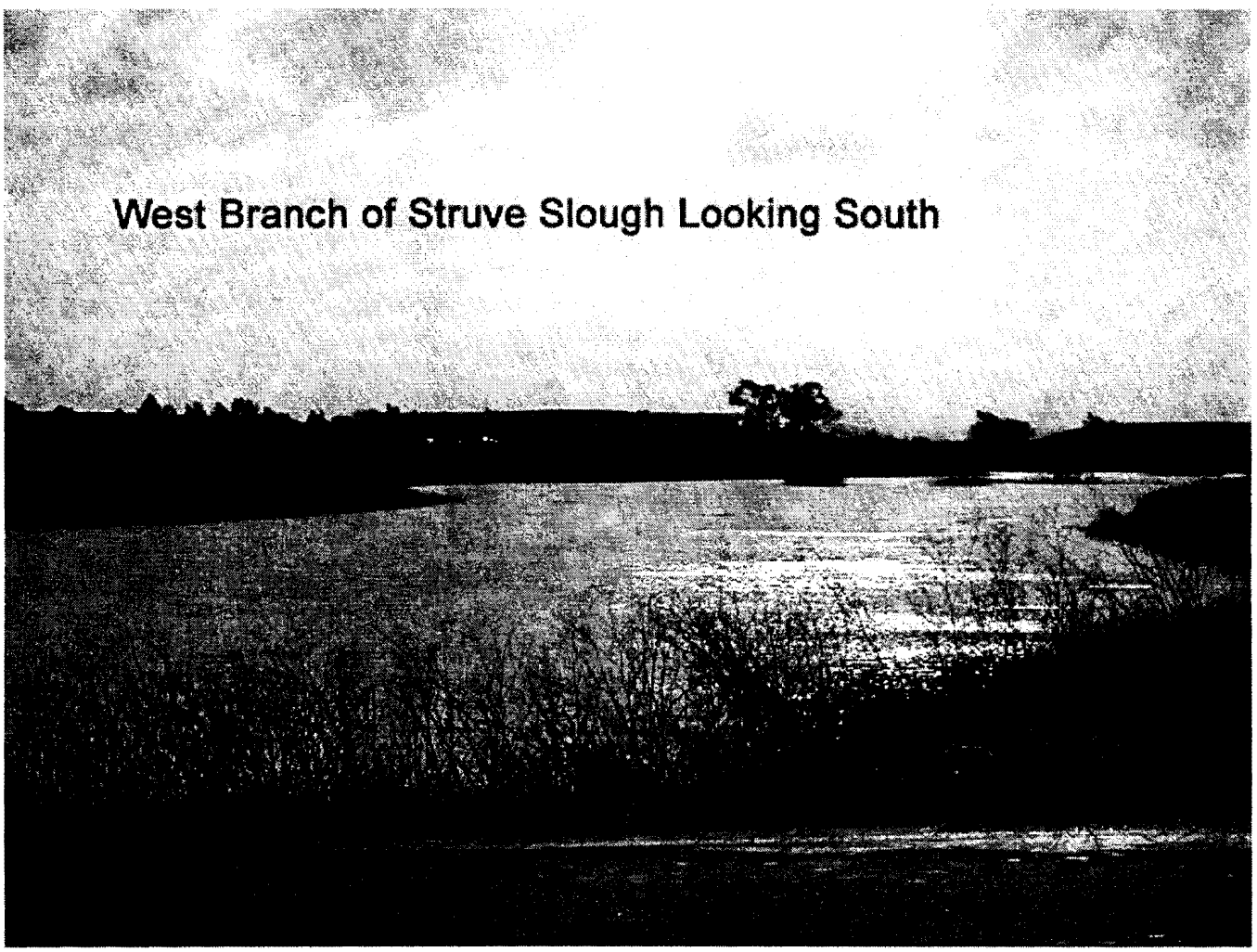
Miles

Data Source: WATER Project.
California Coastal Commission. 12/97.

GMB, 2/00



Watsonville Slough System

The Watsonville Slough System extends from areas well inland of Highway One all the way to the Monterey Bay. The Slough System includes approximately 800 acres of (flat) wetland area.[59] Although difficult to estimate with any degree of accuracy, this Slough System has been reduced in scale over time. Farming in and around the sloughs has been ongoing since the 1850s, and much of the sloughs have been channelized, graded, and used for agricultural production or grazing at one time or another. Encroaching urbanization in and around the City of Watsonville has also led to direct encroachment into slough areas over time. Best estimates are that the Watsonville Slough System once included over 1,000 acres of wetland slough habitat.[60] It is likely that the Slough System was once even larger given that

[59] As estimated in *Water Resources Management Plan for Watsonville Slough System Santa Cruz County* (AMBAG, November 1995).

[60] *Restoring Converted Wetlands: A Case Study In Watsonville, California A Thesis Presented to The Faculty of the Department of Environmental Studies San José State University in Partial Fulfillment of the Requirements for the Degree*

these estimates are based on sparse historical data going back approximately 120 years.

Despite its historical reduction, the Watsonville Slough System remains a very important ecological system. It contains significant areas of fresh and salt water wetland, marsh, and open water areas, riparian and oak woodlands, as well as dune and coastal scrub communities nearer the coast. The diversity of habitat and its coastal location along the Pacific Coast Flyway combine to make the Slough System an important resting, feeding and refuge area for migratory, seasonal and resident waterfowl. In addition, the Slough System is home to many other birds, amphibians, reptiles, and other animals – some of these species protected by the Federal and State Endangered Species Acts – which likewise use this diverse habitat. The rich prey base supports a high diversity of raptor and other predators. Various plant species of concern, some of these endangered as well, are also prevalent in the Slough System. United States Fish and Wildlife Service (USFWS) and CDFG have both submitted comments on the proposed LCP amendment that indicate that the Watsonville Slough system as a whole, as well as the portions of it that are found on Area C, is biologically sensitive habitat particularly worthy of vigilant protection (see Exhibits K and L).

The six major branches making up the Watsonville Slough System are Watsonville Slough, Harkins Slough, Hanson Slough, Struve Slough, West Branch of Struve Slough (also known as West Branch Slough), and Gallighan Slough. These generally shallow, broad wetland channels transport and drain irrigation and precipitation runoff from the greater Watsonville urban and agricultural area (including Freedom, Larkin Valley, and other portions of the Pajaro Valley in unincorporated southern Santa Cruz County). During winter storm events, these slough branches often flood into broader floodplain areas, thus providing important flood protection function for adjacent lands. Such flooding often closes stretches of roads for months at a time (including Harkins Slough Road west of Area C, and the Lee Road access from the site to the south; both of these roads were so flooded as of the date of this staff report).

While the biological productivity of the Watsonville Slough System has long been widely recognized, ongoing sedimentation, and the introduction of agricultural and urban polluted runoff constituents, have combined to degrade water quality in the system over time. Such water quality issues can be exacerbated by the generally low surface flow gradient (from inland portions of the system to the Monterey Bay) as well as the constricted outflow of the system to the Pajaro River Lagoon/Estuary (where a pump station at Shell Road manages downstream flows into the tidal estuary). At least partially because of its significance, and because of the ongoing threats to its biological productivity, AMBAG completed a Water Resources Management Plan in 1995 funded by the Regional Water Quality Control Board.[61] One of the recommendations emanating from that study was the need for a comprehensive Watsonville Slough System Master Plan to identify appropriate resource protective management policies and buffer

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Master of Science by Karl Schwing, 1999, examined land survey maps from 1881 and 1908 and calculated 1,026 and 1,187 wetland acres, respectively, in the Watsonville Slough system. It should be noted that these maps did not contain wetland delineations, rather they generally depicted sloughs and marshes. Examination of aerial photographs found 500 acres of wetland in 1985 and 652 acres in 1994.

[61] *Water Resources Management Plan for Watsonville Slough System Santa Cruz County* (AMBAG, November 1995).

standards, as well as restoration and acquisition priorities, outside the scope of AMBAG's management plan. Subsequently, the Coastal Conservancy has recently funded development of such a plan for the Watsonville Slough System. Unfortunately the planning process has not begun.

Presence of Hanson Slough on Area C

Portions of the West Branch of Struve Slough and Hanson Slough are found on Area C (see Figure 13). Hanson Slough, including a portion of the headwaters of Hanson Slough, is located along the western boundary of Area C in two locations. It is important to understand this particular feature of the Area C landscape because the upper finger of Hanson Slough would be graded, filled, and covered with buildings and a parking lot if the LCP amendment is approved as submitted, and if the PVUSD's current high school site design is approved by the City.

Hanson Slough extends from Area C through unincorporated Santa Cruz County agricultural lands where it feeds into Watsonville Slough proper to the south. The headwaters of Hanson Slough within Area C can be found in the riparian area to the north of proposed Area F. This area has been, and continues to be, partially farmed. Nonetheless, such farming has not interfered with the growth of willow and other riparian species at that locale. The continuation of this riparian habitat area (west of Area C) has been heavily grazed over time leading to localized erosion and gullying immediately adjacent to Area C. According to the LCP's ESHA map (LUP Figure 2), this riparian area comprises approximately 1½ acres on Area C. This riparian area is not proposed for redelineation by the City's amendment request.

There is also a separate upstream finger of Hanson Slough on Area C, extending northward from the bend in Harkins Slough Road at the southwestern corner of Area C, that has been graded and used for agriculture at various times. Large portions of this area are currently in agricultural production on the site. Portions of this area were also planted when sensitive habitats were first identified at the time of LUP certification. Notwithstanding this planting, though, the LUP describes this area as a seasonal wetland (wetland upland interface) based upon the presence of hydrophytic plants and at least seasonal inundation. It appears that a perched groundwater table, in tandem with the surrounding steep slopes, provide the water source that maintains the hydrology of this upper finger. Dr. Robert Curry, a respected University of California wetland biologist who works with the Regional Water Quality Control Boards in defining and protecting wetlands, has responded to Commission staff's request for his opinion on the resource value and habitat sensitivity of Area C slough resources as follows:

> *The finger of Hanson Slough in question on Area C has clearly been modified over time by agricultural operations. However, notwithstanding the presence of row-crop agriculture and its attendant irrigation, this area has the hydrologic characteristics of a seasonally saturated wetland. Because of the perched groundwater table here induced by the high-clay content of the upper terrace surface soils, hydric soils have developed along the side slopes. Because of the surrounding sloping topography, I would expect this hydrologic regime to continue were agricultural operations to cease. The generalized NRCS/SCS soil maps do not accurately define these perched water table conditions.*

LUP Figure 2 delineates this upper finger of Hanson Slough area as approximately 3 acres (see Exhibit C).

This upland Hanson Slough resource on Area C is characterized by a steeply sloping bowl extending from the upper plateau area of Area C. This 'bowl' topographic feature continues onto the property to the west. The steep slopes funnel runoff into the slough where it then flows down to Harkins Slough Road. From there it flows adjacent to the roadway and into a culvert slightly west of the Area C boundary where it meets the main branch of Hanson Slough. Although Area C has changed significantly from what historically was probably a predominantly riparian landscape (marshy towards the West Branch of Struve Slough), this Hanson Slough slope geomorphology remains essentially intact.[62] This sloped area thus has long been part of the hydrologic regime of Hanson Slough, and continues to feed this system.

[62] LUP Appendix B, "Identification and Analysis of Environmentally Sensitive Habitats within the Coastal Zone Portions of the City of Watsonville."

The Watershed Institute at California State University Monterey Bay (CSUMB) also has begun restoration of the portion or Hanson Slough directly adjacent to Area C (downslope of the upland finger on Area C). Through limited hydromodification at the lower end of the culvert under Harkins Slough Road, approximately 2 miles of wetland habitat are in the process of being restored. This restored wetland is supporting numerous native wetland plants, is visited by wetland birds, and has been used as an outdoor laboratory for wetland and water quality scientists at CSUMB and the United States Soil Conservation Service. The drainage from the disturbed finger of Hanson Slough on Area C flows directly into this downstream restoration site.

All told, the upper finger of Hanson Slough and the headwaters found in the riparian area due north of this finger comprise a total of approximately 4 acres of the 139 acre Area C (see Figure 13).

Presence of West Branch Struve Slough on Area C

A major part of the West Branch of Struve Slough is located on the eastern portion of Area C nearest Highway One. LUP Figure 2 identifies approximately 37 acres of West Branch freshwater wetland and wetland upland habitat on Area C (approximately 27% of Area C). The West Branch of Struve Slough extends from its headwaters near the Watsonville Airport inland (east of Highway One), then under the Highway, through Area C and the adjacent freeway right-of-way, under Harkins Slough Road (by means of culverts), through the Watsonville Slough Ecological Reserve (a restoration area owned and managed by CDFG directly across Harkins Slough Road to the south of Area C), and then south to Watsonville Slough proper (see Figures 12 and 13).

The existing LCP distinguishes the West Branch of Struve Slough within Area C as "the city's most valuable coastal resource." Unlike Hanson Slough on Area C, the West Branch of Struve Slough has not been extensively graded nor generally used for agricultural purposes. Background reports for the LCP from the early 1980s indicate that this slough area was undisturbed at that time.[63] Air photos of this area from as early as 1928 confirm that the West Branch of Struve Slough was undisturbed at that time. The sloping channel of the slough itself has probably discouraged any active farming in this area.

This 37 acre portion of Area C can be found in a natural state at the base of the sloping valley between the more gently sloping plateau (along the center of Area C) and Highway One to the east. This large wetland area and associated sloping transitional upland habitat is easily the most sensitive resource found on Area C. Since at least 1928 (the earliest available air photos), this portion of Area C has been demarcated by a farm road of one type or another; the farm road location appears to have changed little (if any) since that time to present. This lush wetland system on Area C is complemented downstream (across Harkins Slough Road) by the roughly 122 acre CDFG Ecological Reserve located in the area bounded by Lee Road and Highway One directly south of Area C. Although some limited connectivity is provided by culverts under the road, the functional connection between West Branch habitat on Area C and West Branch habitat on the CDFG reserve is currently restricted by Harkins Slough Road itself.

[63] *Natural Systems Section for the Watsonville Local Coastal Program Report*, Philip Williams & Associates (March 1982).

Figure 13: Current LCP Area C ESHA

- NOTE -
The information depicted on this map is subject to revision. Locations approximate. For illustrative purposes only.

Technical Services Division
California Coastal Commission

* Wetlands = 100'
Riparian = 50'

Data Source: Watsonville LCP Major Amendment 1-99 Administrative Record.
Photo Source: Air Flight Service. 6/22/1994.

GMB, JVC 2/00

The freshwater marsh area of the West Branch of Struve Slough is complemented by wetland upland transitional habitat. Although "upland transitional habitat" is not defined in the Coastal Act, the certified LCP defines this area as a "type of wetland...that shall be deemed a wetland and as such an environmentally sensitive area." LUP Figure 2 maps such transitional habitat at the site. In general, this mapped upland transitional habitat area represents a portion of the sloping sides of the valley between Highway One and the upper sloping plateau on the center of Area C.

The West Branch of Struve Slough, Hanson Slough, the wetland transitional habitat extending up the sloping channel sides of the slough arms, and the riparian habitat area on Area C are all environmentally sensitive habitats under the Coastal Act. According to the existing LCP ESHA map, approximately 41 acres (or nearly one-third) of Area C is ESHA.

2. Plant and Animal Habitat

Area C also provides habitat for any number of plant and animal species – some of these are quite rare.

Plant Species on Area C

Recent field observations done for the PVUSD's proposed High School Project identify several dozen plant species on the site.[64] Many of these species are hydrophytes typically found in and adjacent to freshwater marshes such as the West Branch of Struve Slough.[65] None of these plant species positively identified by the District on the site are state or federally listed as endangered or threatened.

The LCP indicates that Santa Cruz tarplant may exist on Area C. Santa Cruz tarplant (*Holocarptha macradenia*) is a State-listed endangered species and a California Native Plant Society (CNPS) List 1B species ("Rare, Threatened, or Endangered in California and Elsewhere"); the tarplant is also currently proposed for Federal threatened list status. This species has been previously documented across Harkins Slough Road from Area C to the south. However, according to studies done by PVUSD, conducted during the tarplant's blooming season, this species is not present on Area C.[66]

According to the AMBAG Watsonville Slough Management Plan, the West Branch of Struve Slough marsh plant community on Area C is the most diverse and complex within the Watsonville Slough system. Emergent marsh plants adapted to perennial or seasonal inundation and high soil saturation dominate the community. The species composition is stratified by elevation into zones that correspond to depth, time and duration or inundation or saturation. As stated in the AMBAG study, typical plants species in this area of the slough include:

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[64] PVUSD Third High School FEIR (September 1998).

[65] For example, wetland obligate species (i.e., occur almost always in wetlands) such as bog rush (*Juncus effusus pacificus*); facultative wetland species (i.e. occur most of the time in wetlands) such as nutsedge (*Cyperus eragrostis*), barnyard grass (*Echinochloa crusgalli*), and curly dock (*Rumex crispus*); and other facultative species (i.e. occur generally equally in wetland and non-wetland areas) such as velvet grass (*Holcus lanatus*).

[66] In response to a comment letter from CDFG, the District indicates that additional botanical studies were conducted during the tarplant's blooming season (June to October) and no tarplant specimens were found on the site. PVUSD Third High School FEIR (September 1998).

In areas with shallow, ponded water, the vegetation mosaic includes dense areas of tules (Scirpus spp) and cattails (Typha latifolia). These can form dense impenetrable clumps. Lower elevation areas, above areas that regularly pond water, are occupied by several smartweed (Polygonum) species, sedges (Carex spp.), rushes (Juncus spp.) and pacific silverweeed (Potentilla anserina).

Animal Species on Area C

The subject site, primarily the West Branch of Struve Slough area between the farm road and Highway One, is home to abundant biological resources. As an illustrative example, bird counts for the Watsonville Slough System have been known to equal and even surpass those noted for the highly productive Elkhorn Slough system to the south according to the AMBAG study. The subject Area C site is particularly important for migratory and overwintering waterfowl. As described in the AMBAG study, and as condensed and restated as follows in the FEIR for the proposed PVUSD high school:

Species known to breed in the slough system include mallard, cinnamon teal, gadwall, ruddy duck, American coot, pie-billed grebe, green heron, great egret, snowy egret, black-crowned night heron, Virginia rail, sora, common gallinule, (long-billed) marsh wren, and perhaps also American bittern. Grasslands, and even agricultural lands provide habitat for a variety of songbirds such as sparrows, goldfinches, western bluebird, homed larks, western kingbird, and many others too numerous to mention. Hawks, harriers, owls, and falcons feed on rodents such as California ground squirrel, pocket gopher, voles and mice. Other mammals anticipated at the project site include coyote, fox, weasel, rabbit, skunk, opossum, raccoon, and deer.

Upland slope habitat on Area C, such as that below the farm road and above the West Branch of Struve Slough proper, is a particularly vibrant biological community. As stated in the AMBAG Watsonville Slough report:

Grasslands represent a transitional or ecotone community between freshwater marsh and adjacent grasslands on the upland side slopes of the sloughs. Many areas have been grazed or historically farmed. These activities, in conjunction with the alteration of the slough hydrology by sediment deposition, drainage channels, and pumping, have significantly altered the historic species composition of the community....Many animal species forage in the grasslands. Sparrows and goldfinches feed on the seed of grass and thistles, whereas horned larks, western kingbirds, and western bluebirds forage on the many insects that inhabit grasslands. Hawks are often seen soaring above the grassland in search of prey. Ground squirrels, pocket gophers, voles and several species of mice are common inhabitants of grasslands, and deer browse the grasses and forbs. Lizards and snakes are common reptiles, and although amphibians are rare in the dry grassland, tiger salamanders may use abandoned burrows as refuge.

The upland slope above the West Branch of Struve Slough most certainly has been degraded over time, but it still provides valuable habitat and serves as a feeding area for a variety of rodents as well as predators such as kestrels, kites, barn owls, and loggerhead shrikes; raptors that may be present include

Peregrine falcon, a federal and state listed endangered species, and Cooper's and sharp shinned hawks, both state species of special concern.[67]

As part of the environmental review for the PVUSD's proposed High School Project, the CDFG Natural Diversity Database was queried for reported occurrences of sensitive animal species in the Area C vicinity. Several sensitive species are known to occur in the project vicinity and suitable habitat for these species has been identified on Area C. For the purposes of CEQA, PVUSD presumes the presence of these listed species for the proposed Area F site (see list below). Because the significant adverse environmental impacts of the project on these, and other, biological resources identified in the District's FEIR for the proposed high school cannot be mitigated or avoided if the project were to go forward at this site, the District adopted a finding of "statement of overriding consideration" dismissing these impacts (see Amendment Description and Background finding beginning on page 15 for more information).

Listed Species on Area C	Federal Status	State Status
Santa Cruz long-toed salamander (*Ambystoma macrodactylum croceum*)[68]	Endangered Species	Endangered Species
California red-legged frog (*Rana aurora draytonii*)[69]	Threatened Species	Special Concern Species
California tiger salamander (*Ambystoma californiense*)[70]	Candidate Species	Special Concern Species
Western pond turtle (*Clemmys marmorata*)[71]	Species of Concern	Special Concern Species
Tricolored blackbird (*Agelaius tricolor*)[72]	Species of Concern	Special Concern Species
Bank swallow (*Riparia riparia*)	None	Threatened Species

For the purposes of this LCP amendment request, the City of Watsonville has indicated that the Coastal Commission should likewise assume the presence of these same sensitive species in that portion of Area C that includes the West Branch of Struve Slough as well as the upland transitional habitat extending

[67] AMBAG's Watsonville Slough Study (November 1995)

[68] Santa Cruz long-toed salamander is very rare, and is thought to be present in a handful of locations between Aptos in Santa Cruz County, and Castroville in Monterey County. This species spends much of the year underground in willow groves, coastal scrub or coast live oak woodland, or other riparian vegetation habitats. Adults migrate at night, following rains in early to late winter (November to February), to temporary or semi-permanent ponds to breed. Drainages with dense vegetation cover are preferred as a migration corridor, and vegetation is also required near or adjacent to breeding ponds as a refuge for the juvenile salamanders. The Santa Cruz Long-Toed Salamander is thought to occur in the Struve Slough area (according to AMBAG's Watsonville Slough Study) and potentially other small ponds and wetland areas within the slough system.

[69] Red-legged frogs are possible present in larger ponds in the slough system, though they tend to be absent in areas where bullfrogs or introduced predatory fish are present. Preferred sites include freshwater ponds, marshes or slow-moving streams with adequate emergent vegetation or dense cover along the edge of the water.

[70] California tiger salamander spend much of their lives underground in terrestrial uplands, and migrate to breeding ponds on wet nights between November and February, much like the Santa Cruz Long-toed Salamander. The salamanders are restricted to areas where breeding ponds are surrounded by suitable upland grasslands.

[71] Western Pond Turtle is known to occur in similar habitat in Elkhorn Slough in Monterey County.

[72] Tricolored blackbird is threatened by loss and alteration of breeding habitat, and is primarily restricted to scattered ponds, lakes or marshes in California. Two nesting colonies have been identified in the Watsonville slough system, one at Hanson Slough, and the other at Struve Slough.

westward up from the Slough proper to the break in slope to the west. This area defines that portion of the site from the existing farm road east to Highway One.[73] See Figure 14. Listed species presumed to be present in this area for the purposes of the LCP amendment are as follows:

In addition to presuming their presence, the City has indicated that California red-legged frog has been positively identified on Area C. According to the City's report, red-legged frogs, including tadpoles, juveniles, and adults, were found at several locations in the West Branch of Struve Slough during surveys in late 1998/early 1999 (see Figure 14 for the area studied where the species was confirmed).[74] This report also identified limited areas of suitable habitat for California tiger salamander along the slope between the farm road and the slough, and a limited area of Santa Cruz long-toed salamander habitat at the Hanson Slough riparian area on the western edge of Area C. In any case, neither of these sensitive species were positively identified during this survey. However, CDFG reviewed this survey and took issue with its relatively short duration and limited survey area, ultimately concluding that "the salamander species may occur in numbers too low for the surveys to detect given the survey design."[75] In fact, since the California Tiger Salamander spend much of their lives underground in terrestrial uplands, and the Santa Cruz long-toed salamander likewise spend much of the year underground in willow groves, coastal scrub, coast live oak woodland, or other riparian areas, the salamander species may occupy a different area than the limited transect (limited to the base of West Branch Slough) used in the study (see Figure 14 for the study area). USFWS has confirmed that potential habitat for these rare salamander species occurs on the site (see Exhibit L). A recent literature review of appropriate buffer zones for pond-breeding salamanders (such as are the Santa Cruz long-toed and California tiger salamanders) indicates that upland habitat buffers need to be over 500 feet to account for upland areas used by such species; the review concludes:

> *Large terrestrial area adjacent to wetlands are used by adult pond-breeding salamanders and newly metamorphosed juveniles throughout the majority of the year. The exclusion of these terrestrial areas from protection under wetland statutes would most likely reduce recruitment of juveniles into the breeding population, reduce adult survival, and therefore reduce the potential of the population to persist.*[76]

As previously noted, the AMBAG study also indicates that Peregrine falcon, a federal and state listed endangered species, and Cooper's and sharp shinned hawks, both state special concern species, may likewise be present at times.[77]

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[73] In response to Commission staff inquiries, the City confirmed that the presence of these same listed species should be presumed in a December 7, 1999 meeting at the Commission's Central Coast District Office.

[74] *Harkins Slough Road/Highway 1 Ramp Project: Results of Amphibian Surveys Final Report*, Dana Bland & Associates (August 1999).

[75] As indicated in the February 15, 2000 letter from Brian Hunter (CDFG Central Coast Regional Manager) to Charles Lester (Coastal Commission Central Coast District Manager); see Exhibit K.

[76] "Biological Delineation of Terrestrial Buffer Zones for Pond-Breeding Salamanders," Raymond Semlitsch, *Conservation Biology* (October 1998)

[77] AMBAG's Watsonville Slough Study (November 1995)

The above listed species are rare and threatened. As such, the habitat area for these listed species on Area C (i.e., at a minimum that area east and downslope of the existing farm road on Area C extending to the Highway) is an environmentally sensitive habitat area under the Coastal Act. Although much of this area is already mapped in the LCP as ESHA due to the presence of the West Branch of Struve Slough, approximately 25 acres of upland ESHA habitat not identified in LUP Figure 2 provides habitat for these listed species.

3. Conclusion

Although much of Area C is currently given over to agricultural production, the site is framed in by significant slough resources and associated upland habitat areas; approximately one-third of Area C is currently mapped as ESHA in the LCP. The site generally slopes north to south between these slough branches. Moreover, because of these slough resources, and despite ongoing agriculture, Area C provides habitat for several sensitive and endangered animal species. USFWS and CDFG have indicated that substantial habitat resources are present here. CDFG currently recommends that the entire site area be defined as ESHA under the Coastal Act. As stated most recently by CDFG in responding to Commission staff's request for CDFG's opinion on the resource value and habitat sensitivity of Area C (see Exhibit K):

> *We view the sloughs and adjacent upland areas as forming a single ecosystem. Many wetland species require upland areas for portions of their life cycle. For example, amphibian species may aestivate in or migrate through upland areas. Upland species (raptors, small carnivores, song birds, deer, etc.) benefit from the production of food (vegetation, insects, rodents, etc.) and cover associated with wetlands. In our judgement, the entire area in question is small enough that development anywhere on the site will, to some extent degrade the value of the site for wildlife. The Commission should consider whether the entire site meets its definition of ESHA (Coastal Act Section 30107.5) based on the rare slough/upland habitat combination existing there. It seems to us that it does.*

This assessment is corroborated by that of the United States Fish and Wildlife Service (USFWS), who state (see Exhibit L):

> *The Watsonville Slough system is especially important as a refuge, feeding and resting area for migratory, winter and resident waterfowl. In addition the slough system is reported to support the largest concentration of migrant and wintering raptors in Santa Cruz County. The sloughs adjacent to the subject project provide actual habitat for the federally threatened California red-legged frog (Rana aurora draytonii) and potential habitat for the federally endangered Santa Cruz long-toed salamander (Ambystoma macrodactylum croceum), the California tiger salamander (Ambystoma cailiforniense), a federal candidate for listing, and the Santa Cruz tarplant (Holocarpha macradenia), a species proposed for listing as federally endangered.*

USFWS concludes:

We recommend taking the broadest view possible in interpreting the extent of ESHA resources on the site.

Because of the resource value of the overall Watsonville Slough System (a CDFG "Area of Special Biological Importance"), the rare upland habitat/West Branch of Struve Slough habitat combination, the City survey documenting listed species, CDFG's review of the City's survey indicating that additional listed species may occur here, the AMBAG report documenting listed species, USFWS indicating the sensitive habitat provided here, CDFG's recommendation that the entire site should be defined as ESHA, and the overall undeveloped and relatively intact habitat of the West Branch of Struve Slough, it is reasonable to presume, as the City and District have done, and as the City has indicated the Commission should do as well, that the Area C site, and in particular the undeveloped upland area between the farm road and the slough, contains habitat for listed species. Where such threatened species are present, or even presumed to be present, extreme caution is warranted. Absent appropriate surveys showing that these species or their habitat are not present, such caution is required. As such, and moreover as recommended by CDFG to apply to the entire site, it is prudent to define at least the upland area between the farm road and the West Branch of Struve Slough as ESHA.

Such a distinction, if anything, represents a conservative estimate of the sensitive habitat present at Area C. In fact, the agricultural plateau also provides for some limited amount of habitat connectivity between the various slough fingers. It is likely that sensitive species travel across this plateau between the sloughs. For example, USFWS indicates that California red-legged frog "may migrate across upland habitat for distances up to one mile" (see Exhibit L). Lacking appropriate surveys, it is difficult to prove or disprove such wildlife corridors. Almost without question, this is what occurred before agricultural use of this area. As CDFG recommends, and as the School District presumed for the purposes of CEQA, the entire Area C site could be considered ESHA. Corroborating this is the fact that USFWS recommends "taking the broadest view possible in interpreting the extent of ESHA resources on the site." Given the significance of the overall Watsonville Slough System, it could be argued that the entire site should be considered ESHA.

Were the site to be acquired for resource protective purposes (such as was done by CDFG for the area directly south of the site that is part of the same subsystem), there is little question that such a distinction would be made. However, as a practical matter, the upper plateau of the site is currently farmed. A portion of the slopes below this farmed area have likewise been disced and planted at various times by agricultural operators on the site over the years. Because of this, and because the specific high school development proposed for the site is an important social priority, the Commission finds that the less inclusive course is the appropriate course to steer in this instance, and that in addition to the area so mapped in the LCP, the upland habitat area between the farm road and the West Branch of Struve Slough qualifies as ESHA under the Coastal Act. Therefore, the LCP's ESHA delineation for the site should be changed to account for this sensitive upland habitat area as well.

The effect is that the entire wetland and upland slope habitat of the West Branch of Struve Slough would be considered ESHA (while the previous Hanson Slough wetland designation would remain the same)

for the purposes of site planning. When this upland slope habitat area is combined with the previously described approximately 41 acres of wetland and riparian habitat previously delineated on Area C, the total ESHA within Area C is approximately 67 acres (or roughly one-half of Area C) as shown on Figure 15.

D. Analysis of Consistency with Coastal Act Sensitive Habitat Provisions

1. Introduction: Proposed Amendment's Effect on Habitat

The proposed amendment would redelineate previously delineated ESHA areas to no longer be ESHA. As a result, ESHA-related development restrictions would not apply to these areas and they could then be converted to developed uses. Allowing an increase in impervious surface (nearly a 500% increase on proposed Area F) and development on steeper slopes (roughly an additional 15 acres of steep slopes that would become developable) adjacent to the reduced ESHAs would act in tandem to overwhelm the LCP's buffering provisions for even the redelineated ESHAs. Development on steeper slopes implies that greater landform alteration on natural topographic features would be allowed. In addition, the more intensive development accommodated, including but not limited to a public school, would: threaten adverse impacts to slough system hydrology and water quality; threaten adverse impacts to adjacent habitats as it introduces an intensive use, along with attendant urban services next to them; and lead to adverse cumulative impacts on the larger slough system for the same reasons. As discussed below, these effects clash with Coastal Act habitat protection policies in the following ways.

2. Redelineation Reduces ESHA

The City has proposed to redelineate ESHA on proposed Area F. This proposed redelineation would remove 10 acres (or roughly one-fourth) of the area previously identified on Area C as ESHA from the LUP's ESHA map. In support of this portion of their application, the City has provided a report titled *Investigation of the Presence of Waters of the United States: New Millennium High School Site, Watsonville California* by Huffman & Associates, Inc. (dated June 1998). This report identifies the presence of 3.54 acres of wetlands on the proposed Area F site in three specific locations; this 3.54 acres of wetland represents the same area that the City proposes to designate as ESHA on proposed Area F.

Redelineation Focuses Only on One Category of ESHA: Wetlands

One issue with solely using the results of the Huffman report to redelineate ESHA is that wetlands are just one category of environmentally sensitive habitat to be found at Area C. As described above, there are also wetland upland transitional habitat areas (as currently mapped in the LCP) as well as habitat for listed animal species on the slopes of the West Branch of Struve Slough channel. As a result, the use of the *wetland* delineation report to designate *ESHA* underestimates the total amount of environmentally sensitive habitat area on the site. This is inconsistent with the protection offered these on-site ESHAs by

both the Coastal Act and the LCP.

Wetland Delineation Criteria

Also problematic is the fact that the Huffman report uses the Federal wetland delineation standard and not the Coastal Act's more expansive wetland definition. The Federal methodology requires the presence of all three wetland indicators (i.e., periodic saturation, hydric soils, and hydrophytic vegetation) in order to classify an area as a wetland. However, based on the Coastal Act definition of wetland, and Section 13577(b) of the Commission's regulations, the Coastal Commission considers an area a wetland if any one (or more) of the three indicators are present. The Coastal Act definition of wetland is expressly incorporated into the City's certified LCP. The Coastal Act and LCP definition of wetland is:

> *Lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. (Coastal Act Section 30121; LCP Appendix C)*

Section 13577(b)(1) of the Commission's regulations states:

> *For purposes of Public Resources Code Sections 30519, 30600.5, 30601,30603, and all other applicable provisions of the Coastal Act of 1976, the precise boundaries of the jurisdictional areas described therein shall be determined using the following criteria:*
>
> *...Wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats. For purposes of this section, the upland limit of a wetland shall be defined as:*
>
> *(A) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover;*
>
> *(B) the boundary between soil that is predominantly hydric and soil that is predominantly nonhydric; or*
>
> *(C) in the case of wetlands without vegetation or soils, the boundary between land that is flooded or saturated at some time during years of normal precipitation, and land that is not.*

Moreover, LUP Appendix C further clarifies the definition of wetlands:

> *Wetlands must have one or more of the following three attributes: (1) at least periodically, the land supports predominantly hydrophytes; (2) the substrate is predominantly undrained hydric soil; and (3) the substrate is nonsoil and is saturated with water or covered by shallow water at some time during the growing season of each year.*

Moreover, LUP Policy II.D.1 identifies "wetland upland transition" as wetland. LUP Policy II.D.1 states, in applicable part:

> *Wetland-upland transition is defined as a type of wetland occurring along the seasonally inundated margins of a slough. Wetland-upland transition may have been altered historically for the production of pasture or other crops. Nevertheless, if it displays evidence at anytime of year of periodic inundation by surface water, hydric soil conditions, the occurrence of wetland plants, or use by wetland dependent animals, it shall be deemed a wetland and as such an environmentally sensitive area.*
>
> *If any environmentally sensitive areas are newly identified or suspected or if environmentally sensitive area boundaries are to be adjusted as a result of omission - see draft independent scientific research, the City shall conduct appropriate studies to verify and delineate the area. The City shall then make a determination as to the existence of an environmentally sensitive area with specific factual findings based on these studies. If this determination differs from the conclusions contained in the LUP maps and policies as to the location of environmentally sensitive areas, then the City shall seek an amendment to the LUP reflective of this determination. The verification and delineation steps shall include consultation with the State Department of Fish and Game and the consideration of additional information which may be provided by other experts.*

The CDFG review of the subject site, as is required by LUP Policy II.D.1 when ESHA boundaries are proposed for adjustment, concluded that the entire site should be considered ESHA (see Exhibit K). In addition, the limited area defined as wetland by the Huffman report does not account for areas where one or two indicator(s) may be present. Likewise, it does not account for areas of "wetland upland transition" which are defined as wetlands by the LCP. The portions of Area C meeting these criteria should also be classified as "wetland." Because they are not, and because this deficiency means that they could be filled or otherwise developed with non-resource dependent development, this is inconsistent with the wetland protective policies of both the Coastal Act and the LCP.

West Branch of Struve Slough Redelineation

Commission staff field observation is that the Huffman report appears to generally only characterize the extent of freshwater marsh making up the West Branch of Struve Slough proper. The sloping channel and relatively flat, broad channel of the slough at this location makes it relatively obvious where the channel bottom begins and ends. Unfortunately, with respect to accurately identifying all slough wetland habitats, the test sample locations for the Huffman and Associates delineation report did not encompass the upland slope between the farm road and the West Branch of Struve Slough. It is difficult to explain this deficiency when the existing LUP wetland delineation – the delineation being challenged – shows this area as wetland. Insufficient evidence has been submitted by the City that would contradict this original wetland hypothesis.

Some of this sloped area above the West Branch of Struve Slough is likewise subject to seasonal

inundation, and higher up the slope, any number of small seeps are present. In fact, according to the geotechnical evaluation of the site used by the school district for the proposed high school, borings done at the top of this slope (approximately 50 feet east of the farm road) identified groundwater approximately 43 feet below the surface; this corresponds to a daylight elevation approximately half-way down the slope representing the edge of the current LUP wetland delineation.[78] The District's FEIR identified much of this upper slope area as an area of elevated groundwater levels corroborating the geotechnical evaluation's bore log conclusions.[79] This is consistent with Commission staff observation of seasonally persistent vegetation at and below this same elevation. If a portion of this sloped area were field tested, based upon the Commission's Coastal Act criteria, such testing would likely have resulted in an enlarged wetland delineation. This is particularly true given the LCP's wetland upland transition definition cited above.

The West Branch of Struve Slough is a very important part of the overall Watsonville Slough System. It is incumbent upon development and plan change proposals to adequately characterize this resource. CDFG recommends that the entire Area C site be considered ESHA, and USFWS recommends the broadest possible interpretation of where ESHA is present there. Redelineating roughly 7 acres of this resource from ESHA to non-ESHA status to allow this area to be filled or otherwise developed with non-resource dependent development, particularly when there is evidence that this redelineation is not supported by Coastal Act and LUP wetland delineation standards, is inconsistent with the wetland protective policies of both the Coastal Act and the LCP.

Hanson Slough Redelineation

With respect to the finger of Hanson Slough that the Huffman report un-delineates, this area *was* tested by Huffman Associates. In fact, both of the test sample locations (F1 and F2) were shown to be "within a wetland" based upon the Army Corps methodology (i.e., all three wetland criteria were satisfied). (See Figure 13 for the test sample points.) However, the Huffman report then dismisses these results because it asserts that the two test areas met the following two criteria (for which the Corps may exempt otherwise qualifying areas from wetland classification):

(a) Non-tidal drainage and irrigation ditches excavated on dry land

(b) Artificially irrigated areas which would revert to upland if the irrigation ceased.

There are several problems with this line of reasoning. First, since the area shows evidence of all three wetland criteria, it qualifies as a wetland under the Coastal Act. The Coastal Act does not list exemptions such as those asserted by the Huffman report above. As such, the area in question is wetland to which Coastal Act and LCP wetland policies apply. In fact, the test sample results only help to bolster the validity of the existing LUP delineation for this area.

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[78] Bore site B-3 described in *Preliminary Geotechnical Evaluation for Edwards Property, Watsonville California*, Steven Raas and Associates (June 1992).

[79] FEIR Section 5.5 Geology (September 1998).

Second, the two criteria cited by the Huffman report do not apply to the area in question. In terms of criteria (a) above, this finger of Hanson Slough is not a "drainage or irrigation ditch." In fact, this area is a naturally formed, steeply sloping bowl that extends onto the adjacent property to the west. This slope geomorphology is a natural topographic feature that has been documented since the first air photographs taken in 1931, and it has long been part of the hydrologic regime of Hanson Slough. This sloping area occupies approximately 15 acres; although temporary agricultural ditches may have been constructed from time to time in this area, it most certainly is not a drainage or irrigation ditch.

In terms of criteria (b) above, the area is currently irrigated since it is currently being farmed. This does represent "artificial irrigation." Portions of this area were also so irrigated and planted when it was first delineated as a wetland when the LUP was certified. However, were this farm irrigation to cease, it would be expected that the hydrology of the system would remain based upon the fact that the topography of the site directs runoff into this 15 acre swale and the fact that this area is underlain by a perched groundwater table.[80] In fact, the aforementioned geotechnical evaluation bore log shows that a boring approximately at the center of proposed Area F encountered free groundwater "perched in the sand layer above the clays at 39 feet."[81] Since this boring point was located at the approximately 92 foot contour, the perched ground water table corresponds approximately to the 50 foot contour. Most all of the area delineated as Hanson Slough wetland in the existing LCP is below this 50 foot contour. Unfortunately, no borings or other tests (other than the wetland test sample points) were done in the Hanson Slough area.

This upper finger of Hanson Slough has clearly been degraded over time by farming operations. However, even with row crop agriculture, this area continues to show evidence of wetland characteristics. Commission staff has observed these wetland characteristics at this location for a number of years, including, but not limited to observances during the course of past surveys related to the downstream habitat restoration project immediately adjacent. Before restoration was begun in 1996, the adjacent lower section of Hanson Slough was grazed and seasonally disked. The response to restoration, including restoring natural flow (decommissioning of the drainage channel) and stabilizing slopes with native grasses and trees, was rapid and substantial. The area now supports numerous native plants, remains wet for much of the year, and is frequented by wetland and upland bird species. More than anything, the Huffman report only reinforces the wetland delineation and restoration potential for the adjacent upland finger of Hanson Slough on Area C.

As succinctly stated by Dr. Robert Curry, a respected University of California wetland biologist who works with the Regional Water Quality Control Boards in defining and protecting wetlands, in responding to Commission staff's request for his opinion on the resource value and habitat sensitivity of Area C slough resources (see Exhibit M):

The purpose of this letter is to briefly comment on the resource values associated with the upper

[80] PVUSD Third High School FEIR (September 1998); Section 5.5 Geology.

[81] Bore site B-2 described in *Preliminary Geotechnical Evaluation for Edwards Property, Watsonville California*, Steven Raas and Associates (June 1992).

finger of Hanson Slough north of Harkins Slough Road on Area C within the City of Watsonville. It is my understanding that the City of Watsonville has submitted a plan amendment request to define this portion of Hanson Slough as other than statutory wetland. It is my further understanding that the Pajaro Valley Unified School District intends to fill this area to allow school buildings and a parking lot to be developed there. I urge the Commission to reject any request to lessen protection for this portion of Hanson Slough.

I am a wetland scientist, employed through my University of California faculty position, to aid the Regional Water Quality Control Boards in defining and protecting wetlands. I am very familiar with this section of the Watsonville Slough System, having been involved at different times in a monitoring the restoration project for the State directly downstream. The finger of Hanson Slough in question on Area C has clearly been modified over time by agricultural operations. However, notwithstanding the presence of row-crop agriculture and its attendant irrigation, this area has the hydrologic characteristics of a seasonally saturated wetland. Because of the perched groundwater table here induced by the high-clay content of the upper terrace surface soils, hydric soils have developed along the side slopes. Because of the surrounding sloping topography, I would expect this hydrologic regime to continue were agricultural operations to cease. The generalized NRCS/SCS soil maps do not accurately define these perched water table conditions.

In fact, if agriculture were to cease in this area of Hanson Slough, and it were to be left alone, it would be expected that hydrophytic plants would reestablish in the base of the slough with moisture-tolerant grassland species extending up the slopes. In fact, even with the current unnatural cultivation of strawberries, hydrophytic weedy vegetation is already common in this area. If left alone, I would expect other wetland species to reestablish themselves. Of course, this process could be accelerated if limited wetland restoration of this area were to occur.

The area of Hanson Slough proposed for redelineation, even in its current degraded state, is an important piece of Hanson Slough and the overall slough resources west of the Highway at this location. In fact, while row crop agriculture continues to degrade this Hanson Slough resource, this degradation is temporary and can be undone. The same cannot be said for other non-agricultural uses. Were the area to be un-delineated, and grading, filling, and some form of structural development were to occur in this area, it would be much more difficult, if not impossible, to ever restore the wetland. Restoration potential exists now, however, simply through a process of fallowing the agricultural operations, removing any invasives, and allowing the natural hydrophytic plant regime to reestablish itself. It is clear that this area is a wetland worthy of Coastal Act and LCP protection. Lacking a preponderance of evidence to the contrary, there is no resource reason to undelineate (particularly to allow complete wetland fill) this finger of Hanson Slough. In fact, to do so runs contrary to the Coastal Act and the LCP.

Accordingly, the City's proposed redelineation underestimates the total amount of environmentally sensitive habitat area on the site. This is inconsistent with the protection offered on-site ESHAs by both the Coastal Act and the LCP.

Redelineation Conclusion

The proposed ESHA redelineation does not adequately characterize the full range of actual ESHA on Area C. The City's previous consultants identified ESHA as mapped on LUP Figure 2 and adopted by the Commission in 1982. Since that time, we have a far better understanding of the extent and sensitivity of the species and their habitats in and around Area C. The evidence provided by the City in support of their proposal does not present a reasonable case for redelineation of all ESHA on site. In fact, the City's information, in combination with assessments of State and Federal resource agencies and other experts (including the Commission's own biologist), reaffirms the previous delineation at Hanson Slough and supports the need to delineate *additional* areas of upland habitat next to the West Branch of Struve Slough as ESHA.

Approximately 20 acres of the site which are environmentally sensitive habitat areas would not be delineated as such were the proposed amendment to be adopted as submitted.[82] As such, under the proposed amendment, development could be allowed in these sensitive areas to the detriment of habitat. Within environmentally sensitive habitat areas, the Coastal Act only allows for uses that are dependent on the ESHA resources and only if those allowed uses do not significantly disrupt habitat values. Adequate ESHA buffers from adjacent uses are also required by the Coastal Act. Given the extent of actual ESHA on site, the City's proposed redelineation of wetlands—and its reduction of identified ESHA based solely on that redelineation--is not consistent with these Coastal Act ESHA directives.

PVUSD's proposed high school is a specific example of a development that would directly remove ESHA on the site if the redelineation is approved. As detailed in the FEIR for the proposed high school at this site, "approximately two-thirds of the grassland habitat adjacent to the West Branch Slough would be removed for project development."[83] As described earlier, this upland habitat area is a vibrant biological community that plays an important, integral role in the slough ecological complex. Furthermore, the area is presumed to provide habitat for listed endangered species. All of these factors qualify the upland slope, at a minimum, as ESHA. School development in this area would be inconsistent with the Coastal Act's ESHA requirements.

Moreover, were PVUSD's high school to be built exactly as proposed at this location, the entire upper finger of Hanson Slough would be filled, graded level, and covered with school buildings and a parking lot. Such a use is clearly not dependent on the Hanson Slough resource therein and in fact, would lead to its total destruction. Such activities cannot be found consistent with the Coastal Act. In addition, unlike agricultural operations, such substantial alteration of the natural topography, and such massive physical development would totally block expansion of the restoration of Hanson Slough upstream. In fact, acquisition and restoration of this portion of Hanson Slough is a valid alternative, one that has been discussed by local land trusts and environmental organizations for years, and one that may eventually come to pass for this system if the ESHA is appropriately protected.

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[82] Approximately 7 acres of West Branch Struve Slough, approximately 3 acres of Hanson Slough, and approximately 10 acres of upland West Branch habitat east of the farm road on proposed Area F.

[83] Page 5.7-11 of the PVUSD Third High School FEIR (9/98).

Furthermore, as detailed in the FEIR, PVUSD's proposed high school would have additional indirect effects on the habitat areas not physically displaced by development. The FEIR states:

> *The loss of grassland habitat caused by the project would narrow this existing grassland habitat connection; thereby diminishing the habitat of the remaining habitat. It would also interfere with the movement of wildlife across the low, intervening area between the upper ends of these sloughs and the Watsonville Slough Ecological Reserve.... Amphibians and reptiles could be affected, as well as mammals, songbirds, and raptors. The impacts associated with habitat fragmentation and interference with migratory corridors would be significant.*[84]

While a specific project is not before the Commission at this time, such impacts associated with potential development facilitated by the City's proposed ESHA redelineation, are illustrative of the Coastal Act inconsistencies raised by this amendment package.

3. Allowing Non-Resource Dependent Development in ESHA

The proposed amendment would allow "that environmentally sensitive habitat areas less than 0.1 acre in size be developed, provided such areas are replaced at a minimum 2:1 ratio" within proposed Area F. The reason for this proposed policy is that the PVUSD's proposed site plan for their proposed high school would require fill of small wetland areas identified in the Huffman report. There are at least three problems with this proposed policy.

First, as described above, the Huffman report is based upon the Federal delineation methodology, not the Coastal Commission's delineation methodology, and underestimates the area that qualifies as "wetland" under the Coastal Act on Area C (see above). As a result, the proposed high school site plan would result in fill of wetland areas greater than 0.1 acre in size. For example, the upland finger of Hanson Slough (described above, approximately 3 acres) was not delineated by the Huffman report as wetland, and is proposed for parking lots and building development by the District. Accordingly, such a policy, even if approvable under the Coastal Act, would not require mitigation for the actual amount of wetland fill necessary to accommodate the proposed high school.

Second, the proposed 'development in ESHA' policy is an Implementation Plan policy – the City did not propose a corresponding Land Use Plan policy for proposed Area F. In fact, the LUP's existing ESHA policies (except for the proposed revised ESHA map) would not change were the LCP amendment approved. The standard of review for Implementation Plan policies is whether or not they are consistent with and adequate to carry out the LUP. In this case, the LUP remains protective of ESHA. In fact, the LUP's ESHA policies mirror those of the Coastal Act and only allow for development within ESHAs that is dependent upon the resources therein, and which does not significantly disrupt habitat values.[85] An Implementation Plan policy which allowed development in

[84] Page 5.7-11 of the PVUSD Third High School FEIR (9/98).

[85] Land Use Plan Policy II.D.2; also relevant are LUP Policies II.D.3 (mirroring Coastal Act Section 30240(b)) and II.D.4 protecting biological productivity of wetlands (among other resources).

ESHA would not be consistent with, nor adequate to carry out, the Land Use Plan's ESHA policies applicable to Area C and/or proposed Area F.

Finally, and perhaps most importantly, any proposed policy which allows for non- resource dependent development in environmentally sensitive habitat areas, including but not limited to wetland areas, is contrary to Coastal Act ESHA requirements. The Coastal Act limits development in ESHAs to uses dependent on the resources therein, and requires development in adjacent areas to carefully safeguard their preservation. As such, the proposed 'development in ESHA' policy also is inconsistent with the Coastal Act.

While not before the Commission at this time, a specific example of a development that would directly remove such ESHA on the Area C site were the 'development in ESHA' policy to be approved is the PVUSD's proposed high school. As illustrated by the proposed site plan for the proposed high school in the project FEIR, wetland/ESHA areas along Harkins Slough Road would be covered by development under both the existing LUP ESHA delineation and the City's proposed ESHA delineation. All of the 3 acre finger of Hanson Slough on Area C would be destroyed. This would directly negatively affect the downstream Hanson Slough resources. It is conceivable that other fragmented habitats on the site could likewise come under this policy resulting in additional areas of fill.

Although the Coastal Act (Section 30233) allows for 8 specific development uses within wetland areas (if there are no feasible less environmentally damaging alternatives and impacts have been mitigated), such development is extremely limited. The City is not proposing a similar policy. Even if they were, a public school is not a Section 30233 allowable use.

In sum, Coastal Act and LUP policies focus on avoidance of impacts to environmentally sensitive habitat areas, rather than mitigation as proposed by the City, and the proposed Implementation Plan modification to allow development in ESHA cannot be found consistent with either the Coastal Act or LUP.

4. Public Service Improvement Impacts on ESHA

The City anticipates that the increased intensity of use at the site will likely require public service improvements. For example, specifically planned as part of the high school proposal are the extension of utilities along and improvements to Harkins Slough Road. However, as noted previously, Harkins Slough Road crosses both West Branch Struve Slough and Hanson Slough. Certain designs of road widening or sidewalk addition could result in more fill of these wetlands, which is inconsistent with LCP policies as well as those of the Coastal Act. Harkins Slough Road crossing West Branch Struve Slough is currently about 26 feet wide, with the Slough immediately adjacent to the roadway edge.

Improving the road and adding a sidewalk, as is being proposed by the School District, would require about 30 more feet of roadway width. Although such a road widening could be accompanied by a bridge spanning the West Branch resource as recommended by CDFG and USFWS (see Exhibits K and L), the District plans to accomplish this width by fill. At about 100 linear feet of wetland, the result would be

30,000 square feet of wetland fill (about 2/3 of an acre); a similar area of fill would be necessary to widen Harkins Slough Road for the Hanson Slough crossing at the southwest corner of Area C. Likewise, extension of various utilities (such as water and sewer) would likely have a long-term impact on these wetlands through fill, or short-term if they were buried under the current Harkins Slough Road by virtue of the construction work required. Such wetland fill is inconsistent with the Coastal Act and Land Use Plan policies.

In addition to the District's planned improvements to Harkins Slough Road, Caltrans is currently considering offramp and overpass interchange improvements at Harkins Slough Road.[86] Although limited details are available as of the date of this staff report, these improvements at least conceptually include raising the overpass, widening it to 3 lanes, installing an on-ramp on the inland side of the Highway, and installing an off-ramp adjacent to Area C.[87] Based upon the extent of the West Branch of Struve Slough on Area C adjacent to the Highway, it appears that a portion of the west side off-ramp being contemplated would be placed within the slough, other ESHA, and/or within the LCP-required 100-foot slough buffer. Commission staff has commented that this interchange project has not yet been shown to be necessary, may not be the most appropriate solution, and raises serious concerns regarding (1) development in and adjacent to the West Branch of Struve Slough, and (2) the potential for growth inducement and corresponding agricultural conversion west of the Highway at this location. (It should be noted that the District has indicated that the proposed high school does not require the interchange project.) Policies need to be put in place to protect the West Branch Struve Slough ESHA from potential adverse impacts of all development, including any that might occur on the east side of the slough, such as the interchange project.

5. Changes in Hydrology

The Area C site is located on the edge of a fluvial terrace in the Pajaro Valley, and the sediments below form several aquifers. The site's surface soils are categorized as hydrolytic soil Group D by the Santa Cruz County Soil Survey, which have high runoff potential and low infiltration rates when wet. The West Branch of Struve Slough is identified as being flood-prone, and both Hanson and West Branch Sloughs are within the 100-year floodplain.

With the proposed increased surface and development coverage, the flow of water into the Watsonville Slough System would be greatly altered. Increasing the allowable impervious surface coverage by 5 times (10% coverage to 50% coverage) would impact flow characteristics including changes to input location, volume, flow energy, and flow period. Unless they can be appropriately managed, such hydrologic changes will alter the circulation and flushing characteristics of the sloughs, and could lead to an altered hydrologic period. All these alterations could increase erosion and sedimentation, and ultimately adversely affect wetland plant and animal communities, and overall habitat quality within slough system resources on Area C (i.e., West Branch of Struve Slough and Hanson Slough) and the

[86] See Development and Public Services Section of Findings.
[87] The overpass is currently two lanes with on and off ramps only on the southern side of Harkins Slough Road.

downstream reaches of these slough systems.

The slough resources on Area C receive water from various sources. These include ground water percolation, sheet flow from adjacent slopes and drainage from the upper watershed (partially altered by other development). Sheet flow and ground water inputs have been documented to play important roles in wetland plant and animal community structure. Most of the water in this portion of the slough receives considerable filtering prior to entering the main water body. Increasing the allowed site coverage as proposed could greatly alter the quantity and quality of groundwater and surface sheet flow and possibly replace these water sources with point source drainage inputs containing additional contaminants and altered hydrology. Moreover, encroachment of development onto the slopes adjacent to the slough (as would be provided by the proposed ESHA redelineation and increased allowed slope coverage) could alter the flow characteristics from the upland area, therefore altering the filtering capabilities and increasing the erosion potential therein.

In addition, the Pajaro Valley groundwater basin has been in overdraft for at least 50 years; recent estimates are that the overdraft is about 18,000 acre-feet per year.[88] Inasmuch as the proposed amendment would allow for a huge increase in the allowable impervious surface coverage within a region experiencing severe overdraft and saltwater intrusion, this too raises a potential issue.

The increased surface coverage allowed by the proposed amendment would allow for the alteration of the existing hydrology of highly valuable and important coastal slough system. This system is protected by the Coastal Act, particularly under ESHA and water quality. The proposal would not result in "maintaining biological productivity," would not "prevent depletion of groundwater supplies," and would not "prevent substantial interference with surface water flow" as required by Coastal Act Section 30231. This is particularly the case since Coastal Act Section 30230 dictates that "special protection shall be given to areas and species of special biological or economic significance." As described above, CDFG has designated the Watsonville Slough System as an "Area of Special Biological Importance" and habitat for special status species is found on Area C. Increasing allowable impervious surface coverage standards by 400% in this rural area of agricultural use and sensitive habitats runs counter to the Coastal Act's ESHA wetland and ESHA policies.

6. Adverse Water Quality Effects

Runoff from storm events is part of the natural hydrologic process: rain water that does not infiltrate into the ground will flow by the force of gravity into water bodies such as lakes, streams, rivers, and oceans. In an urban setting, natural drainage patterns have been altered and this storm water runoff, as well as non-storm discharge (e.g., irrigation water, accidental spills, washdown water, etc.), picks up sediments and contaminants from land surfaces, and transports these pollutants into surface and groundwater. This type of runoff is known as polluted runoff which, because it does not originate from a distinct "point" source (e.g., an industrial discharge pipe), is also described as nonpoint source pollution.

[88] Page 5.11-1 of the PVUSD Third High School FEIR (9/98).

Increased development, as would be allowed by the proposed amendment, could negatively impact water quality by contributing additional urban contaminants to the Watsonville Slough in an area that presently does not receive large inputs of urban runoff pollution. Such increased polluted runoff can result in significant adverse impacts to aquatic ecosystems, public use, and human health including ground and surface water contamination, damage to and destruction of wildlife habitat, decline in fisheries, and loss of recreational opportunities. Urban runoff is known to carry a wide range of pollutants including nutrients, sediments, trash and debris, heavy metals, pathogens, petroleum hydrocarbons, and synthetic organics such as pesticides. Urban runoff can also alter the physical, chemical, and biological characteristics of water bodies to the detriment of aquatic and terrestrial organisms.[89]

Although agricultural runoff exists at Area C, it is not clear that swapping the negative impacts of this agricultural runoff for urban runoff constituents would be more protective of site resources. In fact, common pesticides used in urban settings are likewise attributed to water quality degradation of the Pajaro and Salinas watersheds. A change from agriculture to urban development could continue (or even increase) the input of pesticides and herbicides draining into the slough system (e.g., fertilizers, pesticides, and herbicides applied to lawns, ballfields, ornamental landscaping etc.). Moreover, urban contaminants, such as heavy metals and hydrocarbons, can cause toxicity in invertebrates or be accumulated by these species which are fed on by other fish and birds.

The Watsonville Slough System has been identified by the SWRCB and the Federal EPA as a water body where beneficial uses have been impaired.[90] Identified problems include: pesticide and PCB accumulation in sediments and aquatic organisms, high nutrient levels, grease and oil contamination, toxic organic substances (i.e., dacthal, DDT, dildrin, endrine, and toxaphene), localized algae blooms, periodic low levels of dissolved oxygen and toxic levels of ammonia.[91] The Coastal Act requires that resources such as the Watsonville Slough System, including West Branch of Struve Slough and Hanson Slough resources on Area C, "be maintained, enhanced, and where feasible, restored." The existing LCP impervious surface limitations were expressly put in place to minimize such water quality impacts to Area C slough resources. The proposed changes would allow quite the opposite, increasing the amount of nonpoint source polluted runoff that may enter into the sloughs, inconsistent with Coastal Act water resource protection policies.

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[89] Pollutants of concern found in urban runoff include, but are not limited to: sediments; nutrients (nitrogen, phosphorous, etc.); pathogens (bacteria, viruses, etc.); oxygen demanding substances (plant debris, animal wastes, etc.); petroleum hydrocarbons (oil, grease, solvents, etc.); heavy metals (lead, zinc, cadmium, copper, etc.); toxic pollutants; floatables (litter, yard wastes, etc.); synthetic organics (pesticides, herbicides, PCBs, etc.); and physical changed parameters (freshwater, salinity, temperature, dissolved oxygen).

[90] Beneficial uses and activities that are negatively impacted by polluted runoff include, but are not limited to: aesthetic enjoyment; agricultural supply; aquaculture/mariculture; cold freshwater habitat; commercial and sport fishing; estuarine habitat; freshwater replenishment; groundwater recharge; hydropower generation; industrial service and process supply; inland saline water habitat; marine habitat; migration of aquatic organisms; municipal and domestic water supply; navigation; preservation of biological habitats of special significance; rare, threatened, or endangered species; shellfish harvesting; spawning, reproduction, and early development of aquatic organisms; warm freshwater habitat; water contact/non-contact recreation; and wildlife habitat.

[91] Questa Engineering Corporation (1995).

7. Increased Development Intensity

The existing LCP limits development and impervious surface coverage expressly to curtail development of Area C and thereby protect the sensitive slough resources. As the LUP states:

> *The foregoing requirements will cluster development within the high, gently sloping terrace which runs along the middle of Area C where it can do the least damage to the low-lying environmentally sensitive areas, and protect the sensitive areas with buffer areas and dense planting. The large lot sizes are intended to limit the populations of people and domestic animals in close proximity with the sensitive habitats...The small maximum percentage of impervious ground water cover is intended to minimize the disruption of groundwater recharge and to avoid erosion problems....*

The proposed amendment would allow for a much greater intensity of development which, if it were to take place as currently envisioned on the site and off (as a result of public service improvements), would have a negative impact on sensitive bird and animal species and their habitat, wetlands, and overall water quality inconsistent with Coastal Act policies protecting these resources. Assuming the City made findings to allow a conversion of agricultural land, the amendment components to allow wetland fill, to redelineate sensitive habitat, to allow development on 66% steeper slopes, and to allow 5 times the amount of impervious surface coverage would combine to result in far more potential development of the site because much of the site now cannot be developed due to presence of wetlands, ESHA, steep slopes, and impervious surface limitations. Any of the previously described allowable LCP uses for the site could develop within new proposed Area F at this higher level of intensity. More intensive development means more noise, activity, and runoff which each have adverse consequences for the wetlands and other sensitive habitats.

While not before the Commission at this time, the proposed PVUSD high school project is illustrative of this point. The proposed high school would include facilities for some 2,200 students and 120 employees. There would be an 800 space parking area, sports fields, buildings, walkways et cetera. Approximately 4 acres of buildings, 14 acres of paved area, and 37 acres of pervious area (in landscaping and ballfields) would occupy the area extending above and into the upland habitat of the West Branch of Struve Slough on proposed Area F nearest Harkins Slough Road. All of the upper finger of Hanson Slough would be filled to make way for the school development.

This would result in a major increase in activity on the site, increased urban runoff, decreased filtration and percolation, and overall negative resource impacts. The encroachment of the development site towards the slough and into the upland habitat area (through the placement of recreation fields directly adjacent to the slough) would likely increase the flow of contaminated water from irrigation and surface flow changes directly adjacent to these sensitive areas. In addition to the direct fill of the upper finger of Hanson Slough, the downstream remainder of this system would likewise be adversely impacted by this new source of polluted runoff.

Grading of the undeveloped site and development of the proposed high school project would result in an

alteration of existing on-site drainage patterns, as well as increasing runoff volumes and velocities from the site. In the proposed drainage plan, all runoff from the project site is designed to flow through on site collection systems prior to discharge into two created detention basins along Harkins Slough Road, and through three discharge pipes directly onto the upland West Branch of Struve Slough slopes. As such, existing drainage patterns into both Hanson and West Branch Struve Slough would be forever altered. Some limited filtering would be provided by the detention basins. However, unfiltered urban runoff would directly drain into the West Branch of Struve Slough, the "City's most valuable coastal resource according to the LCP," as would detention pond runoff into both West Branch and the remainder of Hanson Slough left unfilled off-site.

Adverse Effects From Increased Noise and Activity

The current use of the site, and the LUP's principal designation for Area C, is for agriculture. Major activity associated with agricultural production is generally limited to discrete times of the year when soil is prepared, crops are planted, and crops are harvested. Lesser amounts of activity dominate the rest of the year when crops are tended, minor equipment repairs are undertaken, et cetera. According to the current farmer, approximately 20-50 workers generally can be expected at any one time on Area C when the upper plateau area (outside of the ESHA area) is under agricultural cultivation.

Increased human activity visible and audible to West Branch of Struve Slough marsh and upland habitat areas will negatively impact the birds and animals therein. As described above, this is a relatively undisturbed environment, home to any number of migratory, seasonal and year-round inhabitants who are foraging, nesting, hunting and resting in this area. Some of these animals include State and Federally-listed endangered species. The current agricultural level of activity has a certain negative impact on this habitat area. However, since major agricultural activity is limited to discrete times of the year, and most of the time there is limited activity as crops are more generally tended, the significance of this impact is lower than most uses.

The proposed amendment would change this dynamic in several ways. By allowing more of the site to be developed, more buildings, parking lots, walkways and other structures would be allowed on the site. Such increased structural development would be accompanied by more persons, and all of the corresponding activities associated with those persons (i.e., driving to and on the site, walking, talking, eating, working on the site, etc.). The increased level of activity would increase the amount of noise and movement visible and audible from the environmentally sensitive habitat areas on Area C. Depending on the use, night lighting and glares into ESHA would be expected. Such increased noise, activity and night lighting would likewise be expected at the Harkins Slough Road crossings of Hanson and West Branch Struve Slough due to increased access along (and potential expansion of) this road access to Area C. Such increased noise and activity would disrupt the adjacent habitat over and above the current level of disruption. This is inconsistent with the Coastal Act and Land Use Plan requirements that adjacent development not degrade these sensitive habitats.

Moreover, the proposed public school conditional use is much more person-intensive than the existing allowed or conditional uses. Students, teachers, employees, and visitors would need to make their way to

the school and around the campus. During breaks in classes and after school, or during sporting events or other after-school activities, persons would be active on and around the campus. Public schools include such activity 5 days of the week for much of the year. Some districts, for example PVUSD, operate schools on a year-round schedule. There may also be weekend events and recreational use of the grounds, including scholastic football games which could draw large and noisy crowds. Such major public facilities are often available for other community uses and events which draw more users during off-peak school use times; such a community use is planned by the District for the proposed high school facility.[92] Such non-school related activities can include any number of events not necessarily associated with a school, but nonetheless that can take place at such a community facility, such as fairs, carnivals, and other such activities. These more intensive uses may also include lighting of the sports facilities and parking areas during nighttime events, which could result in long-term disruption of the nocturnal foraging and movement activities of wildlife adjacent to the school. Such noise and other impacts arising from the activities associated with person intensive uses (unless adequately managed or mitigated) are inconsistent with the Coastal Act and Land Use Plan requirements that adjacent development not degrade these sensitive habitats.

8. Mosquito Control

Intensified site use may also require more frequent applications of mosquito control methods. In February 2000, the Santa Cruz County Mosquito and Vector Control District for the first time will be treating West Branch Struve Slough adjacent to the subject site. Although the District treats regardless of adjacent uses, it will treat at a lower threshold (i.e., when the presence of mosquito larvae is lower) if there is an intensive use nearby (e.g., a school) or if complaints are received. Although the Mosquito and Vector Control District uses integrated pest management with safe chemicals, the potential for more aggressive treatments and possible attendant affects on the wetland ecosystem increases as adjacent intensified human uses increase.

9. Adequate ESHA Buffers

Buffers function as important transition zones between development and adjacent sensitive wetland and wetland upland areas. These buffer areas adjacent to such sensitive habitat areas act to protect the habitat from the direct effects of nearby disturbance (both acute and chronic), and sometimes provide necessary habitat for organisms that spend only a portion of their life in the wetland such as amphibians, reptiles, birds, and mammals. In fact, some wetland dependent birds and animals have specific needs that can only be met in the adjacent upland buffer. For example, small wetland dependent animals must often burrow above the water table to avoid flooding of their burrow. Moreover, "edge effect" theory proposes that species numbers of both plants and animals increase at the edges, due to the overlap from adjacent habitats and the creation of unique edge habitat niches.[93] By minimizing disturbance to the resource from

[92] Page 2-5 of the PVUSD Third High School FEIR (9/98).

[93] As detailed in "Wetland and Stream Buffer Size Requirements – A Review" (Castelle, Johnson, and Conolly), *Journal of Environmental Quality* (September – October 1994).

adjacent development, and by providing transitional habitat areas, buffers contribute to the health and vitality of functioning wetland systems such as West Branch and Hanson Sloughs.

Natural buffer areas provide protection for sensitive habitats from adjacent urban use in a number of ways. Such areas can include barriers (for example, through fences and vegetative screening), blocking off activity, lights, glare, noise, et cetera that would otherwise adversely impact biological receptors in the ESHA. Depending upon their design, buffers can also be a functional part of the ESHA acting as a transition zone from the more sensitive to less sensitive parts of a site; for example, native revegetation. In addition, buffers can reduce the velocity of surface runoff from adjacent development and provide area for infiltration of runoff, removing particulate contaminants and protecting against sedimentation and erosion. Similarly, these areas can increase the retention period of water in adjacent wetlands by increasing local groundwater recharge through percolation.

The Coastal Act provides no specific dimensions for buffers adjacent to ESHA but the goals are outlined in Sections 30231 and 30240(b):

> ***Section 30231.*** *The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*
>
> ***Section 30240(b).*** *Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

While appropriate buffer widths vary, the most commonly used setback standard for wetlands and environmentally sensitive habitat has generally been 100 feet. This is the recommended minimum buffer width by the Coastal Commission Procedural Guidance for Review of Wetland Projects (June 1994). The City's current LCP policy mimics the 100 foot buffer standard. However, there is no biologic reason that dictates that 100 feet is the magic buffer number for protecting resources. In fact, site specific buffering standards should vary depending on the characteristics and value of particular wetlands, as well as the topography and other qualities of the site itself.

A literature review of buffer effectiveness completed in 1995 for the Coastal Commission outlines numerous studies and techniques for quantifying the necessary size of buffers.[94] This study found applied buffer widths ranging in size from 30 to 600 feet. Each study provided a set of issues to be considered when defining buffer width. Criteria include sensitivity and uniqueness of adjacent resources,

[94] Dyste 1995.

intensity of adjacent development, and the slope of the buffer. None of the studies included a review of buffers with slopes of 15% or greater as is the case with the Area C site. One study in California, calculated that a buffer of 150 feet on a 3% slope was capable of 90% sediment removal. The variables that affect the efficiency of this model included vegetation cover, the width of the buffer, the slope of the area, vegetation height, the ability of soils to absorb water, and rate of runoff. The conclusions of a second study recommend a minimum buffer width of 100 feet to be maintained, and the buffer area should be sufficiently wide enough to include among others, soils with severe development constraints adjacent to wetlands and adjacent uplands, wetlands of high biological significance, and steep slopes of greater than 15%.[95]

The buffer widths found in the study done for the Commission is corroborated by a similar literature review study in 1994 which found appropriate buffers ranging in size up to about 650 feet.[96] The widest buffers were found to be necessary for high value wetland systems (such as Hanson and West Branch Sloughs) that were adjacent to intense land uses (such as that proposed by the LCP amendment). Of the multiple functions of buffers (such as for water temperature moderation, sediment removal, and nutrient removal, etc.), the widest buffer widths were directly correlated to the function of preserving species diversity. As an example, the study found that bird species diversity, richness, relative abundance, and breeding numbers were found to be positively correlated with wetland buffer size. As a general rule, the study emphasized that fixed buffer systems do not consider site-specific conditions and thus may not adequately buffer resources. Variable width buffer systems based upon unique site conditions, resource values, and adjacent land use intensities serve to better protect valuable resources.

The proposed modifications to the LCP would significantly impact the effectiveness of any ESHA buffer system and should therefore be reevaluated as to their size and structure. In fact, our understanding of buffer functions and their role in protecting habitat has increased since the LCP's current 100 foot wetland and 50 foot riparian buffer requirements were certified in the early 1980s. For example, the proposed increase in impervious surfaces from 10% to 50% would overwhelm the minimum 50 and 100-foot buffers suggested in the LCP. While onsite stormwater management measures would be required of any development on this site, the ultimate protection from urban runoff provided by the buffers would still be limited. The additional change proposed for Area C to allow development on slopes up to 25% would similarly increase the rate of stormwater flow, potentially increasing erosion of hillsides and the filling of the adjacent wetlands. The increased impervious surfaces and greater slope allowances would degrade both the long hydroperiod and low hydrologic energy normally associated with this portion of the wetland. Groundwater recharge through percolation would be limited by both the increased impervious surface and increased flow rates associated with greater slope allowances. In addition, since protected habitat areas would likewise be reduced by the proposed amendment, development would be allowed to move over the break in slope above these habitat areas, into both the buffer and habitat itself.

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[95] Porter 1980.

[96] "Wetland and Stream Buffer Size Requirements – A Review" (Castelle, Johnson, and Conolly), *Journal of Environmental Quality* (September – October 1994).

The PVUSD's high school project is instructive on these points. As currently envisioned, this proposed development would grade much of the proposed Area F site, including completely filling Hanson Slough and grading east of the current farm road to construct artificial fill slopes (up to a 44% slope gradient) above the West Branch of Struve Slough. These West Branch fill slopes, and the ballfields propped up by these slopes, would extend into the areas that currently qualify as ESHA as well as into buffer areas required under the existing LCP. These fill slopes extend to within 100 feet of the City's proposed West Branch wetland delineation.[97] Although the District has termed this area east of the artificial fill slope on proposed Area F a "Biological Restoration Area, " the FEIR does not include any measures to restore this area. In fact, this area would be left alone until such time as an appropriate resource management agency were to come forward to facilitate (and pay for) restoration.

The currently proposed, and even the existing, LCP buffering measures are wholly inadequate to protect the valuable slough resources on this site in light of the significant intensification of development that would be allowed by the amendment. They do not take into account the unique site topography and the resource value and unique biological productivity of Hanson Slough, West Branch of Struve Slough and the overall Watsonville Slough System. In fact, rather than a rote recitation of the 100 foot standard, these unique resources and the site topography combine to dictate site specific buffering needs.

In fact, although CDFG and USFWS both have recommended that the school district pursue alternative site to protect the resources on Area C, both CDFG and USFWS have indicated that if any development were to take place on this site, it should be confined to the upper plateau area as opposed to reliance on a fixed buffer width. As stated by CDFG (see Exhibit K):

> *To minimize the potential loss of habitat values associated with this proposed change in the LCP, we believe much more of Area "C" should be acquired, the school facilities planned further away from the sloughs, and remaining area lands conserved. Buffers should extend beyond the break in slope above the sloughs to reduce[and] to buffer the effects on slough habitats from the effects of erosion from adjacent land uses. ...We suggest the following requirements...School facilities should be arranged in the expanded site so they are as far from wetlands as practical, maximizing the area of protected uplands adjacent to the sloughs.*

As stated by USFWS (see Exhibit L):

> *A 100-foot buffer is inadequate to protect such areas*

These recommendations are echoed by Dr. Robert Curry:

> *It is critically important that the functional integrity of this system be maintained. The upland school site is the source of precipitation recharge that maintains these wetland systems. The only way to accommodate development on the upland site would be to confine it to the upper terrace*

[97] According to the most recent PVUSD proposed high school drainage plans received in the Commission's Central Coast District Office February 24, 2000.

area above both Hanson and West Branch Struve Sloughs. Any schoolyard development and roof areas should be developed with porous pavement and dry-wells to insure continued infiltration and recharge. No grassed playing fields should be allowed because these are among the very most damaging to adjacent recharge-dependent wetlands. No development of any kind should be allowed to extend over the break in slope above these resources. Since this break in slope is fairly clearly defined (by the existing farm road adjacent to West Branch Slough and by the steep bowl surrounding Hanson Slough), this setback should be easy to identify. In fact, these upland slope areas support a habitat that should be considered environmentally sensitive in its own right. If ANY activity is to take place in these areas, it should be limited to the control of non-native species and replanting with native trees, shrubs and grasses – nothing more.

Both CDFG and USFWS have indicated that the 100 foot buffer is inadequate to buffer Area C resources (see Exhibits K and L). This evaluation is corroborated by local wetlands expert Dr. Bob Curry (see Exhibit M). The proposed intensification of allowable development, in tandem with the lack of site specific buffering parameters that account for this intensification in light of resources, is inconsistent with the Coastal Act and Land Use Plan's ESHA buffering policies.

10. Cumulative impacts to Watsonville Slough System

Finally, it is critical to note that Area C is located within the overall Watsonville Slough System. This freshwater slough system is one of the most important in the State, and needs to be considered as a whole when plan changes and development scenarios inconsistent with its overall well-being are contemplated. As seen from the discussion above, there are several identifiable negative impacts that would be expected due to the proposed amendment package. The cumulative impact of these together would result in an overall decline in the Watsonville Slough System as a whole. As stated again by Dr. Robert Curry (see Exhibit M):

Finally, the Commission should note that Hanson Slough is part of the larger Watsonville Slough System, probably the most significant freshwater wetland system on the California coast. Even with the significant agricultural operations west of the Highway, much of this Watsonville System remains in a relatively natural state. This is precisely the type of resource protected by the Coastal Act. In fact, the school project, one that would flatten much of the site, including completely filling the finger of Hanson Slough and filling much of the upland habitat slope of the West Branch of Struve Slough, is precisely the type of development that led to the citizen-initiated passage of Proposition 20 and the subsequent Coastal Act. ***I urge you to reject both the amendment and the school project.*** *...*

Even if development is confined to the plateau area, there would be significant and unmitigatable impacts on the sloughs. Further, development of the site would commit it to urban use; from which it would be difficult – if not impossible – to return to open space and conservation uses. The highest best use of this area west of Highway 1 is to allow future generations and Monterey Bay to enjoy improved water quality and esthetics of the most

important freshwater slough habitat on the central coast. It is not to allow such rare habitat to be graded, filled, and covered with an urban use.

11. Coastal Act Consistency Conclusion

Land Use Plan Amendment Inconsistent with Coastal Act

In conclusion, the proposed amendment is clearly inconsistent with the Coastal Act's habitat protection policies for three overarching reasons. First, it does not recognize the extent of the habitat on site and reduces what the City itself had previously delineated as habitat (without sufficient justification and contrary to Department of Fish and Game, U.S. Fish and Wildlife and other experts assessments). The amendment then allow some of this habitat to be developed with uses that are not allowed by Sections 30233 or 30240. In fact, the proposed PVUSD high school would completely fill, grade and develop with structures the upper finger of Hanson Slough and would fill, grade and cover portions of the upland habitat of the West Branch of Struve Slough.

Second, the increased area of allowable development (on steeper slopes and more impervious surface coverage) will adversely impact the hydrology and water quality of Hanson and West Branch Struve Slough resources on site and downstream. Increased impervious surfacing changes the flow of water into the sloughs, affecting overall slough hydrology. Development, and increased impervious development, means an increase in runoff from the site. This runoff will contain typical urban runoff constituents which impair water quality. It is not consistent with the Coastal Act to allow for these additional detrimental effects to the Watsonville Slough System. Notably, the current LCP policies, including those designed to limit the intensity of development, were specifically put in place to protect these resources.

Finally, because of the more intensive use proposed by the amendment (i.e., public schools), it renders the buffers and criteria for development under the LCP inadequate to prevent adverse impacts on the habitat. More intensive development brings with it increased noise, lights, glare and associated activity to the detriment of sensitive animal receptors. Some of these receptors on Area C are State and/or Federally listed species. Such unmanaged person-intensive use is inconsistent with the Coastal Act and Land Use Plan requirements that adjacent development not degrade these sensitive habitats.

Therefore, the Commission finds that the proposed Land Use Plan amendment would result in a Land Use Plan that is inconsistent with the Coastal Act ESHA policies discussed in this finding and must be denied as submitted.

Implementation Amendment Inconsistent with Certified Land Use Plan

Since the proposed implementation amendment simply mimics the proposed LUP amendment, and since the LUP amendment must be denied, so too must the implementation plan amendment. Otherwise, it would allow for adverse habitat impacts not allowed by the currently certified land use plan. Typically, an implementation plan contains more detail to be able to implement LUP policies. If there were a land use plan amendment that carried out the Coastal Act, then an adequate implementation plan would have commensurately more detailed measures to address any potential adverse habitat impacts. Although

there is relatively good detail in the Implementation Plan regarding habitat protection from indirect impacts, the proposed intensified site use also needs to be accompanied by additional measures necessary to adequately buffer and protect Hanson and West Branch Slough resources consistent with the site topography and the unique habitat present in the sloughs and upland areas. The proposed implementation plan proposes no such additional measures.

Therefore, the Commission finds that the proposed Implementation Plan amendment is inconsistent with and inadequate to carry out the policies of the Land Use Plan and must be denied as submitted.

E. Modifications Required to Achieve Coastal Act ESHA Conformance

In order to approve a Land Use Plan amendment, it must be consistent with the Coastal Act. In order to approve an Implementation Plan amendment, it must be consistent with and adequate to carry out the Land Use Plan.

1. Modifications to Result in a Certifiable Land Use Plan Amendment

In order to address the deficiencies enumerated in the denial findings, there are two basic approaches one could take. As suggested by the Department of Fish and Game, the entire site could be considered ESHA and hence limited to uses only dependent on the habitat. USFWS likewise suggests that the high school development be directed offsite. This approach has validity when one views the Watsonville Slough system in a comprehensive manner, noting that not only have the physical wetlands shrunk by at least half, but the upland habitats for many of the creatures that use the wetlands have been converted to non open space uses. The other approach is to recognize more limited habitat areas but to require them to be protected. Because the Commission chooses this later approach, in order to accommodate a public school, then: (1) the delineated habitat areas need to be protected and restored where necessary; (2) they need adequate buffering; and (3) the developed area needs to be designed so as not to adversely impact the habitat areas.

Measures to Protect and Restore the Delineated Habitats

First, the Land Use Plan needs to be updated to reflect the biological evaluations that have occurred since it was prepared in the early 1980's. The Land Use Plan contains habitat descriptions that are no longer complete. The information in this report can be included in the Land Use Plan (see modifications 5.A.1, 5.A.2, 5.A.3, 5.A.4).

Second, although agriculture is a priority use under the Coastal Act, it should not result in degradation of habitat areas. Currently agriculture is generally limited to the area west of the break in slope above the West Branch of Struve Slough, and into the upland finger of Hanson Slough. The LCP currently prohibits this agricultural incursion into the upper finger of Hanson Slough. If Hanson Slough area agricultural use is thus discontinued, and if any necessary habitat corridors or other habitat restoration

measures are necessary on the site, some amount of agriculture would be converted to a different use. This could be read as inconsistent with the agricultural protective polices of the LCP. At a minimum, it creates unneeded confusion in the LCP. Therefore, a modification is necessary to explicitly state that agricultural lands needed for habitat or buffer can be converted to those higher priority uses (see modification 4.A.2).

Third, except for the lack of a complete functional connection under Harkins Slough Road, West Branch Struve Slough appears to be a well-functioning, little impacted wetland, that is not in need of intensive restoration. If restoration is pursued in this area to improve the habitat's function, it needs to be carried out according to a management plan prepared by a biologist and hydrologist (see modification 4.A.2). In contrast, the other wetland areas on the site could substantially benefit from restoration. A modification is appropriate to require restoration of adjacent drainage areas and the upper drainage flowing from under the Highway (see modification 4.A.2). In order to maintain continued biological productivity of these resources, any development activity that alters the hydrologic regime of the slough system needs to be dependent upon restoration of the affected slough segment (see modification 4.A.2). Finally, restoration plans with adequate monitoring and performance criteria are needed to ensure the continued function of these areas (see modification 4.A.2).

Fourth, the habitat areas should be permanently protected, legally as well as physically. There are many ways to accomplish this from deed restrictions, to open space and conservation easements to outright dedications (see modification 4.A.2). Since the Department of Fish and Game already owns and manages the adjacent Wildlife Refuge on West Branch Struve Slough, it is most sensible to give that agency management authority, if not outright ownership, over that portion of West Branch Struve Slough in Area C. However, the costs of any mitigation responsibilities arising out of approving a development on the site should be borne by the developer. No matter what legal mechanism is chosen for long-term protection, it needs to incorporate the safeguards enumerated here.

Fifth, one potential publicized benefit of a new school in Area C is that the curriculum would educate students as to the adjacent wetland resources. Although there is no such requirement built into the LCP amendment, the City has provided various indications that the school district would establish such a curriculum. This is worthy and deserving to be included in the amendment. A similar requirement was placed on North Monterey County High School adjacent to Moro Cojo Slough (CDP P-77-83). However, care must be taken to ensure that there are not adverse impacts from large numbers of students trampling the wetland in the name of science. Such measures would include: having a designated observation area within the school grounds above the wetland; a limited designated degraded area for supervised students to work in to learn about restoration, monitoring, etc.; a strictly controlled access program into any other wetland area on the site or nearby; and a program that makes use of other wetland areas in the City where there are already developed paths and other amenities suitable for use by schoolchildren (see modification 4.A.2).

Sixth, if development of Area C should require improvements to allow access to the site, such improvements need to be accomplished in a manner that is protective of habitat. The preferred option

would be to bring the access road to the site via West Airport Boulevard to the north so as to avoid impacting West Branch Struve Slough and Hanson Slough resources located along Harkins Slough Road. If this is not feasible, and if any development on Area C should require any improvements to Harkins Slough Road (including, but not limited to road widening), those improvements should include replacing the West Branch of Struve Slough culverts under Harkins Slough Road with a bridge of adequate span to provide habitat connectivity between the West Branch of Struve Slough on Area C and the California Department of Fish and Game Preserve, and culverts of adequate size to ensure Hanson Slough connectivity; fill of any portion of the West Branch of Struve Slough or Hanson Slough should be prohibited. Any such road improvements should include measures to protect habitat, and should be sited and designed to minimize the amount noise, lights, glare, and activity visible and/or audible within the West Branch of Struve Slough or Hanson Slough, particularly at night when many foraging and hunting species are most active. Any road improvements to Harkins Slough Road should be the minimum necessary (including the minimum length of Harkins Slough necessary) to accommodate permitted development so as to avoid unnecessary degradation to slough resources along the road (see modifications 2.A.1, 2.A.2, 2.A.3, and 4.A.2).

Measures to Ensure Adequate ESHA Buffers

Seventh, all habitat areas need to be adequately buffered and measures put in place to ensure the function of these buffers. It is important to note that no buffer width can guarantee protection of adjacent wetland resources. The Commission recommends applying appropriate buffers for Area C based on the guidance from many of the models developed throughout the country, while considering the uniqueness and sensitivity of the resources of Watsonville Slough combined with the proposed increase in allowable building coverage and intensity contemplated for this site (i.e., a public high school). While a variety of models have been developed for each specific region, most determine that for sensitive areas or areas with significant potential development impact, a minimum buffer width of 300 feet was appropriate. This width is generally sufficient for Area C. However, Area C's geomorphology (including the steeply sloping upland habitat areas, soil permeability, and functionality of upland "buffer" areas) combine to dictate that the best management strategy is to restore and maintain the natural habitats and drainage patterns on these slopes and to restrict development to the upper areas of the parcel. When considered in tandem with the intensity of development being proposed, the increase in impervious surfaces, the special biological value of West Branch Struve Slough and Hanson Slough, and the importance of providing a natural hydrologic regime to these resources, particularly in light of the intensive use being proposed, such site specific buffering is clearly necessary for Area C. This can be accomplished through a development envelope for the site that identifies areas where development can take place, interior to the relative break in slope upland of the wetlands, without harming site ESHAs (see modification 4.A.2).

The development envelop buffer model implements required modifications for not only ESHA resources, but also acts to partially limit landform alteration, development along steep slopes, and development in the public viewshed, thus implementing suggested modifications required to address

Coastal Act issues in these areas.[98] The effect of this development envelope will be to keep any allowed development above the relative break in slope on Area C above both Hanson and West Branch Struve Slough resources. This will act to direct development away from steep slopes and onto the flatter plateau area where it will do the least amount of damage to slough resources. The relative break in slope in this case is dictated by the existing farm road on the east, and, generally, by the areas above 15% slope surrounding Hanson Slough on the southwestern portion of Area C. The small wetland areas identified by the City along Harkins Slough Road (and adequate buffers thereto) would be wholly within the 200 foot agricultural buffer suggested to be applied along Harkins Slough Road.[99] This development envelope is consistent with the recommendations of CDFG, USFWS, and local wetland expert Dr. Robert Curry who all indicate that if any development were to take place on this site (all recommend against any development of this site), it should be confined to the upper plateau area as opposed to reliance on a fixed buffer width.

In fact, although CDFG and USFWS both have recommended that the school district pursue alternative site to protect the resources on Area C, both CDFG and USFWS have indicated that if any development were to take place on this site, it should be confined to the upper plateau area as opposed to reliance on a fixed buffer width. CDFG states (see Exhibit K):

> *Buffers should extend beyond the break in slope above the sloughs to reduce [and] to buffer the effects on slough habitats from the effects of erosion from adjacent land uses. ...We suggest the following requirements...School facilities should be arranged in the expanded site so they are as far from wetlands as practical, maximizing the area of protected uplands adjacent to the sloughs.*

As stated by USFWS (see Exhibit L):

> *A 100-foot buffer is inadequate to protect such areas.*

As stated by Dr. Robert Curry:

> *The only way to accommodate development on the upland site would be to confine it to the upper terrace area above both Hanson and West Branch Struve Sloughs. Any schoolyard development and roof areas should be developed with porous pavement and dry-wells to insure continued infiltration and recharge. No grassed playing fields should be allowed because these are among the very most damaging to adjacent recharge-dependent wetlands. No development of any kind should be allowed to extend over the break in slope above these resources. Since this break in slope is fairly clearly defined (by the existing farm road adjacent to West Branch Slough and by the steep bowl surrounding Hanson Slough), this setback should be easy to identify. In fact, these upland slope areas support a habitat that should be considered environmentally sensitive in its own right. If ANY activity is to take place in these areas, it should be limited to the control of non-native species and replanting with native trees, shrubs and grasses – nothing more.*

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[98] See other findings; suggested modifications begin on page 163.
[99] See Agriculture finding beginning on page 72.

Eighth, as evidenced by the Dr. Curry's above sentiment, the City's LCP needs to clearly identify what is allowed – and what is required – within those buffers. Allowable uses should be limited to those that foster habitat values (such as restoration). In some areas, some, passive recreation may be possible. Based upon the site resources, specific buffer parameters should be established for each individual buffer area (see modification 4.B.3). In order to allow for the significant increased intensity of use of the site, it is necessary to ensure that these buffer areas adequately function. Accordingly, invasive exotics need to be actively removed and these areas need to be planted with native trees, shrubs, plants and grasses as appropriate (see modification 5.A.5). Any such efforts need to be within the parameters of a plan prepared by a wetlands expert to ensure proper functioning of the buffers and associated habitat areas (see modification 4.A.2). Similar to the habitat areas being buffered, these buffers habitat areas need to be permanently protected legally as well as physically. There are many ways to accomplish this from deed restrictions, to open space and conservation easements to outright dedications (see modification 4.A.2). Finally, restoration plans with adequate monitoring and performance criteria are needed to ensure the continued function of these buffers (see modification 4.A.2).

Ninth, the current LCP makes an artificial distinction between the buffers required for riparian areas and those required for wetlands and wetland transition areas on Area C. Riparian areas function similarly to wetlands and their resource value should not be considered any less. In this case, the riparian area on Area C is a portion of the headwaters of Hanson Slough and a crucial resource in need of adequate buffering and protections. In fact, a 100 foot buffer for this area may be too small given the discussion above. In any case, lacking evidence to define a different buffer for this area, the most cautious course of action is to apply the 100 foot wetland buffer to this area consistent with the minimum 100 foot buffer afforded other wetland habitat on Area C; such a buffer in tandem with the required agricultural buffers and steep slope areas combine to protect this area consistent with the discussion above (see modification 4.B.2).

Tenth, the CDFG Reserve directly south of the site is an ESHA. This area is also outside of the City limits. However, as a wetland, the LCP's 100 foot wetland buffer requirement would still apply. The development envelop for Area C needs to take into account this required buffer area (see modification 4.A.2).

Eleventh, the buffer areas between the development envelope and the ESHA need to be designed to shield such sensitive habitat areas from development, and to restore and maintain the functional resource value of the upland habitat buffers (see modification 4.A.2).

Twelfth, although it is implied that the LCP's general ESHA protection policies apply to the Highway One and local street right-of-way areas, these areas are not explicitly mapped as part of any coastal zone area (i.e., current A through E). As such, their status should be clarified in the LCP to ensure that the wetland protection and setback policies apply to freeway right-of-way land as well as Area C. While the City has indicated that any development of this site (e.g., adding an off-ramp) is independent of the proposed high school project, since the Commission is reviewing policies that apply to this ESHA it makes sense to ensure that the LCP is written so that the entire ESHA is protected, not just its western

portion. Therefore, modifications are needed to state that the policies of the LCP apply to all of the coastal zone, including the freeway right-of-way beyond Area C (see modifications 2.A.1 and 2.A.2).

Minimizing Impacts of Any Development on Area C

Any development on Area C will be accompanied by the attendant on and off-site impacts discussed in the denial findings above. This is particularly evident for such an intensive use as the PVUSD-proposed high school at this site. To ensure that such development does not adversely impact on-site Hanson Slough and West Branch Slough resources, and by extension the entire Watsonville Slough System, modifications are necessary to:

- minimize noise, lights, glare, and activity visible and/or audible within environmentally sensitive habitat areas and their required buffers;
- minimize landform alteration and to limit alteration of steep slopes to isolated areas and, only for a public school, to help prevent erosion and runoff into the habitat and maintain the slopes as both habitat buffers;
- cluster permitted development to allow maintenance of open-space agricultural and habitat areas;
- minimize impervious surface coverage, and allow increased coverage only for a public school the minimum size necessary to accommodate demand;
- identify the parameters of required erosion control measures to be taken during construction to preserve habitat areas;
- identify and utilize appropriate best management practices (BMPs) to capture and filter all runoff prior to discharge to slough resources and/or from the site, to use restored swales to filter and hold drainage, and to increase onsite percolation and filtration of runoff. All filtered runoff that is suitable for groundwater recharge and/or wetland restoration purposes should be directed to groundwater basins and/or wetlands in such a manner as to avoid erosion and/or sedimentation and promote restoration of functioning habitat.
- limit onsite parking lot areas and use special BMPs to capture and treat runoff associated with vehicular uses;
- ensure that structural BMPs, other than vegetated strips consistent with a biological restoration plan, are placed outside of environmentally sensitive habitat buffer areas;
- maintain peak runoff rates and volumes at levels similar to pre-development conditions;
- limit the use of pesticides, herbicides and fertilizers, and to provide for planting of suitable native landscaping (see modification 4.A.2);
- ensure that dry cleaning (i.e., sweeping and/or vacuuming) of all parking lot areas, driveways, and other vehicular traffic areas occurs on a regular basis to avoid flushing of accumulated debris and polluted runoff constituents;

- ensure that all outside storage areas and loading areas are graded, paved and equipped with adequate wash down facilities;
- ensure that all restaurants and/or food service uses include a plumbed wash-down area (either inside or out);
- ensure that all BMPs are permanently operated and maintained.

See modifications 2.A.3, 2.B.4, 3.A.2, 3.B.2, 3.B.3, 3.B.4, 9.A.1, 9.A.2, 9.B.1, and 9.B.2.

In conclusion, if so modified in all of the ways outlined here according to the cited modification texts, then the Land Use Plan as amended and as further modified is approved as satisfying Coastal Act policies with respect to environmentally sensitive habitat and wetlands.

2. Modifications to Result in a Certifiable Implementation Amendment

In order to approve an Implementation Plan amendment, it must be consistent with and adequate to carry out the land use plan. Since the land use plan is being amended and modified in the manner just described, likewise, the Implementation Plan must be so modified. This means that the Implementation Plan must also contain modifications to ensure that habitat protection policies apply to the freeway right-of-way (see modifications 2.B.1, 2.B.2, 2.B.3, 2.B.4, and 2.B.5), require permanent protection of habitat and buffer areas (see modifications 4.B.2, 4.B.3, and 4.B.4), landscaping consistent with habitat requirements (see modifications 4.B.3 and 8.B.1), adequate buffer areas and plantings (see modification 4.B.4), runoff controls (see modification 4.B.4), limits on altering steep slopes (see modification 8.B.1 and 4.B.4), and an environmental stewardship program (see modification 4.B.4).

Not only must implementation plans be consistent with the land use plan provisions, they must provide the necessary to detail to ensure that the land use plan provisions are carried out. Thus, a new zoning section is necessary detail the mechanics of ensuring that habitats and their buffers will be established and legally and permanent protected (see modification 5.B.3). Additionally, new sections need to be incorporated into the Implementation Plan to detail the mechanisms for restoring and enhancing environmentally sensitive habitats and their buffers. Models for these provisions are conditions that the Coastal Commission has imposed on its coastal permits involving habitat enhancement and restoration (for example, see modifications 5.B.1 and 5.B.2). Also, more detail is necessary to direct appropriate landscaping with native vegetation (see modification 8.B.1). Likewise, specific BMP provisions must be detailed (see modification 9). If so modified in all of the ways outlined here according to the cited modification texts, then the Implementation Plan as amended and as further modified is approved as being consistent with and adequate to carry out the certified Land Use Plan as amended and as further modified with respect to habitat issues.

4. Scenic Resources

The Coastal Act provides for the protection of scenic resources and natural landforms. Area C is comprised of scenic, rolling, agricultural hills above wetlands in the public viewshed of Highway One, Harkins Slough Road, Lee Road and beyond. The proposed amendment retains policies to hide development from Highway One if feasible, and limit heights of development on Area C to 30 feet. However, the amendment also allows development on slopes less than 25% (replacing the current 15% slope grading limitation), and at a much greater intensity (50% impervious surface coverage; public school use added). The effect of the proposed amendment will be to allow massive development and grading in the public viewshed. The amendment is thus inconsistent with the Coastal Act because it fails to protect the scenic viewshed, allows significant alteration of the natural landforms, and allows urban style development that is out of character with the rural surroundings. The amendment can be approved, though, if modified to setback development from the steep slopes, limit night lighting, and include design guidelines consistent with the area's rural agricultural character.

A. Coastal Act Scenic Resource Policies

Coastal zone scenic resources are afforded a high level of protection by the Coastal Act. The Act protects such resources through a number of complementary policies. Some of these policies speak directly to view corridors, others to landform alteration, yet others to maintaining the character of special coastal zone resource areas. The Coastal Act states:

> ***Section 30001(b).*** *The Legislature hereby finds and declares that the permanent protection of the state's natural and scenic resources is a paramount concern to present and future residents of the state and nation.*
>
> ***Section 30251.*** *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

In addition to the landform alteration reference in Section 30251, Coastal Act Section 30253 also directs new development to avoid alteration of the natural landform. Section 30253 states, in applicable part:

> ***Section 30253(2).*** *New development shall assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

Visual access to and along the coast is also considered a form of public access. As such, the Coastal Act's access polices are also relevant. Applicable Coastal Act access policies include:

> ***Section 30210.*** *In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*
>
> ***Section 30211.*** *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

The Coastal Act visual policies interrelate and overlap. In general, the Coastal Act requires that development be sited and designed to protect views of and along scenic coastal areas, minimize the alteration of natural landforms, be visually compatible with the character of surrounding areas, and, where feasible, restore and enhance visual quality in visually degraded areas. New development in highly scenic areas is required to be subordinate to the character of its setting. The Coastal Act's visual policies are also related to other previously identified resource protective policies. For example, policies that protect agricultural lands from conversion to urban uses likewise protect the rural open-space character of the coastal zone. Also, policies that protect environmentally sensitive habitat areas from degradation, preserve scenic resources since these habitat areas, and more specifically their health and vitality, also contribute to the visual character of the coastal zone.

B. Existing and Proposed LCP Scenic Resource Policies

Although many of the previously mentioned ESHA, Agriculture, and Public Services LCP policies also protect visual resources, the certified LCP specifically protects scenic resources through LUP Policy II.B and IP Section 9-5.705(f)(3). These policies apply to all of the City's coastal zone.

> ***LUP Policy II.B.*** *Coastal Visual Resources. New development shall be sited and designed to protect views of scenic coastal areas (including the wetlands of the Watsonville Slough complex and associated riparian areas), to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding area, and where feasible to restore and enhance the visual quality of visually degraded areas; all utilities in new development shall be placed underground, and hillsides shall be reforested where feasible and compatible with view protection. Relation to Coastal Act: Section 30251. Effect on Development: Scenic coastal areas afforded view protection include the wetlands of the Pajaro Valley Slough complex visible from or across Areas A, B, and C. Underground placement of utilities and hillside reforestation are existing requirements of the City's Conservation Element and support the preservation of visual resources.*

IP Section 9-5.705(f)(3). *Policy II.B, Coastal Visual Resources. New development shall be sited and designed to protect views of scenic coastal areas; in particular, this requirement shall apply to the seaward views from State Route 1, across the wetlands and associated riparian areas of the Watsonville Slough Complex and along the Pajaro River. These existing scenic views of natural habitat and agricultural croplands shall be protected through all appropriate measures, including but not limited to:*

(i) Where feasible, new structures shall be hidden from Highway 1; otherwise such development shall be screened through planting and permanent upkeep of appropriate tree species (such as native live oak which will provide, upon maturity, complete vegetative screening on a year-round basis);

(ii) All utilities in new development shall be placed underground;

(iii) Advertising and commercial signs that which would block views from Highway 1 to the wetland and riparian areas shown on LUP Fig. 2, shall not be allowed.

The land use plan does not specific a height limit, but the IP states that the height limit on Area C is 2 ½ stories/30 feet.

There is also one land use plan policy (and complementary IP section) that applies to Area C that relates to landform alteration:

Policy II.C.3.f. *Maximum slope of developed portion of lot (before grading): 15 feet in any 100 foot interval.*

Although the proposed amendment does not propose specific changes to the LCP's visual resource policies, as discussed below, the overall effect of the amendment would be inconsistent with these policies without some modification.

C. Background: Current Public Viewshed Setting

By almost any standard, the rural agricultural rolling hills of south Santa Cruz County and the Watsonville coastal zone must be regarded as a scenic coastal resource of great public importance. Vast wetlands of the Watsonville Slough System interspersed with large farms on varied terrain provide a welcome respite from the urban corridors of Santa Cruz, Capitola, and Aptos to the north. As one travels downcoast from Santa Cruz towards Watsonville along Highway One, sparsely developed coastal foothills predominate. Downcoast of the City along Highway One (past the Pajaro River and into Monterey County), the lush farmlands of the Pajaro Valley lap both sides of the Highway extending in all directions. In fact, the City itself, situated almost entirely east of Highway One north of the Pajaro River, is an urban island in an otherwise rural and agricultural sea. Highway One in south Santa Cruz County has been designated by the City (General Plan) and County (LCP) as a scenic road, and is eligible for such designation by the State Scenic Highway Program.

The coastal zone areas of the City (Areas A, B, and C) are likewise largely undeveloped, characterized primarily by rolling agricultural lands and the vast wetlands of the Watsonville Slough System. By contrast, the non-coastal zone areas in the City have been undergoing significant urbanization. This includes both the inland side of Highway One as well as the small portion of the City west of the Highway that was removed from the coastal zone by the State Legislature in 1979. In fact, the contrast in land use and development for the portion of the City west of the Highway outside of the coastal zone when compared to the surrounding (and agricultural) area inside of the coastal zone is particularly evident. Although several areas outside of the City (and outside of the coastal zone) remain in agricultural use east of the Highway, the City has pursued annexation of these areas (thus far denied by the LAFCO) and development pressure on these areas is high.

Area C is easily the most scenic portion of the City's coastal zone. Framed by the West Branch of Struve Slough adjacent to the Highway, the vast CDFG Ecological Preserve to the south, and the undeveloped agricultural fields of south Santa Cruz County to the west, Area C lies in the middle of an agrarian/wetland landscape. Highway One, Harkins Slough Road, Lee Road, West Airport Boulevard, and the Highway 152 off-ramp all provide public vantage points from which to enjoy this setting. In fact, this entire sweep of unspoiled landscape can be viewed by the public in a continuously unfolding panorama along Highway One for travelers in both directions. The views from the small local roads on the west of the Highway allow the public to venture within this lush landscape; Harkins Slough Road is a prime example. As appropriately stated in the City's General Plan:

> *More than any other route in the city or planning area, Harkins Slough Road provides a close-up view of the unique beauty of the area's sloughs and marshes.*

In fact, Highway 1, Harkins Slough Road, and the Highway 152 off-ramp are all designated as scenic roads by the City; Highway 1 and the Highway 152 off-ramp are also so designated by the State.

The site, and the undeveloped lands west of Highway One, provide both a visual and land use transition from the urbanized areas of the City east of the Highway, and the vast rural landscape extending west to the ocean. As stated in the PVUSD's FEIR for the proposed high school at this location[100]:

> *The combined natural open space of the sloughs and the adjacent uncluttered agricultural landscapes devoted to cultivation of row crops grown under sprinkler irrigation and to cattle grazing provides a distinguishing transition from urban to rural land use west of Highway 1. The proposed project location along Highway 1 makes it an important part of the view corridor of the visual open space.*

[100] PVUSD proposed third high school FEIR.

D. Analysis of Consistency with Coastal Act Scenic Resource Policies

1. Introduction: Proposed Amendment's Effect on Scenic Resources

The proposed amendment would increase the amount of development that could ultimately be considered for Area C. As previously discussed, if the City were to make findings to allow a conversion of agricultural lands, the amendment components to allow wetland fill, to redelineate habitat, to allow increased impervious surface coverage, and to allow development on steeper slopes would combine to result in more potential development of Area C. All of Area C is in the public viewshed (including views from Highway One, Harkins Slough Road, Lee Road, West Airport Boulevard, as well as several local streets and viewing areas inland of the Highway), and most of it is visible from Highway One. This visible portion also is part of the State Scenic Highway Program. As such, the increased level of allowable development, including but not limited to development on steeper slopes, would be entirely in a significant public viewshed.

The Coastal Act mandates the protection of the scenic areas of California's coast. The Area C public viewshed is one such highly scenic resource. The public has long enjoyed the panoramic rural vistas available of, over and across Area C as seen from Highway One, and to a lesser degree Harkins Slough Road, Lee Road, West Airport Boulevard, and the Highway 152 overpass. Current LCP performance standards limit development in this Area. In contrast, the proposed amendment would allow substantial urban development on Area C, would allow for development on steep slopes, and would allow grade and fill of a portion of Hanson Slough.

As identified above, the proposed amendment would allow for a significantly greater intensity of non-agricultural development to be located on Area C. Industrial, residential, and public school uses could all develop at this greater intensity under the proposed amendment. Since such a greater allowable intensity makes the land itself more attractive *for* such development, the pressure for such urban development would correspondingly increase. Thus, not only would a physically much larger development be possible at this location, but such a plan change may in itself induce such a development. In addition, the proposed amendment would induce further growth west of the Highway into mostly open space agricultural and wetland areas.

In addition to an overall greater intensity of development, the proposed amendment would allow development on portions of the site most directly in the Highway One viewshed. By reducing the area delineated as ESHA in the West Branch of Struve Slough, development constraints are removed for much of the upland slope most visible from the Highway. Moreover, increasing the developable slope from 15% to 25%, means that much of the steeper portions of this slope could likewise be developed. Much of the ESHA previously protected in this critical viewshed location would no longer be protected (compare Figures 7 and 8).

Similarly, the removal of slope and ESHA constraints for the upper finger of Hanson Slough would

allow development where it was previously not allowed within the Harkins Slough Road and Lee Road viewshed.

Although not before the Commission at this time, the proposed high school is an example of what the proposed amendment would allow. Current designs show approximately 213,000 square feet of buildings as well as various playfields and several parking lots. The proposed high school would spread over approximately 55 acres of Area C on proposed Area F, extending over the break in slope towards the West Branch of Struve Slough. Crib retaining walls would be required on the slope in order to achieve flat terrain for ballfields. In order to prepare the site for development, massive grading (approximately 1,000,000 cubic yards) is proposed to flatten the rolling Area C hills. The effect of this would be to "level" the southwesterly sloping terrain visible from Highway 1 into a manufactured flat grade; the slope above the West Branch of Struve Slough would be artificially steepened up to a 44% slope gradient. All of the upper finger of Hanson Slough would be graded and filled to allow for the placement of school buildings and a parking lot. The futuristic design and massive forms of the school, and the artificially smoothed, flattened and steepened slopes, would be clearly visible from several primary public view locations, including but not limited to the Highway One scenic highway corridor.[101] See Exhibit G for site plans, grading plans, and elevations of PVUSD's proposed high school.). Such development would forever alter the rural coastal agrarian landscape west of the Highway on Area C, and could portend a future shift to such urban development in the general vicinity. Views from State and locally designated scenic roads would not be preserved.

2. Standards Not Adequate to Protect Scenic Views

The existing LCP scenic resource policies rely in large measure on the existing site performance standards to ensure that the mass, scale, bulk, and location of any non-agricultural development on Area C appropriately maintains the scenic resource value consistent with the Coastal Act. The current standards act to minimize development and concentrate any such allowable development on the sloping plateau running along the center of Area C.[102] This means that the LUP's visual policy can be applied in a manner to achieve its intended goals. The majority of the property would be left in open space and the development could be sited so that scenic views are protected.

This situation would dramatically change with the proposed amendment's relaxation of the site location and intensity standards. Non-agricultural development could sprawl over the site, onto steep slopes, covering areas heretofore non-buildable with structures. The newly "buildable" portions of the site would include the sloping areas most visible to the public. The proposed amendment thus results in the document's internal inconsistency since the text cited above will no longer be accurate.

While the existing LUP scenic resource policies provide sufficient *general* parameters to implement the Coastal Act's scenic resource policies for the uses and intensities currently allowed, they are lacking in

[101] See Section 5.15 of PVUSD proposed third high school FEIR.

[102] In fact the LUP's text proclaims, "the foregoing requirements will cluster development within the high, gently sloping terrace which runs along the middle of Area C."

the face of such proposed changes. That is, one could read the proposed amendment as a presumption that the allowed development is generally permissible, especially in the absence of an LUP policy statement that says development must be scaled back to protect scenic resources. Thus, the standard to protect scenic views would be applied in the context of the allowed development. As noted previously, the proposed amendment allows four times the impervious surface coverage as the current amendment. Assuming half of that was structures, then there could be 20 acres of buildings located on 55 acres as opposed to 5 acres located over 81.

At bottom, it will be difficult to meet the visual resource standards of Coastal Act 30251 under the proposed amendment. With the proposed intensities of development, protection of one part of the site will necessarily impact another. Thus, it would be difficult to mitigate visual impacts from Highway One without affecting views from Harkins Slough Road. If development is tightly clustered, it may be too massive; alternatively, scattering development in less visible areas will increase the visual impact from multiple viewpoints. Overall, the ability to protect scenic views under the proposed amendment is thus compromised.

There is also no height limit in the land use plan. In short, the amendment comes with it the expectation of such an intensity of use that there is no play to achieve the objective of Section 30251 and for a public school there is not the opportunity to do all the kinds of measures necessary given state standards unless scaled back significantly, there is nothing in the LCP or amendment that says to scale back intensity of use to enable scenic policies to be implemented

Finally, with regard to the proposed high school itself, the PVUSD's FEIR concludes that, even after all mitigations were implemented, the proposed high school would have significant adverse impacts on public visual resources, including views of the site from Highway 1, Harkins Slough Road, and Lee Road, that cannot be mitigated.[103]

3. Landform Alteration

The relaxation of the current LCP slope building restrictions means that development can occur on steeper slopes. Development on steeper slopes also potentially requires a greater amount of landform alteration than does equivalent development on more relaxed topography. Given the topography of the site, if the more intensified use of the site allowed by the proposed amendment is to occur, the result will have to be much more grading and hence landform alteration.

Again, while not before the Commission, the plans to date for the proposed high school are illustrative of what could potentially occur under the proposed amendment. As noted it would involve approximately 1,000,000 cubic yards of grading). Thus, the natural sloping landform of the site would be replaced by smooth, manufactured, and steepened slopes. Both wetland landforms would be substantially altered. Rolling natural terrain would be replaced by smooth, manufactured, and steepened slopes, up to a 44% slope gradient for portions of the slope above the West Branch of Struve Slough.

[103] See Section 5.15 of PVUSD proposed third high school FEIR.

This type of effect is clearly prohibited by the Coastal Act.

Even if one argued that the type of development envisioned by the amendment should be allowed if the effects would be mitigated, there is a still a problem with the proposed amendment. If development on the slopes tried to comply with the LCP's scenic policies by being designed to conform as much as possible to the natural surrounding terrain, then it would likely require some form of stepped construction requiring vast amounts of grading and retaining walls to maintain the unnatural new contours. If some form of pier construction were used instead to minimize grading and alteration of the underlying land, protruding overhangs, making any development appear more massive than it may actually be, would be expected as well. Where there are such potential results, it is incumbent on a local coastal program to have remedies. There are no such provisions in the local coastal program.

4. Rural Character Threatened

The greater intensity of development allowed by the proposed amendment threatens the rural character of the area. Again, under the parameters of the amendment, the visual policies will lack specific direction to shape the design and siting of more intensive development. In particular, there are no standards to require that development be compatible with the rural setting of Area C. The proposed high school's design is illustrative of what could potentially occur under the amendment. Its massive, futuristic design is not compatible with the overall rural agricultural character of the surrounding area. The proposed design also is completely out of scale with the undeveloped rural area west of the Highway.

The greater mass and scale that could result from this amendment would be similar to that heretofore distinguished as urban development on the east side of the Highway. In fact, whereas there is now a distinct contrast between urban, east of Highway One land use and that west of the Highway, both sides of the Highway would appear similarly urban were the site to be developed as allowed under the proposed amendment. Apart from the reality of growth inducement discussed earlier, the visual impact of the proposed amendment will entail a significant change in the perception of the urban-rural boundary; the perception would be that urban land use was not limited to east of the highway any longer.

5. Coastal Act Consistency Conclusion

Land Use Plan Amendment Inconsistency with the Coastal Act

In sum, the proposed amendment would result in a Land Use Plan clearly inconsistent with the Coastal Act's scenic resource protection policies for three overarching reasons. First, it is not designed to protect views to the coast and scenic areas; rather it greatly lessens the protections built into the current LCP by virtue of the more intensive development that it will allow. Longstanding coastal views would be forever blocked. Second, it does not minimize alteration of natural landforms. Again, the more intensive development and the loosening of the slope restrictions will potentially result in greater landform alteration. Third, it will not result in a design that is visually compatible with the character of the surrounding rural agricultural area. The proposed PVUSD high school is indicative on all three points.

As such, none of the applicable scenic resource criteria of Coastal Act Sections 30251, 30253(2), 30210 and 30211 are satisfied.

Therefore, the Commission finds that the proposed Land Use Plan amendment would result in a Land Use Plan that is inconsistent with the Coastal Act scenic resource policies discussed in this finding and must be denied as submitted.

Implementation Plan Amendment Inconsistency with the Certified Land Use Plan

The lack of Land Use Plan direction for addressing the greatly intensified development allowed by the proposed amendment is carried over into the Implementation Plan. Typically, an implementation plan contains more detail to be able to implement the LUP's general policies. In this case, the current Implementation Plan has worthy language that requires hiding development from view. However, it contains the qualifier, "if feasible." It would not be feasible to hide a school development of the magnitude allowed for by the proposed amendment. Therefore, the implementation plan is deficient in not offering standards in the case of infeasibility. Likewise, the existing IP policies are not specific enough to ensure that the location, mass, scale, bulk, and character of any of non-agricultural development would be consistent with the intent of the Land Use Plan requirements.

The existing LUP also contains provisions for minimizing natural landform alteration. Current IP policies for Area C that keep development off steep slopes and limit impervious surface coverage help to implement this provision. However, increasing developable slope, increasing impervious surface coverage, and removing ESHA protection for areas of the site combine to allow for more potential landform alteration. Much of the newly developable portion of the site would be located on the upper slopes above the West Branch of Struve Slough where it would be most visible to in foreground Highway One views. This is inconsistent with the Land Use Plan.

The existing LUP also contains provisions for maintaining visual compatibility with the surrounding area. The IP, however, does not contain any specific language to ensure that this is the case. Current IP policies limiting development on Area C help to implement this provision because the low-intensity development allowed on the site would be clustered along the center of the plateau where it would be least likely to impact resources and adversely affect the public viewshed. The low coverage ensures that a small cluster of buildings, at most, would be allowed. Such a small clustering could be found compatible with the surrounding area. The proposed amendment, however, allows for much more massive development without any IP policies to implement the LUP's visual compatibility requirement. This is inconsistent with the Land Use Plan.

Finally, since the proposed Implementation Plan amendment simply mimics the proposed Land Use Plan amendment and provides no additional design guidance, and since the Land Use Plan amendment must be denied, so too must the Implementation Plan amendment.

Therefore, the Commission finds that the proposed Implementation Plan amendment is inconsistent with and inadequate to carry out the policies of the Land Use Plan and must be denied as submitted.

E. Modifications Required to Achieve Coastal Act Scenic Resource Conformance

In order to approve a Land Use Plan amendment, it must be consistent with the Coastal Act. In order to approve an Implementation Plan amendment, it must be consistent with and adequate to carry out the Land Use Plan.

1. Modifications to Result in a Certifiable Land Use Plan Amendment

In general, the increased intensity of use allowed by the amendment is not consistent with scenic resource protection. If the purpose of the proposed amendment, namely allowing a high school, is to be accommodated, then the current design policies must be made more directive to (1) minimize landform alteration, particularly any such alteration most prominent in the public viewshed; (2) site development away from the public view as much as possible; and (3) be consistent with the rural agricultural landscape.

Minimize Landform Alteration

The Commission's experience has shown the difficulty of applying view protection policies that only require that projects be designed to "minimize impacts on public views" or "minimize grading." What does "minimize" mean in any given context? What can regulatory agencies reasonably require by way of redesign? Can the developer be required to completely conceal his/her project? Can we trust future landscape screening to screen the project? Will such screening create its own negative visual impact? These questions are debated endlessly across the nation whenever local regulatory efforts are applied to the problem of public view protection.

Decision-making bodies are not well-served by such fuzzy-edged standards, which often result in the concessions to visual intrusions because there is no clear minimum performance criterion. Often as not, the result is further "cluttering" of public views. It is evident that such "minimize impacts" standards are too subjective where preservation of public views is the overriding concern.

Measures that could be taken to *explicitly* define acceptable landform alteration include not allowing any grading, specifying maximum developable slopes that can be graded, specifying the maximum amounts of grading (i.e., cubic yards), directing appropriate areas where grading can and cannot take place, and combinations of these, and other, measures. In this case, several complementary Coastal Act and LCP objectives can be realized by defining a developable area on Area C that avoids the slopes above on-site sensitive habitat resources.

By keeping any allowable development on the gently sloping plateau on the center of Area C, artificial contours will be minimized, though not entirely hidden, in the public viewshed. Development will not be allowed to 'spill over' the break in slope above the West Branch of Struve Slough and Hanson Slough on the subject site. This also benefits preservation of these habitat areas by avoiding them and their buffers, minimizing changes in hydrology associated with development along these upland habitat

slopes, and reducing water quality runoff issues (see also ESHA findings). Modifications 4.A.1 and 4.A.2 provide for such a development envelope for Area C; modification 8.A.1 provides the general visual policy parameters; see Figures 1 and 15 for a depiction of the development envelope.

Clustered Development

In tandem with the suggested development envelope for the overall site, protection of the public viewshed is enhanced if development is kept away from the most visible portions of the development envelope. This can be achieved through requiring clustering of allowable development into a building envelop that is a subset of the overall development envelope. For other than a public school use, 10% site coverage remains the maximum. Since there are approximately 98 non-ESHA acres on Area C, this translates into a total of approximately 10 acres of allowed impervious coverage for conditional residential or industrial uses. Since there may be multiple residence and/or industrial uses, some amount of additional landscape and setback area for structures within the building envelope is necessary. Allowing 20% more space to accommodate such needs is reasonable. Therefore, consistent with the coverage limitations, clustered (non-school) development on Area C should be allowed a 12 acre envelope within which all site improvements must take place.

For a public school use, 12 acres of site coverage would be difficult to achieve. In fact, State Department of Education recommends a minimum of over 17 acres for a high school.[104] The Commission recognizes that a public school is a critical use and the primary objective of the proposed amendment. The school district's existing two high schools, Aptos and Watsonville High Schools are currently overcrowded by 2,000 students.[105] State Department of Education guidelines for a 2,000 student high school recommend approximately 42 acres.[106] Therefore, in light of the need for a public school, and cognizant of the significant coastal resources at stake, a public school use should be allowed a 42 acre building envelope. Since the overall development envelope for the site is approximately 42 acres, the building envelope and the development envelope for a public school on Area C would be coterminous. Modifications 4.A.1 and 4.A.2 provide for such clustering and building envelops for Area C.

Preserving Rural Character

Finally, as noted, the Land Use Plan already mentions visual compatibility with the character of the surrounding area. To ensure that it is clear what this policy direction means, it would be helpful to add a qualifying phrase to ensure that development is subordinate to the rural character of the area (see modification 8.A.1). Also, the Land Use Plan does not contain an explicit height limit. There is an apparent 30 foot height limit in the zoning ordinance, but without a corresponding provision in the Land Use Plan, it could be subject to change. Thirty feet is a reasonable height limit; moreover, with the clustering requirements described above, it is required to avoid unacceptable massing. Therefore, this

[104] The smallest possible acreage listed per the *School Site Analysis and Development, 1966 Edition*, California Department of Education (September, 1987) is a 17.3 acre site for a high school of up to 400 students.

[105] Figures from the PVUSD Third High School FEIR (September 1998).

[106] Recommended acreage is 41.6 for up to 2,000 students; as shown in *School Site Analysis and Development, 1966 Edition*, California Department of Education (September, 1987)

limit needs to be in the Land Use Plan as well (see modification 4.A.2).

Two policies that address habitat protection concerns also serve to address visual issues. First, night lighting should be the minimum necessary if the rural character of the City's coastal zone is to be maintained. Currently, nighttime in this mostly undeveloped area is characterized by a few scattered lights, but darkness predominates. This is a standard attribute of such rural landscapes. In order to maintain this character, particularly in light of the intensive school use being allowed, night lighting must be strictly limited to avoid introducing glare and visible development into what is now a rural, unlit area. (see modifications 2.A.3 and 4.A.2). Second, landscaping should consist of plantings indigenous to the immediate surrounding area to help evoke the sense of the surrounding rolling rural area (see modifications 2.A.3 and 5.A.5).

Conclusion

Coastal scenic resource protection overlaps and interrelates with each of the issues previously discussed in this staff report. In fact, previously suggested modifications to address growth, agricultural, and ESHA Coastal Act issues, help to also address, and thus are also required by, Coastal Act scenic resource policies (e.g., Area C development envelop). The effect of these combined modifications on the scenic character of Area C (should the site develop with other than agricultural uses) will be to allow a cluster of buildings, with appropriate external design treatments, in one portion of Area C. The remainder of the site would stay in open space (agriculture, ESHA and associated buffers). Thus, only through the suggested scenic resource LUP modifications, in concert with all other modifications suggested to alleviate other coastal resource concerns, can the LCP amendment be found consistent with Coastal Act Sections 30251, 30253(2), 30210 and 30211 as discussed in this finding.

2. Modifications to Result in a Certifiable Implementation Plan Amendment

In order to approve an Implementation Plan amendment, it must be consistent with and adequate to carry out the land use plan. Since the land use plan is being amended and modified in the manner just described, likewise, the Implementation Plan must be so modified. This means that the Implementation Plan must also contain modifications to ensure that landform alteration is minimized (see modification 8.B.1), that development is clustered (see modification 4.B.2); that landscaping is used to screen the visibility of structures on site (see modification 8.B.1); and that at the rural character is preserved (see modification 8.B.1).

Not only must implementation plans be consistent with the land use plan provisions, they must provide the necessary detail to ensure that the land use plan provisions are carried out. Typically Implementation Plans carry out scenic resource policies in two ways. First, the general height and bulk standards of each zoning district specify maximum development parameters that do not conflict with and help carry out visual policies. Second, a set of design guidelines is typically included.

Height Limit

The existing IP limits development to "2½ stories/30 feet" for Area C. It is not clear from this notation if

the "/" in this case is an 'and' or it is an 'or'. It seems evident that the "/" is meant to be an 'and'; otherwise, allowable 2½ story development could be of unlimited height, constrained only by general plan requirements. Modification 4.B.3 provides for explicitly stating that 30 feet is the maximum height for Area C, in order to be consistent with the amended Land Use Plan as modified.

Design Guidelines

The Implementation Plan should contain design guidelines that reflect the standards of the LUP. Modification 8.B.1 achieves this objective.

With regard to implementing landform alteration policies, because a development envelope for Area C cannot by itself minimize landform alteration and associated scenic concerns, avoidance of grading visible from Highway One and/or other coastal zone roads is also necessary. Because "avoidance" is not a prohibition against its visibility, it is necessary to add additional language to require blending of graded contours to achieve a smooth transition with the adjacent natural terrain and to ensure a natural appearance. Unnatural structural elements that would be necessary to maintain graded slopes at artificial contours (such as retaining walls) should not be visible at all from the public viewshed.

With regard to implementing policies to preserve the rural agricultural character of the rolling hill landscape west of Highway One in the City's coastal zone, it is also necessary to provide design guidance. This could be achieved by design standards that address such elements as:

- utilitarian design features;
- roofs pitched above horizontal;
- low-slung buildings separated by open spaces to break up visual massing;
- large building facades broken up by varied rooflines, offsets, and building projections that provide shadow patterns;
- large structures broken down into smaller building elements (rather than long continuous forms);
- second story building elements setback from the first story exterior;
- exterior finishes that consist of earthen tone colors that blend with the surrounding landscape (such as board and batten wood siding);
- rustic split rail fencing of rough-hewn and unpainted wood timbers (e.g., cedar).

Except for the case of future high school development, such design parameters should be easily implemented for any future uses on Area C. In the case of the proposed public school, though, the PVUSD has already made substantial investments in architectural designs and, more important, has had these designs approved by the State Architect prior to the LCP amendment process. Although the Commission would have preferred to see such design standards as those listed above implemented in the case of a public school as well, the Commission also recognizes that requiring such standards might

require the PVUSD to undergo a re-approval process from the State Architect. This could result in substantial costs and delays to the project and defeat the purpose of allowing the public school use. Therefore, no design changes that would entail a new approval from the State Architect are required.

Nonetheless, the PVUSD's architect has recently proposed certain design parameters that could be incorporated into the school design while probably not triggering the need for a new review. This includes: using natural tones to color the structures; mixing low pitched hipped and gabled roof forms on certain buildings; and introducing dissimilar materials and possibly window awnings to de-emphasize long building expanses and lines. Similarly, the Commission assumes that changes in the external treatment of structures, such as using earth tones and minimizing reflective glass, can be made without new design approvals from the State. Modification 8.B.1 provides for the incorporation of such design standards.

Also, any signs should be designed to be consistent with the architectural character of the development, designed to be an integral part of the landscape area, and compatible with the character of the surrounding scenic rural lands. Accordingly, plastic should not be used as a sign material and sign illumination, where necessary, should be the minimum required and designed to avoid off-site glare. Modification 8.B.1 provides for such design standards.

Furthermore, any site landscaping should be limited to only native plant species characteristic or indigenous to the immediate surrounding area to help evoke the sense of the surrounding rolling rural area. Such landscaping should include a mix of natives grasses, shrubs, and trees coordinated with, and complementary to, building design, and consistent with a transition to the natural landform. All landscaping should provide for screening vegetation fronting any structures that are visible from Highway One and/or other coastal zone roads. Modifications 8.B.1 and 4.B.4 provide for such landscape standards.

If so modified in all of the ways outlined here according to the cited modification texts, then the Implementation Plan as amended and as further modified is approved as being consistent with and adequate to carry out the certified Land Use Plan as amended and as further modified with respect to scenic resource policies.

5. Hazards

The Coastal Act provides for minimizing risk to life and property in high hazard areas. Portions of Area C are zones of high liquefaction, slope instability, and under the airport's flight path. The proposed amendment relies on retaining a very general, non-directive hazard avoidance policy. The effect of the proposed amendment will be to allow intensified development on the part of the site that is more prone to hazards. The amendment is thus inconsistent with the Coastal Act in that it fails to be directive to site development where the hazard risks are minimized. A modified amendment can be approved that requires further geological investigation, that moves development off of the less stable slopes, and

requires current sign-off from the State Aeronautics Program that the site is safe for a school.

A. Coastal Act Hazards and Public Safety Policies

Coastal Act Section 30252 states in part:

> ***Section 30252.*** *New development shall:*
>
> *(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
>
> *(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*
>
> *(3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.*

B. Existing and Proposed LCP Hazards and Public Safety Policies

The proposed amendment would allow an intensive public school use to occur in an area with several potential hazards. The current LCP has the following geological and safety policy:

> *Policy II.A.5 Development shall not expose people or property to hazards from landslides, soil expansion or shrinkage, flooding or subsidence, and shall not increase any such hazard which may exist in nature. A grading plan and soil stability analysis may be required at the discretion of the City Planning Department for any major construction or grading.*

The proposed amendment does not add or modify any provisions to address safety issues.

C. Background: Potentially Hazardous Conditions of the Site

1. Geological Hazards

The site is located in an area subject to geologic, flood, and fire hazard. Significant potential impacts related to geologic conditions on proposed Area F include expansive soils, ground shaking during earthquakes, liquefaction, and slope stability. The main geologic concern is from seismic shaking and to some extent from soils underlain by highly expansive clays and clayey soils. According to the EIR, "due to the presence of groundwater at depths of less than 50 feet, liquefaction should be considered a possibility in the lower-lying portions of the Area C below elevation 50, notably along Harkins Slough Road, along the extension of Hanson Slough on the westerly property line, and along the easterly

property line adjacent to the West Brach of Struve Slough.

The developable portion of the site is not subject to flooding but the roads to the site are (Lee Road, Harkins Slough Road at and below the subject site). Harkins Slough Road between Highway One and the current entrance to the subject site is within a designated flood plain of West Branch Struve Slough.

The site will be served by the Watsonville Fire Department.

2. Other Hazardous Conditions

Other potential hazardous aspects of the site include its proximity to the freeway (and a possible future freeway off-ramp) and the resulting noise, hazardous chemicals on the site from previous agricultural use (Phase I and Phase II Environmental Site Analyses (for hazardous materials) have been completed and some clean-up will have to occur), disease transmittal from mosquitos in West Branch Struve Slough, the general, rural, unlit, unsupervised setting of the site. These are not direct Coastal Act hazard concerns, but are issues to address in determining the suitability of the site for new, intensified development under Section 30250.

3. Airport Safety Issues

The site is located approximately one mile from the Watsonville airport. Part of the site is located within the airport's "departing overflight path." On a fall weekday Commission staff witnessed several planes flying over the site within an hour time period. A plane crash on the site could be a safety hazard and cause a fire.

There are specific procedures for selecting school sites near airports, based both on safety and noise. The State's "School Site Selection and Approval Guide" booklet sites "Office of Airports Manual." Basically, this requires consultation with the State Department of Transportation Aeronautics Program. There are evaluation procedures that must be followed and siting guidelines, but few objective standards for siting. Of most relevance, "if the school site is located within any of the above safety area for a planned or useable runway, or within the missed approach maneuvering area of a published instrument approach within two miles of the airport, the site will, in most cases, be recommended against." A consultation for Area C occurred in 1987. At that time the State Division of Aeronautics evaluated the subject site along with six others. They concluded:

> *Our evaluation of the six proposed school sites revealed that [the subject site is] located within the airport traffic area and considerable overflights would occur and possible overflights during operations involving instrument weather conditions. This potential of overflight with respect to noise and safety would not be compatible with school development . . . [t]he Department does object to purchase of [the subject site] for school purposes.*

Thus, the State Department of Education wrote to the School District that the subject site would not be approvable.

A subsequent evaluation was performed in 1992. At that time the Division of Aeronautics expressed "some reservations regarding" Area C "because of some safety and noise concerns." "[They] recommend that the Pajaro Valley Unified School District explore all alternative sites before considering selection of" Area C. If Area C is selected, "they recommend that steps be taken to minimize outside noise to within 45 decibels inside classrooms." "The Department cannot guarantee the safety of [Area C]". "However, based upon our evaluation of existing conditions and plan[n]ed development" Area C is "considered to provide the level of safety suitable for a school. Therefore, we do not object to the acquisition of these proposed school sites. However, if a site is not acquired by January 31, 1997 another evaluation will be required."

In 1997, the Division of Aeronautics (now called the Aeronautics Program) extended the expiration of their 1992 approval for another five years. They determined that the conclusions of their 1992 evaluation remained valid.

D. Analysis of Consistency with Coastal Act Hazards and Public Safety Policies

1. Introduction: Proposed Amendment's Effect on Hazards and Public Safety

The proposed amendment will allow for more intensive use of Area C which is close enough to the airport to raise some safety concerns. As noted above, the proposed amendment could result in 2200 or more school children possibly being placed in harm's way.

With regard to flooding, the proposed amendment could result in students and teachers being stranded on the site if the roadways leading to and from it are all flooded. The amendment is also likely to result in improvements to Harkins Slough Road, as discussed above. These improvements will require fill within the floodplain of West Branch Struve Slough unless the roadway is replaced by a bridge.

In addition, the proposed amendment would allow the development envelope to intrude in an area of potential liquefaction. This means that any development in that area could sink in the future if not properly engineered. The EIR describes the Watsonville clay, the soil underlying the site, as being highly expansive. As such, expansions and contractions resulting from wetting and drying could lead to disturbance of foundations and retaining walls, and could contribute to problems with slope stability.

2. Airport Safety Needs to Be Guaranteed

Because the proposed amendment only allows for the possibility of a future school on the site, the 1997 Aeronautics approval can not substitute for the need for possible future coordination of the City with the Aeronautics Program of CALTRANS. The Aeronautics Program only approved a generalized area as suitable for a school; it did not review a specific site plan. Given all of the modifications suggested in this report as well as other considerations, the final school layout may well appear different than the

layout that the PVUSD has prepared to date, or the general location that was provided to CALTRANS in 1992. Also, it might take PVUSD beyond the 2002 deadline to actually pursue a coastal development permit for a school. Because school siting is so integrally tied to the Aeronautics Program's authority and because safety is a significant issue it would seem at a minimum that the LCP would need at least one policy addressing airport safety compliance concerns.

3. Geologic Hazards Lack Complete Investigation

As noted, the proposed amendment results in a more intensive and expansive development. Of particular concern is that the proposed additional use is a public school, which will be occupied most days by students. While the cited LUP amendment appears to provide sufficient general guidance to address hazards, a review of the planning process that has occurred to date for Area C reveals the inadequacy of this very general policy. Again, as was found in the visual analysis above, it is possible to meet the intent of the policies under the limited amount of development that the LCP currently allows. Under the proposed amendment, though, there is the presumption that the more intensive development can occur. This raises questions about the ability to meet the LUP policy, because opportunities for avoidance of hazards are more limited with the more extensive development possibilities.

One concern is that these policies are not directive enough to have required documentation of the distribution of expansive soils. This should have been undertaken to help site structures in such a way as to minimize disturbance from such soils.

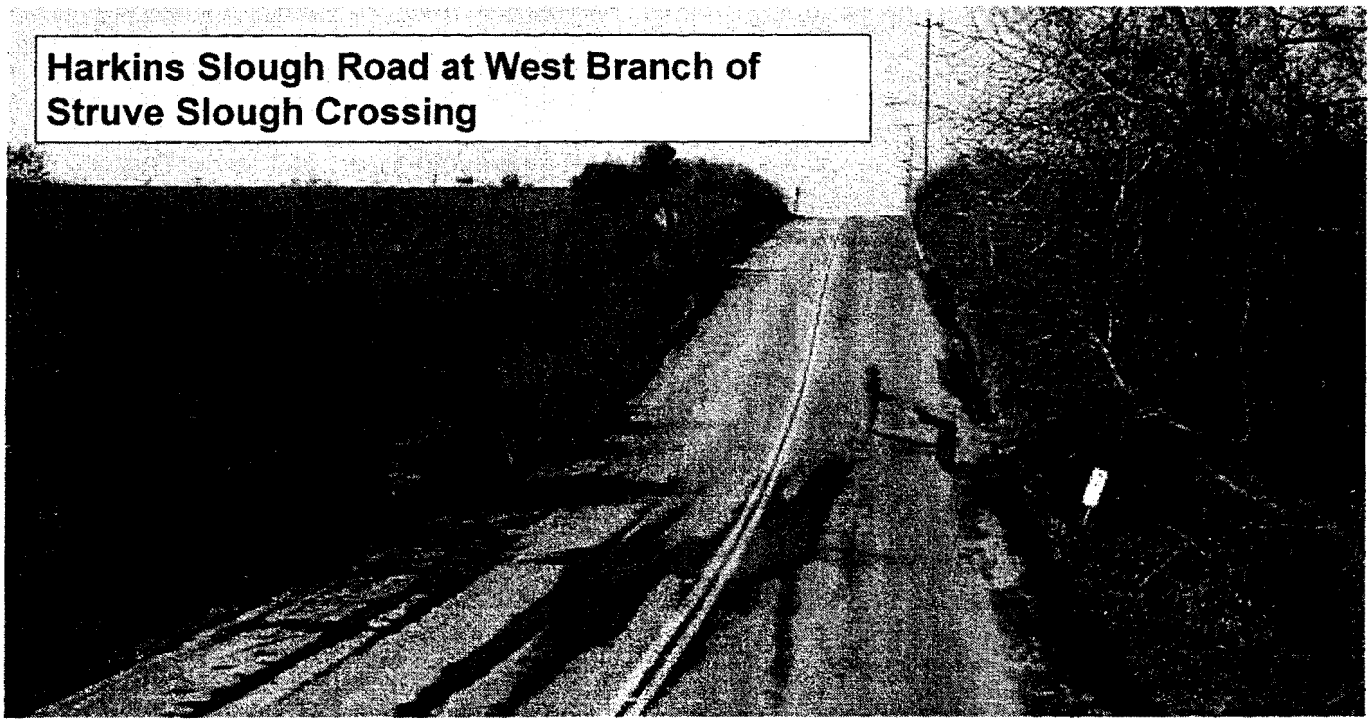
A second concern involves issues related to slope stability, including landslide hazards associated with natural slopes, those associated with grading (cut or filled slopes), and with seismically-triggered instability. Although natural slopes within the site are for the most part relatively gentle, considering the clayey soil and the discontinuities in geologic materials encountered during borings, natural slope failures are a possibility in the steeper portions of the site. Cut and fill slopes steeper than natural slopes will be at greater risks. During an earthquake, seismically-triggered slope failures are also a possibility. no failure analysis was performed and so slope stability cannot be quantitatively assessed. While the flatter northwestern portion of the site will be at least risk, the magnitude of these risks cannot be assessed without a quantitative slope failure analysis. Such an analysis should be based on geotechnical parameters measured from samples obtained at the site, for both static loads and loads imposed during seismic shaking corresponding to the maximum credible earthquake for the site. Again, the amendment is deficient in not being directive enough to have required such an analysis.

This leads to another inadequacy in the policy. It simply states that development *may* have to avoid hazardous areas. The EIR for the proposed high school indicates that soils are less clayey and more sandy (i.e., less expansive) in the western portion of proposed Area F. The site does not lie within an Alquist-Priolo Fault Zone, and no know active or potentially active faults cross the site, so the probability of surface rupture is low. Nevertheless, because the site is located in close proximity to several active faults, it will almost certainly be subject to strong ground shaking during its expected economic lifetime, and will need to be constructed to resist strong lateral motions. The Watsonville area

has had severe problems with liquefaction during previous earthquakes, most notably the Loma Prieta Earthquake in 1989. The lowland areas at the bottoms of sloughs are most susceptible, although liquefaction could also occur on more hilly terrain underlain by poorly consolidated material if the local water table is near the surface at the time of ground shaking. The areas least susceptible to liquefaction are the flat, well-drained areas underlain by sandy marine terrace deposits, such as the highest (northwestern) portion of the site. The most desirable portion for development is the flat upland in the northwestern portion of the site; here hazards associated with liquefaction, slope failure, and expansive soils are at a minimum, and grading could be kept to a minimum. The proposed amendment is not written in such a directive manner, but rather it is permissive as to future development locations.

Finally, all other Coastal Act issues aside, these findings require a development envelope different than the one that the amendment provides for, which may result in an internal inconsistency within the land use plan.

4. Flood Hazards Unresolved



A similar analysis also applies to flood hazards in that the City policy is too general to direct siting of an important use, such as a school, to an area whose access would not be compromised because of flooding. The Department of Education site approval was simply conditioned to encourage the District to provide school access via road that is not in a 100-year flood zone[107]. And the EIR for the school simply directs compliance with all applicable guidelines listed in the City's Flood Damage Prevention Ordinance and

[107] Department of Education letter, Oct. 26, 1999.

the National Flood Insurance Program. The first part of this mitigation is not relevant in that the road crossing is under the County's jurisdiction.

As noted, the amendment is likely to lead to development that will require improvements of Harkins Slough Road over West Branch Struve Slough. There are no Santa Cruz County flood policies that specifically mention roads. However, the County Code prohibits more than 50 cubic yards of fill within a floodplain. Thus, the results of the amendment may lead to a conflict with governing County local coastal program provisions.

5. Coastal Act Consistency Conclusion

Land Use Plan Amendment Inconsistent with the Coastal Act
In conclusion the proposed amendment contains no safety standards with regard to impacts from the airport while proposing greatly intensified public site use. It also contains only weak standards with regard to geologic hazard issues. This amendment must be judged on its adequacy to provide standards for any future development proposal on the subject site. In the absence of any such safety provisions the amendment can not be found consistent with the Coastal Act and therefore must be denied.

Implementation Plan Amendment Inconsistent with the Land Use Plan
A similar analysis applies to the proposed Implementation Plan amendment. Implementation provisions often contain more detail than land use plans. But in this case, the Implementation Plan does not address about airport safety. Since the proposed Implementation Plan amendment provides for increased intensities of use (in a potentially hazardous area) and since the corresponding Land Use Plan provisions are being denied, the proposed Implementation Plan amendments must be denied, because they are inconsistent with the certified Land Use Plan.

E. Modifications Required to Achieve Coastal Act Hazards and Public Safety Conformance

In order to approve a Land Use Plan amendment, it must be consistent with the Coastal Act. In order to approve an Implementation Plan amendment, it must be consistent with and adequate to carry out the Land Use Plan.

The following modifications to the Land Use Plan and corresponding Implementation Plan are required:

The modifications to protect and buffer Hanson Slough and the adjacent agricultural land may also prove to be a safety benefit as this portion of the site is in the airport flight overfly zone. Furthermore, this area is the most geologically problematic and so the modification also helps carry out Coastal Act geological hazard policies.

The modifications for habitat protection purposes to require that further evaluation of access to the site

occurs will also serve to address the flood hazard issue. The alternative of using West Airport Boulevard would result in an access route that is not subject to flooding. The modification to pursue a bridge over West Branch Struve Slough if Harkins Slough Road is improved will also be a means to avoid filling the floodplain.

Additionally, in order to ensure safety, the City should require that as a condition of coastal development permit approval of any public school on the subject site, the applicant must provide evidence of current approval from the State Aeronautics Program (see modification 4.A.2). Any approval that has a past expiration date must be re-affirmed by the Division. Any mitigation measures that are recommended to address safety must be made conditions of the coastal permit approval.

It is only through the suggested hazard and public safety LUP modifications, in concert with all other modifications suggested to alleviate other coastal resource concerns, that the proposed LUP amendment (as modified), which allows significant public school development on Area C, can be found consistent with Coastal Act Section 30253 as discussed. Likewise, it is only through the suggested hazard and public safety IP modifications, in concert with all other modifications suggested to alleviate other coastal resource concerns, that the IP can be found consistent with and adequate to carry out amended LUP hazard and public safety policies.

C. California Environmental Quality Act (CEQA)

The Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis of proposed LCP amendments, although the Commission can and does use any environmental information that the local government has developed. CEQA requires that alternatives to the proposed action be reviewed and considered for their potential impact on the environment and that the least damaging feasible alternative be chosen as the alternative to undertake.

In this case, there has been no environmental document that addresses the full extent of the proposed amendment. As described in Sections 1 and 2 of this staff report, apart from the addition of the public school use, the proposed amendment allows an intensification of use in three general categories (residential, recreational, and industrial) and in over 50 subcategories. The analysis in this report concludes that there are several Coastal Act inconsistencies with such intensifications and therefore that none are authorized. Therefore, no CEQA conclusion is necessary with regard to those aspects of the proposed amendment.

With regard to that portion of the proposed amendment that allows the new public school use (and at the intensified level), there has been an EIR prepared for a specific project, the proposed high school, as described in Section 2 of this report. The project examined in the EIR is not quite the most intensive public school use that could be allowed on Area C under the proposed LCP amendment, but it is close

enough to be representative of the impacts that would result from this portion of the proposed amendment. The EIR does not, however, comprehensively address environmental issues. For example, a comparison of the Coastal Commission staff's comment letter of August 5, 1998 and the responses listed in the Final EIR reveals several issues that are not fully resolved. This is exemplified in the detail and recommendations of this report.

In conclusion the proposed amendment as submitted with respect to allowing a public school use does not represent the least environmentally damaging feasible alternative. However, this deficiency can be corrected if the City of Watsonville adopts all of the Commission's Suggested Modifications. These modifications accomplish two objectives. First, they require that the City find that there are no feasible alternative sites for whatever public school is being applied for. Second, if that finding is made, they require that several standards be applied to the approval of a specific coastal permit for a school in order to mitigate all of the adverse environmental impacts identified. Thus, if so modified, the proposed amendment will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).

4. Staff Recommendation and Suggested Modifications

A. Staff Recommendation

Staff recommends that the Commission, after public hearing, **approve, only if modified** the proposed amendment. The Commission needs to make 4 separate motions in order to act on this recommendation.

1. Denial of Land Use Plan Major Amendment # 1-99 as Submitted

Staff recommends a **NO** vote on the motion below. Failure of this motion will result in denial of the amendment as submitted and adoption of the following resolution and the findings in this staff report. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

> ***Motion.*** *I move that the Commission* ***certify*** *Major Amendment #1-99 to the City of Watsonville Land Use Plan as submitted by the City of Watsonville.*
>
> ***Resolution to Deny.*** *The Commission hereby* ***denies*** *Major Amendment #1-99 to the City of Watsonville Land Use Plan as submitted by the City of Watsonville and adopts the findings set*

forth in this staff report on the grounds that the amendment does not conform with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment would not comply with the California Environmental Quality Act because there are feasible alternatives or mitigation measures which could substantially lessen any significant adverse effect which the Land Use Plan Amendment may have on the environment.

2. Denial of Implementation Plan Major Amendment # 1-99 as Submitted

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in rejection of Implementation Program amendment and the adoption of the following resolution and the findings in this staff report. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion. *I move that the Commission* ***reject*** *Major Amendment #1-99 to the City of Watsonville Local Coastal Program Implementation Plan as submitted.*

Resolution to Deny. *The Commission hereby* ***denies*** *certification of Major Amendment #1-99 to the City of Watsonville Local Coastal Program Implementation Plan as submitted by the City of Watsonville and adopts the findings set forth in this staff report on the grounds that, as submitted, the Implementation Plan amendment is not consistent with and not adequate to carry out the certified Land Use Plan. Certification of the Implementation Plan amendment would not comply with the California Environmental Quality Act because there are feasible alternatives or mitigation measures which could substantially lessen any significant adverse effect which the Implementation Plan Amendment may have on the environment.*

3. Approval of Land Use Plan Major Amendment # 1-99 if Modified

Staff recommends a **YES** vote on the motion below. Passage of the motion will result in the certification of the Land Use Plan amendment with suggested modifications and adoption of the following resolution and the findings in this staff report. The motion to certify with suggested modifications passes only upon an affirmative vote of the majority of the appointed Commissioners.

Motion. *I move that the Commission* ***certify*** *Major Amendment #1-99 to the City of Watsonville Land Use Plan if it is modified as suggested in this staff report.*

Resolution to Certify with Suggested Modifications. *The Commission hereby* ***certifies*** *Major Amendment #1-99 to the City of Watsonville Land Use Plan if modified as suggested and adopts the findings set forth in this staff report on the grounds that the Land Use Plan amendment with suggested modifications will meet the requirements of and be in conformity with the policies of*

Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment if modified as suggested complies with the California Environmental Quality Act because either: (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment; or (2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the Land Use Plan Amendment may have on the environment.

4. Approval of Implementation Plan Major Amendment # 1-99 if Modified

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in certification of the Implementation Program with suggested modifications and the adoption of the following resolution and the findings in this staff report. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion. *I move that the Commission* ***certify*** *Major Amendment #1-99 to the City of Watsonville Local Coastal Program Implementation Plan if it is modified as suggested in this staff report.*

Resolution to Certify with Suggested Modifications. *The Commission hereby* ***certifies*** *Major Amendment #1-99 to the City of Watsonville Local Coastal Program Implementation Plan if modified as suggested and adopts the findings set forth in this staff report on the grounds that, as modified, the Implementation Plan amendment is consistent with and adequate to carry out the certified Land Use Plan. Certification of the Implementation Plan amendment if modified as suggested complies with the California Environmental Quality Act because either: (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment; or (2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the Implementation Plan Amendment may have on the environment.*

B. Suggested Modifications

The Commission hereby suggests the following modifications to the proposed LCP amendment, which are necessary to make the requisite Coastal Act and Land Use Plan consistency findings. If the City of Watsonville accepts each of the suggested modifications within six months of Commission action, by formal resolution of the City Council, the corresponding amendment will become effective upon Commission concurrence with the Executive Director's finding that this acceptance has been properly accomplished.

Note: Where applicable, text in *italics* below represents current LCP text. Underlined text is additional text to be inserted into the LCP and ~~strikethrough~~ text is text to be deleted from the LCP.

LCP Framing Modifications

Mod 1. Retain Existing Configuration of Area C

Retain existing Area C as shown on Land Use Plan Figure 1. Do not segment Area C into two planning areas as proposed by the City in LCP Amendment Component 1. One set of standards, as revised by these modifications, shall apply within Area C. Because Area C is not to be segmented into two areas, City-proposed LCP Amendment Components 1, 4, 5, 6, 7, and 8 (which would have applied to new Area F in the Land Use Plan) and LCP Amendment Components 9, 10, 11, 12, 13, 14, 15, 16, and 17 (which would have applied to new Area F in the Implementation Plan) shall be deleted as submitted. Where relevant, the intent of these proposed amendment components, as modified to ensure Coastal Act and/or Land Use Plan consistency, are otherwise incorporated into these modifications.

Mod 2. Define New Coastal Area R – Highway One and Local Street Right-of-Ways

Explicitly identify the Highway One right-of-way, and the other local street right-of-ways, within the City's coastal zone as Area R to ensure the applicability of the LCP throughout the coastal zone. Update the Land Use Plan to take into account the fact that the Implementation Plan has since been adopted by the Coastal Commission, and to clarify the LCP's current relationship to the City's General Plan.

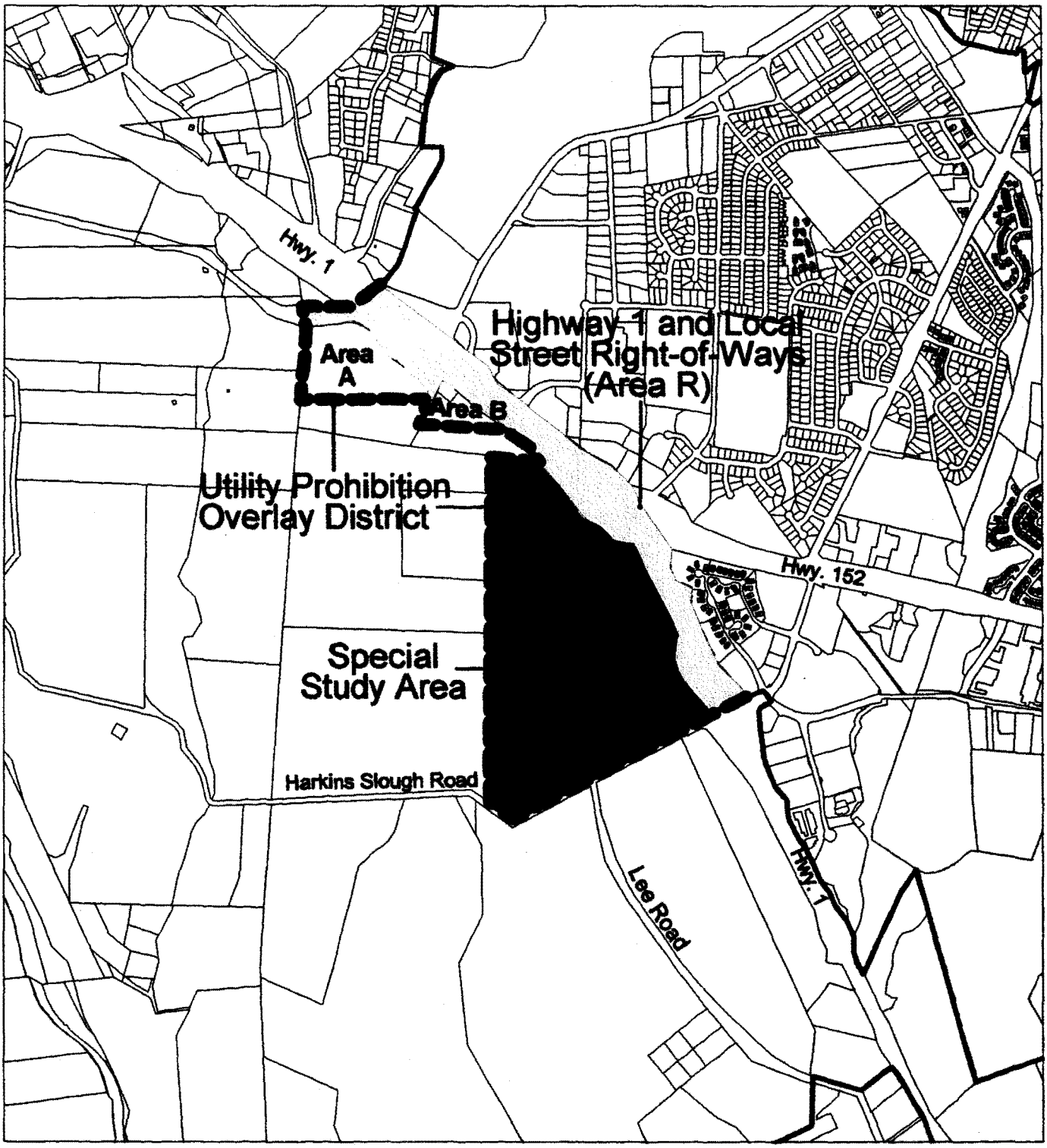
A. Land Use Plan Modifications

(1) Revise LUP Figure 1 by adding Area R as shown in Staff Report Figure 14.

(2) Modify LUP Section I ("Introduction") as follows:

This Land Use Plan (LUP) is a section of the Watsonville Local Coastal Program (LCP). It contains policies ~~which, when~~ that have been adopted by the City Council and certified by the California Coastal Commission~~, will control the~~ to ensure carefully planned development, consistent with coastal resource protection, of lands lying within the ~~five~~ six areas where the Watsonville city limits overlap the Coastal Zone~~, as defined by State law~~. (See Figure~~.~~ 1) These ~~policy statements~~ policies

Figure 14: Recommended Additional LUP and IP Designations



Special Study Area
Highway 1 and Local Street Right-of-Ways (Area R)
Utility Prohibition Overlay District
City of Watsonville
Parcels

N

1000 0 1000
Feet

Data Source: Santa Cruz County Planning Department

- NOTE -
The information depicted on this map is subject to revision. Locations approximate. For illustrative purposes only.

Technical Services Division
California Coastal Commission

GMB, 2/00

have important relationships with the Watsonville General Plan and Zoning Ordinance, with the State Coastal Act, and with the plans of individual property owners, which are summarized in the following paragraphs.

Relationship to Watsonville General Plan and Zoning Ordinance
The Watsonville Local Coastal Program (LCP) ~~will~~ consists of this LUP plus the ~~appropriate~~ zoning ~~amendments and any other implementing~~ ordinances and zoning maps contained in the adopted Local Coastal Program Implementation Plan (IP). ~~When adopted, t~~The LCP ~~will become~~ is an element of the Watsonville General Plan. However, the policies of the LCP take precedence over General Plan policies for property located in the coastal zone. ~~LUP can be certified separately by the State. Once the LUP is certified, the City may adopt procedures to grant Coastal Development Permits for development in the Coastal Zone consistent with the LUP. (Until the LUP is certified, such permits can only be granted by the California Coastal Commission.) The remainder of the LCP, consisting of implementing ordinances, can then be prepared, adopted by the City and submitted for State certification.~~*

Relationship to the California Coastal Act of 1976
~~In order to be certified by the State, t~~This LUP ~~must be~~ has been found by the California Coastal Commission to be consistent with the Coastal Act and ~~must be~~ sufficiently specific to carry out its policies as they affect the portion of the Coastal Zone within Watsonville's city limits. The LUP translates the broad Coastal Act policies into specific City policies which reflect local conditions and local priorities as established by the Planning Commission and City Council after public hearings and deliberations. The relationship of each policy to the Coastal Act is discussed in the text. All Coastal Act policies are addressed, with the exception of a few policies which are not applicable due to the properties' small size, physical isolation, and distance from the shoreline. A table of Coastal Act policies is given in Appendix A.

...

Organization of this document
The next two sections of this document present the land use policies of the LCP. To minimize repetition, policies which apply to all five areas and the Highway One and local street right-of-ways are given in Section II and additional policies which apply only to a single area are given in Section III.

(3) Add new Area R-specific Policies to Section III ("Policies Affecting Specific Areas") as follows:

AREA R

R.1 Permitted Uses
Transportation (Existing), Agriculture, Wetlands

R.2 Conditional Uses
a. Transportation (Expansion)

b. Utilities

R.3 Performance Standards for All Development

(a) New off-ramps from Highway One shall be prohibited if designed to relieve congestion generated by public school development on Area C.

(b) New off-ramps from Highway One and/or additional road capacity for any roads, offramps, or overpasses within this district (e.g., Ramport Road, Airport Boulevard off-ramp, Main Street, Harkins Slough Road overpass) shall be prohibited unless all of the following have occurred:

(i) A traffic study has been completed by a qualified transportation engineer demonstrating that there exists a severe congestion problem inland of Highway One (e.g., level of Service D at peak periods) that cannot be solved by other feasible means (including but not limited to modifying traffic signal timing and alternative transportation measures) other than the new off-ramp or road widening project;

(ii) The project includes pedestrian, bicycle, and transit components, except in the case of offramp improvements only; and

(iii) There is a current City of Watsonville-adopted, legally-binding instrument (e.g., a memorandum of understanding) that prohibits further City of Watsonville annexations west of Highway One.

(c) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas. Managed observation areas may be permitted adjacent to sensitive habitat areas, subject to an approved plan and management program that preserves sensitive habitat values and minimizes human disturbance.

(d) Except for the ESHA east of the farm road on Area C, all development shall be set back a minimum of 100 feet from any environmentally sensitive habitat area. Appropriate native trees, shrubs, and grasses shall be planted in the required setback area, consistent with a landscape plan prepared by a qualified wetland biologist, wherever development is adjacent to an environmentally sensitive habitat area, in such a manner as to provide a visual screen, impede human access and enhance bird roosting and nesting. Adjacent to running water, native riparian species are appropriate. In other areas native upland species are appropriate.

(e) All development shall be sited and designed to minimize the amount noise, lights, glare, and activity visible and/or audible within environmentally sensitive habitat areas and

their required buffers. Adequate screening (through plantings, soil berms, and/or solid wood fences) located outside of the environmentally sensitive habitat areas and their buffers shall be required to limit degradation of habitat and buffer areas, and to ensure that the amount noise, lights, glare, and activity visible and/or audible in these areas are minimized.

(f) All environmentally sensitive habitat areas and environmentally sensitive habitat area buffers shall be permanently maintained and protected. Deed restrictions or open space/conservation easements shall be required for all such buffer areas.

B. Implementation Plan Modifications

(1) Modify IP Section 9-5.702 ("Districts") as follows:

The CZ District shall be subdivided into ~~five (5)~~ six (6) areas identified in the official Coastal Land Use Plan for the City hereafter referred to as the Coastal LUP. On the City Zoning Map the lands shall be designated as follows:

(a) Area A designated CZ-A

(b) Area B designated CZ-B

(c) Area C designated CZ-C

(d) Area D designated CZ-D

(e) Area E designated CZ-E

(f) Area R designated CZ-R (Highway One and local street right-of-ways)

(2) Add the following text to IP Section 9-5.703 ("Principal Permitted Uses"):

(f) Zone R

DLU 4321 Streets, local (improvements within the existing roadway prism)

DLU 4324 Freeways (improvements within the existing roadway prism)

DLU 89 Public and Quasi-public open space

(3) Add the following text to IP Section 9-5.704 ("Conditional Uses"):

(f) Zone R

DLU 4321 Streets, local (improvements beyond the existing roadway prism)

DLU 4324 Freeways (improvements beyond the existing roadway prism)

DLU 47 Utilities, Right of way

(4) Add the following text to IP Section 9-5.705 ("Regulations"):

(r) Zone R - Performance Standards

(1) New off-ramps from Highway One shall be prohibited if designed to relieve congestion generated by public school development on Area C.

(2) New off-ramps from Highway One and/or additional road capacity for any roads, offramps, or overpasses within this district (e.g., Ramport Road, Airport Boulevard off-ramp, Main Street, Harkins Slough Road overpass) shall be prohibited unless all of the following have occurred:

(a) A traffic study has been completed by a qualified transportation engineer demonstrating that there exists a severe congestion problem inland of Highway One (e.g., level of Service D at peak periods) that cannot be solved by other feasible means (including but not limited to modifying traffic signal timing and alternative transportation measures) other than the new off-ramp or road widening project;

(b) The project includes pedestrian, bicycle, and transit components, except in the case of offramp improvements only; and

(c) There is a current City of Watsonville-adopted, legally-binding instrument (e.g., a memorandum of understanding) that prohibits further City of Watsonville annexations west of Highway One.

(3) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas. Managed observation areas may be permitted adjacent to sensitive habitat areas, subject to an approved plan and management program that preserves sensitive habitat values and minimizes human disturbance.

(4) Except for the ESHA east of the farm road on Area C, all development shall be set back a minimum of 100 feet from any environmentally sensitive habitat area. Appropriate native trees, shrubs, and grasses shall be planted in the required setback area, consistent with a landscape plan prepared by a qualified wetland biologist, wherever development is adjacent to an environmentally sensitive habitat area, in such a manner as to provide a visual screen, impede human access and enhance bird roosting and nesting. Adjacent to running water, native riparian species are appropriate. In other areas native upland species are appropriate.

(5) All development shall be sited and designed to minimize the amount noise, lights, glare, and activity visible and/or audible within environmentally sensitive habitat areas and their required buffers. Adequate screening (through plantings, soil berms, and/or solid wood fences) located outside of the environmentally sensitive habitat areas and their buffers shall be required to limit degradation of habitat and buffer areas, and to ensure that the amount noise, lights, glare, and activity visible and/or audible in these areas are minimized.

(6) All environmentally sensitive habitat areas and environmentally sensitive habitat area

buffers shall be permanently maintained and protected. Deed restrictions or open space/conservation easements shall be required for all such areas pursuant to Section 9-5.705(f)(5).

(5) Modify IP Section 9-5.705 (f)("All Zones, A through E – Performance Standards") as follows:

(f) All Zones, A through ~~E~~ R – Performance Standards. ...

(6) Revise City of Watsonville Zoning Map by adding CZ-R district as shown in Staff Report Figure 14.

Area B-Specific Modifications

Mod 3. Extension of Wastewater and Water Utilities at One Coastal Zone Location

Allow the extension of water and wastewater utilities at only one location in the City's coastal zone. Such action serves to address cumulative growth-inducing effects of the proposed amendment on Area B, and to ensure that the effects of multiple service extensions do not conflict with Coastal Act policies.

A. Land Use Plan Modifications

(1) Modify LUP Section III.B.4 ("Criteria for Visitor-Serving Commercial Development") as follows:

Visitor serving commercial use may be approved only if it is demonstrated that (a) public sewer and water services, if necessary, can and will be provided to the site, and only if such services are: (1) the minimum size necessary to serve the permitted development; and (2) provided by only one City sewer and water line under Highway One north of Beach Road (i.e., this connection must be shared by any development on Area C that also is allowed public sewer and/or water service); and (b) the proposed facility could not be located in an existing developed area and continued or renewed agricultural use is not feasible.

B. Implementation Plan Modifications

(1) Modify IP Section 9-5.705(b)(4)(b) ("Zone B - Performance Standards") as follows:

That public sewer and water services, if necessary, can and will be provided to the site, and only if such services are: (1) the minimum size necessary to serve the permitted development; (2) provided by only one City sewer and water line under Highway One north of Beach Road (i.e., this connection must be shared by any development on Area C that also is allowed public sewer and/or water service) and (3) applied for as specified in Section 9-5.705(f)(10);

Area C-Specific Modifications

Mod 4. Allow Public School on Area C as Conditional Use

Allow for a public school in Area C under specific circumstances with specific mitigations. Amend the

Land Use Plan and the Implementation Plan to: (1) allow for a public school as a conditional use; (2) allow an increase in impervious surface coverage and development on isolated steep slopes only for a public school that meets special criteria; (3) modify performance standards to define a development envelope for Area C; and (4) modify findings and criteria for any non-agricultural use.

A. Land Use Plan Modifications

(1) Replace the Area C portion of existing Land Use Plan Figure 2 with the Area C diagram shown on Figure 15 of this staff report.

(2) Modify LUP Section III ("Policies Affecting Specific Areas") as follows:

AREA C

C.1 Permitted Uses
Passive recreation; Agriculture; Aquaculture

C.2 Conditional Uses
a. Residential, subject to C.4
b. Light non-nuisance industrial park (not including outside storage), subject to C.4
c. Public schools until January 1, 2010; after January 1, 2010, public schools are not a conditional use unless they are already constructed; subject to C.4 and C.5

C.3 Performance Standards for All Development
a. Environmentally sensitive habitat areas must be kept in a natural state and protected from the incursion of humans, domestic animals and livestock, from erosion, sedimentation and contaminated runoffs and from loud noise or vehicular traffic. Peat harvesting is permitted within such areas, provided such activity does not significantly degrade those areas and is compatible with habitat preservation, and grazing of presently grazed areas may be continued but not expanded, but discing, harrowing and all structures are prohibited. Managed observation areas may be permitted adjacent to sensitive habitat areas, subject to an approved plan and management program which preserves sensitive habitat values and minimizes human disturbance. All environmentally sensitive habitat areas and environmentally sensitive habitat area buffers shall be permanently maintained and protected. Deed restrictions or open space/conservation easements shall be required for all such buffer areas. Land in environmentally sensitive habitat areas must be excluded from calculation of ~~lot size for number of units~~ density and allowable impervious surface area.
b. ~~Minimum Lot~~ Density for Conditional Residential Use: 5 (non-habitat) acres per housing unit; any subdivision or residential use beyond one unit per existing parcel is allowed only pursuant to a specific plan pursuant to Policy III.C.3.n
c. Minimum Lot for Conditional Industrial Use: ~~15 acres~~ 20,000 sq. ft; pursuant to a specific plan, pursuant to Policy III.C.3.n
d. Maximum Impervious Surface Area: 10% of lot area~~;~~ or up to 25% of lot area for a public school only (subject to LUP Policy III.C.2.c), subject to C.5; "lot area" means gross parcel

Figure 15: Recommended LUP Figure 2 Area C Replacement

ESHA*
ESHA Buffer
Agricultural Setback
Recommended Development Envelope
Farm Road
Coastal Zone Boundary

N
500 0 500
Feet

- NOTE -
The information depicted on this map is subject to revision. Locations approximate. For illustrative purposes only.

*ESHA designation over West Branch Struve Slough also protects visual resources and minimizes land form alteration.

Data Source: Watsonville LCP Major Amendment 1-99 Administrative Record.
Photo Source: Air Flight Service. 6/22/1994.

Technical Services Division
California Coastal Commission

GMB, JVC 2/00

acreage minus acreage of wetland, riparian habitat, and other environmentally sensitive habitat areas within the gross parcel acreage. Vehicular parking areas shall be minimized.

e. *Minimum setback for all development or agricultural activity from Riparian Habitat: ~~50'~~ 100'; from Wetland or Transitional Zone: 100' or to the edge of the development envelop depicted on LUP Figure 2, whichever is greater. Appropriate ~~tall~~ native trees, shrubs, and grasses shall be planted in the required setback area, consistent with a landscape plan prepared by a qualified wetland biologist, wherever development is adjacent to an environmentally sensitive habitat area, in such a manner as to provide a dense visual screen, impede human access and enhance bird roosting and nesting. Adjacent to running water, native riparian species are appropriate. In other areas ~~eucalyptus or~~ native upland species are appropriate.*

f. *Maximum Slope of Developed Portion of Lot (Before Grading): 15 feet in any 100 foot interval, except for isolated areas of slopes greater than 15% within the development envelop shown on LUP Figure 2 and if required for construction of a public school only (subject to LUP Policy III.C.2.c).*

g. *There is a possibility that specimens of the endangered Santa Cruz Tarweed exist in Area C. Prior to approval of any development, a field search for this plant shall be conducted by a qualified botanist on the lot(s) in question during the tire of year in which the plant is expected to be in bloom.*

h. *Approved erosion control measures must be utilized during construction. No excavation or grading shall be permitted during the months of October through March. All site runoff shall be captured and filtered to remove typical runoff pollutants. Runoff from all surfaces subject to vehicular traffic shall be filtered through an engineered filtration system specifically designed to remove vehicular contaminants. All filtered runoff that is suitable for groundwater recharge and/or wetland restoration purposes shall be directed to groundwater basins and/or wetlands in such a manner as to avoid erosion and/or sedimentation.*

i. *Prior to the approval of any development relying upon a septic tank or other on-site system, a specific design must be submitted supported by an engineering analysis by a licensed soils engineer which demonstrates both sufficient separation between leaching fields and winter groundwater levels to ensure that no degradation of groundwater quality will occur. Any approval of a septic tank or other on-site system must also be conditional upon compliance with any waste discharge requirements established for that system by the Regional Water Quality Control Board.*

j. *The City should work with the Wildlife Conservation Board, the Nature Conservancy, and other agencies to promote public or foundation acquisition of the upper half of the West Branch of Struve Slough in order to allow a greater degree of resource protection than is possible under private ownership.*

k. *Any development in a streambed must be conditional upon execution of and compliance with an Agreement ("1603 Agreement") with the California Department of Fish and Game under*

the requirements of Sections 1601-1603 of the California Public Resources Code.

l. Service Systems. Sewer service will probably not be required if the site is developed at the recommended densities and a septic tank system is proven feasible. ~~If~~ Sewer (only for a public school, subject to LUP Policy III.C.2.c) and/or potable water service ~~is provided,~~ may be provided only if all of the following circumstances apply to such utility(ies):

(1) ~~It must~~ They shall be financed in a way which does not require nor involve assessments against or contributions from properties along Lee Road outside of Area C, or against any agricultural property;

(2) They shall be the minimum size pipes, pumps, and any other facility(ies) necessary to accommodate the permitted use, and evidence is provided from a licensed civil engineer indicating that this is the case;

(3) They shall be designed and built to end as a hook-up to the allowed development with no other stubs on or off the site;

(4) They shall incorporate dedication of a one-foot or greater non-access easement surrounding the parcel served by the utility(ies) across which extensions of sewer service and potable water are prohibited; the non-access easement shall be dedicated to a public agency or private association approved by the City Council. The City Council must find that the accepting agency has a mandate or charter to carry out the purposes of the easement dedication (e.g., the Department of Fish and Game or a non-profit land trust would be candidate entities to accept such an easement).

(5) The wastewater connection shall emanate from only one City sewer line (no greater than six (6) inches wide if a force main, or eight (8) inches wide if a gravity line) under Highway One north of Beach Road;

(6) There is a current City of Watsonville-adopted, legally-binding instrument (e.g., a memorandum of understanding) that prohibits further City of Watsonville annexations west of Highway One;

(7) Adequate capacity is available to serve the site; for water, the result shall not be a worsening of the groundwater overdraft situation; and

(8) They must be placed within the City of Watsonville City Limits, unless all of the following occur: (1) Caltrans will not allow such lines to be installed in the Caltrans right of way within the City limits; (2) the City makes a finding that there is a one foot non-access strip surrounding the pipeline through County land which prohibits any tie-ins to the line and which is dedicated to a non-profit agency; (3) the line through the County is found consistent with the County local coastal program and have received an appealable County coastal permit; and (4) the connecting lines within the City limits comply with all other applicable provisions of this ordinance.

m. Phasing of Development. It is anticipated that market forces and development costs will delay development of this area until after the infilling of comparable lands east of Highway 1.

n. Area C is designated as a Special Study Area where all development, including subdivision or lot line adjustment, other than one residence per existing parcel is subject to a specific plan. The Specific Plan shall:

(1) Allow for non agricultural development only on the parcel(s) or portion(s) of parcel(s) found infeasible for continued or renewed agricultural use under policy III.C.4 and only within the development envelope shown on LUP Figure 2;

(2) Delineate a maximum building envelope of 8 acres within the development envelope shown on LUP Figure 2 that is found infeasible for continued or renewed agricultural use;

(3) Within the maximum building envelope, the maximum impervious surface coverage is 7 acres; the remaining 1 or more acres is for landscaping and other pervious surface uses;

(4) Allow for subdivision for residential purposes resulting in lots as small as one acre (minimum size for septic systems); provided that there is a maximum of 15 residences permitted;

(5) Allow for portions of residential parcels to extend beyond the 8 acre maximum building envelope, provided that any such portions are restricted to agricultural uses or comprise the 200 foot agricultural buffer;

(6) Allow for resubdivision of existing parcels which is encouraged to better meet these objectives;

(7) Not allow any subdivision or other adjustment of parcel lines that cannot accommodate development consistent with Area C performance standards unless the parcel is permanently protected and dedicated to agriculture or another open space use;

(8) Comply with all standards for development of Area C.

o. If improved site access is required to serve permitted development on Area C, such access shall be constructed from West Airport Boulevard and not Harkins Slough Road if this is feasible and corroborating evidence shows it to be the least environmentally damaging alternative. If this is not feasible, then the City shall recommend to Santa Cruz County that any improvements to Harkins Slough Road (including, but not limited to road widening), shall include replacing the West Branch of Struve Slough culverts under Harkins Slough Road with a bridge of adequate span to provide habitat connectivity between the West Branch of Struve Slough on Area C and the California Department of Fish and Game Reserve, unless an environmentally superior alternative to a bridge is identified; fill of any portion of the West Branch of Struve Slough is prohibited. Any Harkins Slough Road improvements at the Hanson Slough crossing shall provide adequate culverts to ensure habitat connectivity. Development shall be designed to minimize the extent of any such Harkins Slough Road improvements; improvements not necessary to serve the permitted development are prohibited. Any such road improvements shall include measures to protect habitat, and shall be sited and designed to minimize the amount noise, lights, glare, and activity visible and/or audible within the West Branch of Struve Slough; night lighting is

prohibited.

p. All development associated with Area C within unincorporated Santa Cruz County shall have a valid County Coastal Development Permit before any City Coastal Development Permit can be exercised.

q. All non-agricultural development on Area C shall be clustered within a building envelope no larger than 8 contiguous acres, with the exception that a public school (subject to LUP Policy III.C.2.c) shall be located within a building envelope no larger than 42 contiguous acres. If residential use (one residence) is proposed on a parcel in the absence of a specific plan, then it shall be located in a manner that would allow one house on each remaining parcel to be located within a 8 acre contiguous building envelope.

r. All development, other than habitat restoration activities, shall be restricted to the development envelope shown on LUP Figure 2.

s. The maximum height of any development shall be 30 feet as measured from finished grade.

C.4 Criteria for Non-Agricultural Use

Habitat preservation and restoration uses that remove agricultural land from production in or adjacent to habitat areas or on slopes are permitted, pursuant to a restoration plan prepared by a biologist. Other non-agricultural use may be permitted only if continued or renewed agricultural use is demonstrated to be infeasible because it cannot be accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors. If agricultural use on the site (or the part of the site proposed for non-agricultural use) has ceased, then non-agricultural use may be permitted only if renewed agricultural use is not feasible. An exception to making this finding may only be made to allow a public school (subject to LUP Policy III.C.2.c). Non-agricultural development within Area C shall not be allowed unless a Specific Plan (see LUP Policy III.C.3.n) is first adopted that: defines all development areas for Area C; provides permanent measures to protect areas within Area C outside of the development envelope shown on LUP Figure 2 and outside of the building envelope pursuant to C.3.q; and ensures that all plan policies will be met. Any non-agricultural use of a portion of Area C shall be sited to optimize agricultural use on the remainder of the site and on adjacent agricultural lands in unincorporated Santa Cruz County.

C.5 Criteria for an Increase in Impervious Surface Coverage and Development on Slopes

An increase in impervious surface coverage (up to 18 acres of that portion of Area C within the development envelope defined in LUP Figure 2) and development on isolated areas of slopes greater than 15% (within the development envelop shown on LUP Figure 2) on Area C may be allowed for a public school (subject to LUP Policy III.C.2.c) only if: (a) the following findings are made; and (b) the following mitigation measures are included as enforceable conditions of any coastal development permit granted for a public school:

a. Required Findings:

(1) The impervious surface coverage is the minimum necessary to accommodate a public school of a size documented as needed by the school district to serve existing and projected student populations and to meet State School Sizing Criteria;

(2) There is no feasible alternative location;

(3) The siting clusters the school as much as possible to leave as much of the non-habitat part of the site available for continued agriculture;

(4) The California Department of Transportation Aeronautics Program has determined that all areas proposed for development on the site are safe for siting public school facilities; and

(5) The design is evocative of, and designed to be compatible with, the rural agricultural character of the surrounding rolling hill landscape.

b. Required Coastal Development Permit Conditions:

(1) The public school shall include: (a) an environmental stewardship program, with an interpretive and teaching plot adjacent to the upper finger of Hanson Slough on Area C for students to conduct supervised environmental restoration; and (b) a sustainable agricultural education component (e.g., similar to that at Watsonville High School) that may include some agricultural study plots on site;

(2) There shall be no exterior night lighting, other than the minimum lighting necessary for pedestrian and vehicular safety purposes. All lighting shall be directed away from environmentally sensitive habitat areas and shall not be visible from any vantage point within environmentally sensitive habitat areas. All interior lighting shall be directed away from windows which are visible from environmentally sensitive habitat areas. All lighting shall be downward directed and designed so that it does not produce any light or glares off-site;

(3) The Applicant shall develop a wetland restoration and landscape plan with input from a qualified wetland biologist and hydrologist that incorporates, at a minimum, all of the provisions of Policy C.3.a. above and that shall provide for the restoration of all buffer areas (from environmentally sensitive habitat areas and agriculture). The plan shall be submitted and approved by the City prior to issuance of the coastal development permit. The Applicant shall post a bond with the City of sufficient amount to provide for all environmental enhancements and all mitigation measures that are identified in any final environmental document(s) certified for the project;

(4) There shall be screening between habitat and areas with human activity so that such areas shall not be visible from any vantage point within environmentally sensitive habitat areas;

(5) All site runoff shall be captured and filtered to remove typical runoff pollutants. Runoff from all surfaces subject to vehicular traffic shall be filtered through an engineered filtration system specifically designed to remove vehicular contaminants. All filtered runoff that is suitable for groundwater recharge and/or wetland restoration purposes

shall be directed to groundwater basins and/or wetlands in such a manner as to avoid erosion and/or sedimentation;

(6) Any land on Area C in excess of that consistent with the required findings above shall be used only for agricultural purposes with the 200 foot buffer from the school and the fields adjusted accordingly. If the land is purchased by a school district, the district must present a binding agreement to offer the excess land for agricultural use at no greater than fair market rents. Legal access must be provided to any remainder agricultural parcel, without any restrictions as to the farm employees' use;

(7) Any agricultural wells on Area C that would be displaced by school development shall be made available at no more than current market costs to adjacent or nearby farmers, if such farmers demonstrate a need for the water and it can be feasibly transported to their fields;

(8) The permittee shall record a deed restriction or an open space/conservation easement that provides that all agricultural and ESHA areas and their buffers shall be permanently maintained and protected. All agricultural and ESHA areas and their buffers shall be offered to appropriate resource management agencies and/or non-profit organizations along with sufficient funding to implement any mitigations or conditional requirements applicable to these areas;

(9) An agricultural hold-harmless, right-to-farm agreement shall be recorded as a deed restriction on the property;

(10) Any event at the school that exceeds the maximum permitted student and employee capacity of the school, and/or that may adversely affect adjacent habitat areas, shall require a coastal development permit and shall be subject to all Area C performance standards;

(11) There shall be a landscaping and grounds maintenance plan that provides for minimizing the use of pesticides, herbicides, and fertilizers, and protecting against adverse impacts associated with them. Such plan shall be submitted for the review and approval of the City. Pesticides and herbicides shall only be used if there is a documented problem and not on a regular preventative schedule, and shall not be applied if rain is expected. Non-chemical fertilizers are preferred. The least toxic alternatives, and the minimum necessary for the problem, shall be used in any case. The landscaping and grounds maintenance plan shall include nutrient control parameters; and

(12) All mitigation measures that are identified in any final environmental document(s) certified for the project shall be incorporated as conditions of approval. In the event that any such mitigation measures are in conflict with these required conditions and/or with any Area C or other LCP performance standards, then the conflicting portion of any such mitigation measure shall not be incorporated as a condition of approval.

Relation to Coastal Act: Area C contains two wetlands, as defined by the Coastal Commission,

and a small area of riparian habitat. All three should be regarded as environmentally sensitive habitat areas requiring special protection under Sections 30231 and 30233. Section 30231 of the Coastal Act requires the maintenance and, where feasible, restoration of water quality by minimizing the adverse effects of wastewater discharge, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas which protect riparian habitats, and minimizing the alteration of natural streams. Buffer areas area also required under Section 30240(b).

Effect on Development: The foregoing requirements will cluster development within the high, gently sloping terrace which runs along the middle of Area C where it can do the least damage to the low-lying environmentally sensitive areas, and protect the sensitive areas with buffer areas and dense planting. The large lot sizes are intended to limit the populations of people and domestic animals in close proximity with the sensitive habitats, and to allow the provision of adequately-sized septic tank leaching fields. The small maximum percentage of impervious ground water cover is intended to minimize the disruption of groundwater recharge and to avoid erosion problems due to channelization of runoff. Utility systems are encouraged not to be extended along the Lee Road from Area C in order to avoid growth-including impacts on the west side of the road. (The east side is within the State Wildlife Conservation Board acquisition.) Any public school development (subject to LUP Policy III.C.2.c) will likewise be clustered on the gently sloping terrace area at the center of Area C where it can best be hidden from the public viewshed and where its impact on adjacent agriculture and environmentally sensitive habitat can be minimized.

B. Implementation Plan Modifications

(1) Modify IP Section 9-5.704(c) ("Conditional Uses") as follows:

(c) Zone C

DLU 01	*Single family residence*
DLU 1282	*Industrial machinery, equipment, and supplies – wholesale*
DLU 19	*Industrial nonmanufacturing, miscellaneous*
DLU 3565	*Industrial pattern makers*
DLU 4213	*Industrial truck services*
DLU 432	*Highway right-of-way (within existing roadway area)*
DLU 71	*Public schools until January 1, 2010; after January 1, 2010, public schools are not a conditional use unless they are already constructed; subject to section 9-5.705(c)*

Also, any of the principal permitted uses of the IP-Industrial Park District, as of August 30, 1985, subject to the regulation of both districts, except that the height, setback and other standards of the IP district shall not supercede any of these Coastal zone regulations.

(2) Modify IP Section 9-5.705(c) ("Zone C – Performance Standards") as follows:

(1) Minimum Lot Area and Dimensions

Area per housing unit (density)	*5 acres*
Lot area per housing unit	*1 acre (see Section 9-5.705(c)(4)(h))*
Area for industrial use	*~~15 acres~~ 20,000 sq. ft.*
Frontage	*~~330~~ 100 feet*

Any development on Area C, other than habitat restoration activities, shall be confined to the development envelope shown in Land Use Plan Figure 2. All non-agricultural development on Area C shall be clustered within a building envelope no larger than 8 contiguous acres, with the exception that a public school (subject to Section 9-5.704(c)) shall be located within a building envelope no larger than 42 contiguous acres. [exclude wetland, riparian habitat, and other environmentally sensitive habitat areas from development envelope and density calculations]

(2) Minimum Yard Setbacks

Front:	*20 feet*
Interior Side:	*5 feet*
Rear:	*20 feet*

Riparian Habitat: ~~50~~ 100 feet

Wetland or Transitional Zone: 100 feet

Hanson Slough: top of slope at the edge of the development envelop depicted on Land Use Plan Figure 2

West Branch of Struve Slough: top of slope at the edge of the development envelop depicted on Land Use Plan Figure 2

(3) Maximum Building Height and Lot Coverage

Lot coverage by impervious surface: 10%, or up to 25% for a public school only (subject to Section 9-5.704(c)), subject to Section 9-5.705(c)(5). Vehicular parking areas shall be minimized.

Height: ~~2½ stories/~~30 feet as measured from finished grade, subject to Section 9-5.705(f)(3).

[exclude wetland, riparian habitat, and other environmentally sensitive habitat areas from gross parcel acreage for purposes of calculating maximum impervious surface coverage]

(3) Modify IP Section 9-5.705(c)(4) ("Special Conditions and Findings Required for Issuing a Special Use Permit") as follows:

(4) Special Conditions and Findings Required for Issuing a Special Use Permit and/or Coastal Permit:

(a) Habitat preservation and restoration uses that remove agricultural land from production in or adjacent to habitat areas or on slopes are permitted, pursuant to a restoration plan prepared by a biologist pursuant to Section 9-5.705(f)(4). For other non-agricultural use an

Agricultural Viability Report must be~~en~~ prepared and must have concluded ~~which indicates~~ that continued agricultural use is demonstrated to be infeasible pursuant to Section 9-5.815. If agricultural use on the site (or the part of the site proposed for non-agricultural use) has ceased, then non-agricultural use may be permitted only if renewed agricultural use is demonstrated to be infeasible pursuant to Section 9-5.815. An exception to making this finding may only be made to allow a public school (subject to Section 9-5.704(c)). Non-agricultural development within Area C shall not be allowed unless a Specific Plan (see Section 9-5.705(c)(4)(o)) is first adopted that: defines all development areas for Area C; provides permanent measures to protect areas within Area C outside of the development envelope shown on LUP Figure 2 and outside of the building envelope pursuant to Section 9-5.705(c)(1); and ensures that all plan policies will be met. Any non-agricultural use of a portion of Area C shall be sited to optimize agricultural use on the remainder of the site and on adjacent agricultural lands in unincorporated Santa Cruz County.

(b) Environmentally sensitive habitat areas must be kept in a natural state and protected from intrusion of humans, domestic animals and livestock (including but not limited to adequate screening to block noise, glare, lights and visibility associated with same), from erosion, sedimentation and contaminated runoff, and from loud noise or vehicular traffic. Any development activity that alters drainage patterns to the portion of Hanson Slough at the southwestern corner of Area C shall provide for restoration of this portion of Hanson Slough to a functional wetland; this shall be provided for in a Biological Restoration Plan (Section 9-5.705(f)(4)). All environmentally sensitive habitat areas shall be buffered. There is one ESHA and at least 3 ESHA buffer areas on Area C as depicted on Land Use Plan Figure 2; the following ESHA and buffering requirements shall be provided for by the Biological Restoration Plan (Section 9-5.705(f)(4)) as follows:

(1) For the ESHA area located between the top of slope at the edge of the development envelop depicted on Land Use Plan Figure 2 and the West Branch of Struve Slough: Within this ESHA, invasive exotics shall be removed and appropriate native grasses (e.g., from a native plant palette recommended by the California Department of Fish and Game) shall be planted. A weed control plan shall be implemented to increase native plant coverage. The unimproved accessways in this area shall not be improved, and, preferably, shall be removed and revegetated. No other uses shall be allowed in this area with the exception of one area of utility crossing (i.e., one wastewater pipeline, one potable water pipeline, and associated infrastructure) provided that these utilities are otherwise allowed by this ordinance. Any such area shall be the minimum width necessary to accommodate the utilities;

(2) For the buffer area located between the top of slope at the edge of the development envelop depicted on Land Use Plan Figure 2 and Hanson Slough. Within this buffer, invasive exotics shall be removed and native grasses (e.g., from a native plant palette recommended by the California Department of Fish and Game) shall be planted. Passive recreation (such as a pedestrian trail), supervised education and active wetland

restoration and research activities are allowed in this buffer;

(3) For the 100 foot buffer area around the Hanson Slough riparian area located along the western boundary of Area C. Within this buffer, invasive exotics shall be removed and native grasses (e.g., from a native plant palette recommended by the California Department of Fish and Game) shall be planted; and

(4) For the area along Harkins Slough Road east of Lee Road that acts as a buffer to the California Department of Fish and Game Ecological Preserve. Within this buffer, invasive exotics shall be removed and native trees, shrubs and native grasses (e.g., from a native plant palette recommended by the California Department of Fish and Game) shall be planted. Within this buffer, one access road of the minimum width necessary to accommodate the permitted use shall be allowed if otherwise allowed by this ordinance.

All environmentally sensitive habitat areas and environmentally sensitive habitat area buffers shall be permanently maintained and protected. Deed restrictions, open space/conservation easements, or other such legal instruments shall be required for such buffer areas.

(c) Maximum slope of developed portion of-lot (before grading): 15% except for isolated areas of slopes greater than 15% within the development envelope shown on Land Use Plan Figure 2 and if required for construction of a public school only (subject to Section 9-5.704(c)), subject to Section 9-5.705(c)(5).

(d) A field search for the endangered Santa Cruz Tarweed shall be conducted by a qualified botanist during the time of year in which the plant is expected to be in bloom (between June and October) on the lot(s) in question before approval of any development. The report of such field investigation shall be forwarded to the California Department of Fish and Game for evaluation. If any portion of the site is confirmed to be endangered plant habitat, such area shall be treated as environmentally sensitive habitat and protected from significant disruption;~~...~~"

(e) Any development relying upon a septic tank or other on-site system, shall submit a specific design and engineering analysis by a licensed soils engineer, which demonstrates both sufficient separation between leaching fields and winter groundwater levels, and that the requirements of the Regional Water Quality Board are complied with;

(f) Any development in a streambed must be conditional upon execution of and compliance with an Agreement ("1603 Agreement") with the California Department of Fish and Game under the requirements of Sections 1601-1603 of the California Public Resources Code.

(g) Appropriate ~~tall~~ native trees, shrubs, and grasses shall be planted in the required setback area, consistent with Biological Restoration Plan (Section 9-5.705(f)(4)) prepared by a qualified wetland biologist wherever development is adjacent to an environmentally sensitive habitat area, in such a manner as to provide a dense visual screen, impede human access

and enhance bird roosting and nesting. Adjacent to running water, native riparian species are appropriate. In other areas ~~eucalyptus or~~ native upland species are appropriate.

(h) Residential lots may be smaller than the allocated density to allow for clustering; any permitted residential use shall be clustered on the smallest lots possible with shared driveways and the remainder open space retained for agricultural uses; residential development shall only occur within the development envelope shown on LUP Figure 2.

(i) Sewer (only for a public school, subject to Section 9-5.704(c)) and/or potable water service may be provided only if all of the following circumstances apply to such utility(ies):

(1) They must be applied for and reviewed pursuant to Section 9-5.705(f)(10);

(2) They shall be financed in a way which does not require or involve assessments against or contributions from properties along Lee Road outside of Area C, or against any agricultural property;

(3) They shall be the minimum size pipes, pumps, and any other facility(ies) necessary to accommodate the permitted use, and evidence is provided from a licensed civil engineer indicating that this is the case;

(4) They shall be designed and built to end as a hook-up to the allowed development with no other stubs on or off the site;

(5) They shall incorporate dedication of a one-foot or greater non-access easement surrounding the parcel served by the utility(ies) across which extensions of sewer service and potable water are prohibited; the non-access easement shall be dedicated to a public agency or private association approved by the City Council. The City Council must find that the accepting agency has a mandate or charter to carry out the purposes of the easement dedication (e.g., the Department of Fish and Game or a non-profit land trust would be candidate entities to accept such an easement).

(6) They shall emanate from only one City sewer line (no greater than six (6) inches wide if a force main, or eight (8) inches wide if a gravity line) under Highway One north of Beach Road;

(7) There is a current City of Watsonville-adopted, legally-binding instrument (e.g., a memorandum of understanding) that prohibits further City of Watsonville annexations west of Highway One;

(8) Adequate capacity is available to serve the site; for water, the result shall not be a worsening of the groundwater overdraft situation; and

(9) They must be placed within the City of Watsonville City Limits.

(j) No subdivision or other adjustment of parcel lines shall be allowed which results in the creation of any parcel that cannot accommodate development consistent with Zone C performance standards unless the parcel is permanently protected pursuant to Section 9-5.705(f)(5) and dedicated to agriculture or another open space use.

(k) All development visible from Highway One and/or other coastal zone roads shall be sensitively designed and subordinate to preservation of the public viewshed. All development shall be designed to be compatible with the rural agricultural character of the surrounding rolling hill landscape (See also Section 9-5.705(f)(3)).

(l) If improved site access is required to serve permitted development on Area C, such access shall be constructed from West Airport Boulevard and not Harkins Slough Road if this is feasible and corroborating evidence shows it to be the least environmentally damaging alternative. If this is not feasible, then the City shall recommend to Santa Cruz County that any improvements to Harkins Slough Road (including, but not limited to road widening), shall include replacing the West Branch of Struve Slough culverts under Harkins Slough Road with a bridge of adequate span to provide habitat connectivity between the West Branch of Struve Slough on Area C and the California Department of Fish and Game Reserve, unless an environmentally superior alternative to a bridge is identified; fill of any portion of the West Branch of Struve Slough is prohibited. Any Harkins Slough Road improvements at the Hanson Slough crossing shall provide adequate culverts to ensure habitat connectivity. Development shall be designed to minimize the extent of any such Harkins Slough Road improvements; improvements not necessary to serve the permitted development are prohibited. Any such road improvements shall include measures to protect habitat, and shall be sited and designed to minimize the amount noise, lights, glare, and activity visible and/or audible within the West Branch of Struve Slough; night lighting is prohibited. Any such improvements to Harkins Slough Road shall be within the parameters of a Biological Restoration Plan prepared for such project pursuant to Section 9-5.705(f)(4).

(m) All development associated with Area C within unincorporated Santa Cruz County shall have a valid County Coastal Development Permit before any City Coastal Development Permit can be exercised.

(n) All site runoff shall be captured and filtered to remove typical runoff pollutants. Runoff from all surfaces subject to vehicular traffic shall be filtered through an engineered filtration system specifically designed to remove vehicular contaminants. All filtered runoff that is suitable for groundwater recharge and/or wetland restoration purposes shall be directed to groundwater basins and/or wetlands in such a manner as to avoid erosion and/or sedimentation. All requirements of Section 9-5.705(f)(8) shall be implemented.

(o) Area C is designated as a Special Study where all development, including subdivision or lot line adjustment, other than one residence per existing parcel is subject to a specific plan. The Specific Plan shall:

(1) Allow for non agricultural development only on the parcel(s) or portion(s) of parcel(s) found infeasible for continued or renewed agricultural use under policy III.C.4 and only within the development envelope shown on LUP Figure 2;

(2) Delineate a maximum building envelope of 8 acres within the development envelope

shown on LUP Figure 2 that is found infeasible for continued or renewed agricultural use;

(3) Within the maximum building envelope, the maximum impervious surface coverage is 7 acres; the remaining 1 or more acres is for landscaping and other pervious surface uses;

(4) Allow for subdivision for residential purposes resulting in lots as small as one acre (minimum size for septic systems); provided that there is a maximum of 15 residences permitted;

(5) Allow for portions of residential parcels to extend beyond the 8 acre maximum building envelope, provided that any such portions are restricted to agricultural uses or comprise the 200 foot agricultural buffer;

(6) Allow for resubdivision of existing parcels which is encouraged to better meet these objectives;

(7) Not allow any subdivision or other adjustment of parcel lines that cannot accommodate development consistent with Zone C performance standards unless the parcel is permanently protected and dedicated to agriculture or another open space use;

(8) Comply with all standards for development of Area C.

(4) Add new IP Section 9-5.705(c)(5) titled ("Criteria for an Increase in Impervious Surface Coverage and Development on Slopes") as follows:

(5) Criteria for an Increase in Impervious Surface Coverage and Development on Slopes

An increase in impervious surface coverage (up to 18 acres of that portion of Area C within the development envelope defined in LUP Figure 2) and development on isolated areas of slopes greater than 15% (within the development envelop shown on LUP Figure 2) on Area C may be allowed for a public school (subject to Section 9-5.704(c)) only if: (a) the following findings are made; and (b) the following mitigation measures are included as enforceable conditions of any coastal development permit granted for a public school:

a. Required Findings:

(1) The impervious surface coverage is the minimum necessary to accommodate a public school of a size documented as needed by the school district to serve existing and projected student populations and to meet State School Sizing Criteria;

(2) There is no feasible alternative location;

(3) The siting clusters the school as much as possible to leave as much of the non-habitat part of the site available for continued agriculture;

(4) The California Department of Transportation Aeronautics Program has determined that all areas proposed for development on the site are safe for siting public school facilities; and

(5) The design is evocative of, and designed to be compatible with, the rural agricultural character of the surrounding rolling hill landscape.

b. Required Coastal Development Permit Conditions:

(1) The public school shall include: (a) an environmental stewardship program, with an interpretive and teaching plot adjacent to the upper finger of Hanson Slough on Area C for students to conduct supervised environmental restoration; and (b) a sustainable agricultural education component (e.g., similar to that at Watsonville High School) that may include some agricultural study plots on site;

(2) There shall be no exterior night lighting, other than the minimum lighting necessary for pedestrian and vehicular safety purposes. All lighting shall be directed away from environmentally sensitive habitat areas and shall not be visible from any vantage point within environmentally sensitive habitat areas. All interior lighting shall be directed away from windows which are visible from environmentally sensitive habitat areas. All lighting shall be downward directed and designed so that it does not produce any light or glares off-site;

(3) The Applicant shall develop a wetland restoration and landscape plan with input from a qualified wetland biologist and hydrologist that incorporates, at a minimum, all of the provisions of Section 9-5.705(c)(4)(b) above and that shall provide for the restoration of all buffer areas (from environmentally sensitive habitat areas and agriculture). The plan shall be submitted and approved by the City prior to issuance of the coastal development permit. The Applicant shall post a bond with the City of sufficient amount to provide for all environmental enhancements and all mitigation measures that are identified in any final environmental document(s) certified for the project;

(4) There shall be screening between habitat and areas with human activity so that such areas shall not be visible from any vantage point within environmentally sensitive habitat areas;

(5) All site runoff shall be captured and filtered to remove typical runoff pollutants. Runoff from all surfaces subject to vehicular traffic shall be filtered through an engineered filtration system specifically designed to remove vehicular contaminants. All filtered runoff that is suitable for groundwater recharge and/or wetland restoration purposes shall be directed to groundwater basins and/or wetlands in such a manner as to avoid erosion and/or sedimentation;

(6) Any land on Area C in excess of that consistent with the required findings above shall be used only for agricultural purposes with the 200 foot buffer from the school and the fields adjusted accordingly. If the land is purchased by a school district, the district must present a binding agreement to offer the excess land for agricultural use at no greater than fair market rents. Legal access must be provided to any remainder agricultural parcel, without any restrictions as to the farm employees' use;

(7) Any agricultural wells on Area C that would be displaced by school development shall be made available at no more than current market costs to adjacent or nearby farmers, if such farmers demonstrate a need for the water and it can be feasibly transported to

their fields;

(8) The permittee shall record a deed restriction or an open space/conservation easement that provides that all agricultural and ESHA areas and their buffers shall be permanently maintained and protected (see Section 9-5.705(f)(5)). All agricultural and ESHA areas and their buffers shall be offered to appropriate resource management agencies and/or non-profit organizations along with sufficient funding to implement any mitigations or conditional requirements applicable to these areas;

(9) An agricultural hold-harmless, right-to-farm agreement shall be recorded as a deed restriction on the property pursuant to Section 9-5.705(f)(6);

(10) Any event at the school that exceeds the maximum permitted student and employee capacity of the school, and/or that may adversely affect adjacent habitat areas, shall require a coastal development permit and shall be subject to all Area C performance standards;

(11) There shall be a landscaping and grounds maintenance plan that provides for minimizing the use of pesticides, herbicides, and fertilizers, and protecting against adverse impacts associated with them. Such plan shall be submitted for the review and approval of the City. Pesticides and herbicides shall only be used if there is a documented problem and not on a regular preventative schedule, and shall not be applied if rain is expected. Non-chemical fertilizers are preferred. The least toxic alternatives, and the minimum necessary for the problem, shall be used in any case. The landscaping and grounds maintenance plan shall include nutrient control parameters; and

(12) All mitigation measures that are identified in any final environmental document(s) certified for the project shall be incorporated as conditions of approval. In the event that any such mitigation measures are in conflict with these required conditions and/or with any Area C or other LCP performance standards, then the conflicting portion of any such mitigation measure shall not be incorporated as a condition of approval.

Policies Affecting All Areas Modifications

Mod 5. Environmentally Sensitive Habitat Delineation and Buffers

Replace the Area C portion of existing Land Use Plan Figure 2 with the Area C diagram shown on Figure 15 of this staff report. Do not revise the delineation of environmentally sensitive habitat area within a portion of Area C as proposed by the City in LCP Amendment Component 3. Provide accurate descriptions of environmentally sensitive habitat areas in Watsonville's coastal zone, provide for restoration and buffering of these resources.

A. Land Use Plan Modifications

(1) Add the following paragraphs to LUP Section V.A. ("Regional Issues in Context of Coastal Act

Policies"), "Wetlands" subsection:

The Watsonville Slough System is a very important system containing significant areas of fresh and salt water wetland, marsh, and open water areas, riparian and oak woodlands, as well as dune and coastal scrub communities nearer the coast. The diversity of habitat and its coastal location along the Pacific Coast Flyway combine to make the Slough System an important resting, feeding and refuge area for migratory, seasonal and resident waterfowl. In addition, the Slough System is home to many other birds, amphibians, reptiles, and other animals – some of these species protected by the Federal and State Endangered Species Acts – which likewise utilize the diverse habitat. The rich prey base supports a high diversity of raptor and other predators. Various plant species of concern, some of these endangered as well, are also prevalent in the Slough System. The entire Watsonville Slough System has been designated by the California Department of Fish and Game as an Area of Special Biological Importance.

Several sensitive species are known to occur in the Watsonville coastal zone vicinity. Such species include: Santa Cruz long-toed salamander (Ambystoma macrodactylum croceum), a Federal and State Endangered Species; California red-legged frog (Rana aurora draytonii), a Federal Threatened Species and a State Special Concern Species; California tiger salamander (Ambystoma californiense), a Federal Candidate Species and a State Special Concern Species; Western pond turtle (Clemmys marmorata), a Federal Species of Concern and a State Special Concern Species; Tricolored blackbird (Agelaius tricolor), a Federal Species of Concern and a State Special Concern Species; and Bank swallow (Riparia riparia), a State Threatened Species.

(2) Modify LUP Section V.B. ("Issues Affecting Specific Areas in light of Coastal Act Policies"), "Area C" subsection as follows:

The west branch of Struve Slough parallels the highway and traverses across the easterly section of the property. Hanson Slough is located along the western boundary of Area C in two locations: a portion of the Hanson Slough headwaters can be found in the riparian area along the center of Area C's western boundary, and a separate upstream finger of Hanson Slough extends northward from the bend in the road at Harkins Slough Road. The Watsonville General Plan designates most of ~~this~~ the West Branch of Struve Slough area as residential and as Environmental Management in the flood plain of the slough. Although this ~~The~~ area ~~is~~ was zoned R-1 (Single Family Residential – low density) prior to LCP certification, the current LCP zoning which now applies to this area designates it as CZ-C within which agriculture, wetlands and other open space uses are the principal permitted uses.

Several sensitive species are known to occur in the Watsonville coastal zone vicinity and suitable habitat for these species has been identified on Area C. Such species include: Santa Cruz long-toed salamander (Ambystoma macrodactylum croceum), a Federal and State Endangered Species; California tiger salamander (Ambystoma californiense), a Federal Candidate Species and a State Special Concern Species; Western pond turtle (Clemmys marmorata), a Federal Species of Concern and a State Special Concern Species; Tricolored blackbird (Agelaius

tricolor), a Federal Species of Concern and a State Special Concern Species; and Bank swallow (Riparia riparia), a State Threatened Specie. In addition, at least one rare and endangered animal species has been positively identified on Area C: California red-legged frog (Rana aurora draytonii), a Federal Threatened Species and a State Special Concern Species, inhabits the upper portion of the West Branch of Struve Slough.

This group of parcels presents the largest set of questions. Though zoned for residential development, it has the most varied terrain of any of the Coastal Zone areas and is the location of the city's most valuable coastal resource, the West Branch of Struve Slough. Without question any form of development of the site would be difficult and would require preservation of the natural resources. Potential options included transfer of development rights to Area A, extremely limited light industrial development with the requisite buffer zones and flood control maintenance requirements, or designation of the entire area for environmental management....

(3) Modify LUP Appendix B ("Identification and Analysis of Environmentally Sensitive Habitats Within the Coastal Zone Portions of the City of Watsonville"), "Wetlands" subsection as follows:

...The major wetland was found as an extension of the West Branch of Struve Slough. A report on the extent of West Branch of Struve Slough resources was undertaken in 1998 ("Investigation of the Presence of Waters of the United States: New Millennium High School Site, Watsonville California" by Huffman & Associates, Inc. (dated June 1998)); this report covered only slough resources on Area C. This report did not cover any of the Highway One right-of-way (Area R). The report delineated less wetlands than were identified when the LCP was certified. However, subsequent review by the Coastal Commission identified significant environmentally sensitive upland habitat between the farm road and the bottom of West Branch Slough. Based upon the resources identified there, the Commission defined the area east of the farm road on Area C as environmentally sensitive habitat, and defined a development envelope for Area C taking into account these resources and appropriate buffers thereto. Although...

...

A seasonal wetland area is mapped at the southwest portion of ~~Parcel~~ Area C. This wetland is an upstream finger of Hanson Slough, extending northward from the bend in Harkins Slough Road at the southwestern corner of Area C, that has been graded and utilized for agriculture at various times historically. Portions of this area were in agricultural production on the site as recently as February 2000. Portions of this area were ~~Is presently~~ planted in legumes when sensitive habitats were identified at the time of original LUP certification, but codominant with these ~~are~~ were dock, and plantain species, indicating the presence of at least seasonal inundation. Red-wing blackbirds were common in this area. ~~Their presence, with the dock and plantain, indicate the area should be considered a wetland under the Coastal Act and Commission guidelines.~~ Based upon their presence, the presence of hydrophytic plants, and at least seasonal inundation, the LUP defines this area as a seasonal wetland (wetland upland interface). A perched groundwater table in tandem with the surrounding steep slopes ensure that

the hydrology of this upper finger is a constant. In fact, if agriculture were to cease in this area of Hanson Slough, and it were to be left alone, it would be expected that hydrophytic plants would reestablish in the base of the slough with moisture-tolerant grassland species extending up the slopes. In fact, even with the current unnatural cultivation of strawberries, hydrophytic weedy vegetation is already common in this area. If left alone, other wetland species would be expected to reestablish themselves.

This upland Hanson Slough resource on Area C is characterized by a steeply sloping bowl extending from the upper plateau area of Area C. This 'bowl' topographic feature continues onto the property to the west. The steep slopes funnel runoff into the slough where it then flows down to Harkins Slough Road, from there it flows adjacent to the roadway and into a culvert slightly west of the Area C boundary where it meets the main branch of Hanson Slough. Although Area C has changed significantly from what was probably a predominantly riparian landscape (marshy towards the West Branch of Struve Slough) historically, this Hanson Slough slope geomorphology remains essentially intact. It can be inferred that this sloped area has long been part of the hydrologic regime of Hanson Slough, and continues to feed this system.

Finally, the Watershed Institute at California State University Monterey Bay (CSUMB) has begun restoration of the portion or Hanson Slough directly adjacent to Area C (downslope of the upland finger on Area C). Through limited hydromodification at the lower end of the culvert under Harkins Slough Road, approximately 2 miles of wetland habitat are in the process of being restored. This restored wetland is supporting numerous native wetland plants, is visited by wetland birds, and has been used as an outdoor laboratory for wetland and water quality scientists at CSUMB and the United States Soil Conservation Service. The drainage from the disturbed finger of Hanson Slough on Area C flows directly into this downstream restoration site.

(4) Modify LUP Appendix B ("Identification and Analysis of Environmentally Sensitive Habitats Within the Coastal Zone Portions of the City of Watsonville"), "Riparian Habitats" subsection as follows:

The second riparian habitat area consists of a grove of willows along the southwestern border of Parcel C. This area is a portion of the headwaters of Hanson Slough located partially on Area C and partially on the adjacent agricultural parcel west of Area C within unincorporated Santa Cruz County. Though described as 'riparian', this area can and should be defined as wetland as well. Hanson Slough extends from Area C through unincorporated Santa Cruz County agricultural lands where it feeds into Watsonville Slough proper to the south. As noted...

(5) Modify LUP Policy 2.D.3 ("Environmentally Sensitive Habitats Areas and Water Resources"), as follows:

Development of areas adjacent to environmentally sensitive habitat areas (including but not limited to those mapped in Figure. 2) shall be sited and designed so as to prevent impacts which would significantly degrade or be incompatible with the continuance of such habitat areas.

Buffers from all such areas shall be included with all development; such buffers shall be planted in such a way as to provide functional resource value as well as to shield such sensitive habitat areas from development. Specific setback distances for development are given in Section III ("Policies Affecting Specific Areas").

B. Implementation Plan Modifications

(1) Add new IP Section 9-5.705(f)(9) ("Environmentally Sensitive Habitat Area Buffers") as follows:

All environmentally sensitive habitat areas shall be buffered; specific buffer widths are specified for each Area (i.e., Areas A, B, C, D, E, and R) of the City's coastal zone. Such buffers shall be designed to shield such sensitive habitat areas from development, and to enhance the functional resource value of the buffer and the environmentally sensitive habitat area through a Biological Restoration Plan (Section 9-5.705(f)(4)) prepared for any development adjacent to environmentally sensitive habitat areas. Uses allowed within buffers shall be limited to low-intensity restoration activities (such as removal of invasive exotic species and replanting with native trees, shrubs, plants and grasses as appropriate), unless other uses are specifically identified for any particular buffer area in the performance standards for that area (see 9-5.705(a), (b), (c), (d), (e), and (r)).

(2) Add new IP Section 9-5.705(f)(4) ("Biological Restoration Plans") as follows:

(4) Biological Restoration Plans. Any habitat restoration, enhancement, and/or buffering plans shall be prepared by a wetland biologist and hydrologist developed in consultation with and subsequently distributed for review by the Department of Fish and Game and U.S. Fish and Wildlife Service. The plans and the work encompassed in the plans shall be authorized by a coastal development permit. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the City. No changes to the approved final plans shall occur without a City-approved amendment.

The elements of such a plan shall at a minimum include:

(a) A detailed site plan of the entire habitat and buffer area with a topographic base map;

(b) A baseline ecological assessment of the habitat and buffer area, including but not limited to, assessment of biological, physical, and chemical criteria for the area;

(c) The goals, objectives, performance standards, and success criteria for the site, including specific coverage and health standards for any areas to be planted. At a minimum, explicit performance standards for vegetation, hydrology, sedimentation, water quality, and wildlife, and a clear schedule and procedure for determining whether they are met shall be provided. Any such performance standards shall include identification of minimum goals for each herbaceous species, by percentage of total plantings and by percentage of total cover when defined success criteria are met; and specification of the number of years active maintenance and monitoring will continue once success criteria are met. All performance standards shall

state in quantifiable terms the level and extent of the attributes necessary to reach the goals and objectives. Sustainability of the attributes shall be part of every performance standard. Each performance standard shall identify: (1) the attribute to be achieved; (2) the condition or level that defines success; and (3) the period over which success must be sustained. The performance standards must be specific enough to provide for the assessment of habitat performance over time through the measurement of habitat attributes and functions including, but not limited to, wetland vegetation, hydrology, and wildlife abundance.

(d) The final design, installation, and management methods that will be used to ensure the mitigation site achieves the defined goals, objectives, and performance standards;

(e) Provisions for the full restoration of any impacts that are identified as temporary necessary to install the restoration or enhancement elements;

(f) Provisions for submittal, within 30 days of completion of initial (and subsequent phases, if any of) restoration work, of "as built" plans demonstrating that the restoration and enhancement has been established in accordance with the approved design and installation methods;

(g) Provisions for a detailed monitoring program to include at a minimum provisions for assessing the initial biological and ecological status of the site. The assessment shall include an analysis of the attributes that will be monitored pursuant to the program, with a description of the methods for making that evaluation;

(h) Provisions to ensure that the site will be promptly remediated if monitoring results indicate that the site does not meet the goals, objectives, and performance standards identified in the approved mitigation program and provisions for such remediation. If the final report indicates that the mitigation project has been unsuccessful, in part, or in whole, based on the approved performance standards, the applicant shall submit a revised or supplemental mitigation program to compensate for those portions of the original program which did not meet the approved performance standards. The revised mitigation program, if necessary, shall be processed as an amendment to this coastal development permit.

(i) Provisions for submission of annual reports of monitoring results to the City for the first five years after all restoration and maintenance activities have concluded (including but not limited to watering and weeding, unless weeding is part of an ongoing long-term maintenance plan) and periodic monitoring after that time, beginning the first year after submission of the "as-built" assessment. Each report shall include copies of all previous reports as appendices. Each report shall also include a "Performance Evaluation" section where information and results from the monitoring program are used to evaluate the status of the project in relation to the performance standards.

(3) Add new IP Section 9-5.705(f)(5) ("Biological and Agricultural Easements") as follows:

(5) Biological and Agricultural Easements. Prior to issuance of a coastal development permit to

proceed with development of any site where a portion of the property has use restrictions placed on it for habitat or agricultural purposes, the landowner of the parcel(s) subject to the permit, shall have completed the following:

(a) A document shall have been executed and recorded in a form and content acceptable to the City Attorney and the Executive Director of the Coastal Commission as described below, dedicating to a public agency or private association approved by the City Council an open space and conservation easement over the specified portion of the land for the purposes established in the coastal permit findings. The City Council must find that the accepting agency has a mandate or charter to carry out the purposes of the easement dedication (e.g., the California Department of Fish and Game and the U.S. Fish and Wildlife Service would be candidate agencies to accept a habitat easement). An outright dedication or other transfer of title of the specified portion of the land can substitute for an easement. The document shall show the area of protection, both mapped and described in metes and bounds, consistent with the Local Coastal Program and coastal permit conditions. The document shall be recorded free of prior liens and any other encumbrances that the City Attorney determines may affect said interest. The document shall limit uses of and activities in the area of protection to those enumerated in the coastal permit or in a management plan or other document approved by the City as fulfilling compliance with a coastal permit condition. Provisions shall be included that permit the City staff, or in the case of habitat preservation or buffering, staff of the Department of Fish and Game and U.S. Fish and Wildlife Service, to enter and inspect the property for purposes of determining compliance with approved plans and permit.

(b) If no suitable accepting agency has been determined, then the document shall take the form of an irrevocable offer to dedicate the land (or an easement on the land) to a public agency or private association approved by the City Council. In this case, the offer shall run with the land in favor of the People of the State of California, binding all successors and assignees, and shall be irrevocable for a period of 21 years, such period running from the date of recording the offer.

(c) If a direct easement, outright dedication or other transfer of title, or irrevocable offer to dedicate the land are infeasible in the opinion of the City Attorney and the Executive Director of the Coastal Commission, then the document shall take the form of a deed restriction over the specified portion of the land for the purposes established in the coastal permit findings. The deed restriction shall include a legal description and site plan of the Permittee's entire property. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the City Attorney determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without an amendment to the coastal development permit.

(d) Review and approval by the Executive Director of the Coastal Commission of the aforementioned legal documents consistent with Section 9-5.414.

Mod 6. Limitations on Public Service Extensions

Ensure that any public service extensions in the City's coastal zone do not induce growth west of Highway One. Maintain a stable urban rural boundary by limiting public service extensions to serve development within the City of Watsonville City limits to help ensure that there will be no additional urban development outside the current western boundary of the City, thereby protecting agricultural lands from conversions to non-agricultural uses, and protecting environmentally sensitive habitats and wetlands while providing for concentrated urban development in the City.

A. Land Use Plan Modifications

(1) Modify LUP Section II.C. ("Public Works") as follows:

Special districts or City utility department service areas shall not be formed or expanded except where assessment for, and the provision of, the service would not induce new development inconsistent with the preservation of agricultural land and other coastal resources. The provision of sewer and potable water utilities in the coastal zone shall be contingent upon a current City of Watsonville-adopted, legally-binding instrument (e.g., a memorandum of understanding) that prohibits further City of Watsonville annexations west of Highway One. Any such sewer and potable water utilities shall: be the minimum size necessary to accommodate the permitted use; be designed and built without extra connection points (i.e., stub-outs) not necessary for the permitted use; be installed only in conjunction with actual construction of the development that they are to serve; incorporate dedication of a one-foot or greater non-access easement surrounding the parcel served by the utilities across which extensions of sewer service and potable water are prohibited; be placed entirely within the City of Watsonville City limits unless certain overriding exception circumstances are found; emanate from one City sewer line under Highway One north of Beach Road; and not be developed if capacity is not available to serve the permitted use.

B. Implementation Plan Modifications

(1) Add new IP Section 9-5.706 ("Utility Prohibition Overlay District") as follows:

Section 9-5.706. Utility Prohibition Overlay District.

(a) This subsection establishes a Utility Prohibition Overlay District (UPO). This is a minimum one (1) foot wide overlay district that applies to property within the Coastal Zone located along the boundary of Coastal Zone Areas A, B and C. The purpose of the Utility Prohibition Overlay District (UPO) is to maintain a stable urban rural boundary by ensuring that there will be no additional urban development outside the current western boundary of the City within the Coastal Zone, and to protect agricultural lands, environmentally sensitive habitats and wetlands while providing for concentrated urban development in the City.

(b) The regulations of the Utility Prohibition Overlay District (UPO) shall apply to all property identified in this subsection in addition to the regulations of the underlying zone or district with which the UPO District is overlaid. Where the regulations established in this district are in conflict with other zoning or land use plan regulations, the more restrictive and/or the

most protective of coastal zone resources shall apply.

(c) *Within the Utility Prohibition Overlay District (UPO), wastewater utility pipelines and potable water utility pipelines are prohibited. However, an exception can be made for one wastewater and water line to serve a new public school on Area C provided: (1) Caltrans will not allow such lines to be installed in the Caltrans right of way within the City limits; (2) the City makes a finding that there is a one foot non-access strip surrounding the pipelines through County land which prohibits any tie-ins to the line and which is dedicated to a non-profit agency; (3) the lines through the County are found consistent with the County Local Coastal Program and have received an appealable County coastal permit; and (4) the connecting lines within the City limits comply with all other applicable provisions of this ordinance.*

(2) Revise City of Watsonville zoning map to place the Utility Prohibition Overlay District (UPO) zone on the area shown in Figure 14 of this staff report.

(3) Add new IP Section 9-5.705(f)(10) ("Utility Extensions") as follows:

(a) An application for a development that requires public wastewater or water lines shall include:

(1) a plan showing the location and sizing of all water and wastewater facilities;

(2) calculations indicating the amount of water needed and wastewater generated from the development;

(3) calculations for the commensurate sizing of the utility lines;

(4) an analysis of alternative use of on-site systems;

(5) a financial plan showing estimated costs and financing means of initial installation and future maintenance.

(b) In order to approve any such public wastewater or water line, City staff shall have verified that:

(1) the facilities are sized no greater than necessary to serve the permitted development;

(2) the financial plan is sound and is not predicated on any third party funding that would induce growth inconsistent with this chapter.

(c) Any permit to approve a public wastewater or water line must be conditioned to prohibit installation to occur prior to the commencement of construction of the development that it is to serve.

Mod 7. Preservation of Agricultural Lands

Ensure that the characterization of agricultural land in the City of Watsonville's coastal zone is current, and that the various LCP protection policies are consistent with the Coastal Act, with existing site conditions, and internally consistent with the specific area policies. Ensure that the LCP has an adequate

mechanism for ensuring that there are buffers between agricultural land and development.

A. Land Use Plan Modifications

(1) Modify LUP Policy II.A.2 ("Policies Affecting All Areas") as follows:

(a) The maximum amount of prime agricultural land, including but not limited to prime agricultural land on Area C, shall be maintained in agricultural production to assure the protection of the areas agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(1) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(2) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(3) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Policy II.A.1.

(4) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(5) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(6) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

(b) Lands suitable for agricultural use (i.e., Areas A, B, and C) shall not be converted to non-agricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or ~~development would serve to~~ concentrate development consistent with Policy II.A.1. This policy shall not supercede specific policies III.B.4 and III.C.4 that apply to Areas B and C.

Relation to Coastal Act: Sections 30241 and 30242 (prime and non-prime agricultural lands)

Effect on Development: Preserves agricultural lands and reinforces Policy II.A.1 (~~There is no prime agricultural land within the present boundaries of the City's coastal zone.~~ See Section IV.A for further details.)

(2) Modify LUP Section V.A.("Regional Issues in Context of Coastal Act Policies"), "Preservation of Agricultural Land" subsection as follows:

Preservation of Agricultural Land.

Coastal Act policies provide for limiting conversions of agricultural lands, as well as establishing a stable urban-rural boundary. The Conservation Element of the Watsonville General Plan reaffirms that policy.

Three areas of the city within the Coastal Zone, Areas A, B and C, consist of 145 acres of prime range land as defined by the U.S. Department of Agriculture, as well as some cultivated agricultural ~~or non-prime farm~~ land ~~soils~~. By the definition used in the Coastal Act (Section 51201a-d of the Government Code), some of these lands ~~are~~ do not qualify as prime agricultural land ~~soils~~. Some lands are actually marginal agricultural lands, which may be seen from the amount of land not in use. However, Area C is predominantly prime agricultural land by virtue of its economic return and grazing viability.

B. Implementation Plan Modifications

(1) Add new IP Section 9-5.705(f)(6) ("Agricultural Buffers") as follows:

(6) Agricultural Buffers. Provide and maintain a buffer of at least 200 feet between agricultural land and non-agricultural uses on the property devoted to the non-agricultural uses. The setback shall incorporate vegetative or other physical barriers and be as wide as necessary as determined to minimize potential land use conflicts. The buffer area shall be permanently protected and restricted by easement or dedication pursuant to Section 9-5.705(f)(5), such document to incorporate the objectives and requirements herein. Buffer plantings or any other required barriers shall be maintained in perpetuity. Uses allowed in the buffers shall be limited to student agricultural activities, septic systems, any habitat improvements as may be specified in a habitat restoration plan (see Section 9-5.705(f)(4), and, for Area C only, one road crossing of the minimum width for public safety purposes as necessary to serve the permitted use.

(2) Add new IP Section 9-5.705(f)(7) ("Right to Farm Disclosure and Hold-Harmless Acknowledgement") as follows:

(7) Right to Farm Disclosure and Hold-Harmless Acknowledgement

(a) Intent. It is the declared policy of this City to encourage agricultural operations. It is the further intent of the City to provide to its residents, students, and workers proper notification of the City's support of those person's right to farm. Where non-agricultural land uses occur near agricultural areas agricultural operations frequently become the subjects of nuisance complaints due to lack of information about such operations. As a result, agricultural operators may be forced to cease or curtail their operations. Such actions discourage investment in farm improvements to the detriment of agricultural uses and the viability of the area's agricultural industry as a whole. It is the purpose and intent of this section to reduce the area's loss of its agricultural resources by clarifying the circumstances under which

agricultural operations may be considered a nuisance. An additional purpose of this section is to promote a good neighbor policy by advising purchasers of property of the inherent potential problems associated with the purchase, such as the noises, odors, dust, chemicals, smoke, and hours of operation that may accompany agricultural operations. It is intended that through mandatory disclosures, purchasers and users will better understand the impact of living, working, or attending school near agricultural operations and be prepared to accept attendant conditions as the natural result of living or being in or near rural lands.

(b) Findings. No agricultural activity, operation, or facility, or appurentances thereof, conducted or maintained for commercial purposes, and in a manner consistent with properly accepted customs and standards, shall be or become a nuisance, private or public, due to any changed condition in or about the locality. The term "nuisance" shall have the meaning ascribed to that term in California Civil Code Section 3479, which reads in part, "Anything which is injurious to health, or is indecent or offensive to the senses, or an obstruction to the use of property, so as to interfere with the comfortable enjoyment of life or property .. is a nuisance." The City of Watsonville has determined that the use of real property for agricultural operations is a high priority and favored use and those inconveniences or discomforts arising from said use, shall not be or become a nuisance.

(c) Disclosure Statement. The following statement shall be included on all coastal zone permits issued by the City and shall be delivered to all new purchasers or leasees of property in the coastal zone:

The City of Watsonville declares it a policy to protect and encourage agricultural operations. If your property is located near or adjacent to an agricultural operation, you may at sometimes be subject to inconvenience of discomfort arising from the operation. If conducted in a manner consistent with applicable State and local laws, said inconveniences and discomforts shall not be or become a nuisance.

(d) Acknowledgement. Prior to issuance of a coastal development permit for a non-agricultural use on a parcel adjacent to an agricultural parcel, the City shall receive proof that the following document has been recorded as a deed restriction. This statement shall be recorded and shall be binding upon the undersigned, any future owners, encumbrances, their successors, heirs, or assignees. The statements contained in this acknowledgement are required to be disclosed to prospective purchasers of the property described herein, and required to be included in any deposit receipt for the purchase of the property, and in any deed conveying the property, and distributed to all tenants, employees, students, or other uses of the said property:

The undersigned do hereby certify to be the owner(s) or Leasees of the hereinafter legally described real property located in the City of Watsonville and do hereby acknowledge and agree: (a) that the property described herein is adjacent to land utilized or designated for

agricultural purposes; (b) that residents, students, or other users of the property may be subject to inconvenience or discomfort or adverse effects arising from adjacent agricultural operations including, but not limited to, dust, smoke, noise, odors, fumes, grazing, insects, application of chemical herbicides, insecticides, and fertilizers, and operation of machinery; (c) users of the property accept such inconveniences and/or discomforts from normal, necessary farm operations as an integral part of occupying property adjacent to agricultural uses; (d) to assume the risks of inconveniences and/or discomforts from such agricultural use in connection with this permitted development; and (e) to indemnify and hold harmless the owners, lessees, and agricultural operators of adjacent agricultural lands against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any issues that are related to the agricultural land use and its impact to users of the property. It is understood that the City has established a 200 foot agricultural setback on the herein described property to separate agricultural parcels and non-agricultural uses to help mitigate, but not necessarily completely alleviate, these conflicts.

(3) Modify IP Section 9-5.815 ("Agricultural Viability Report" definition) as follows:

A report which assesses the viability of parcels as agricultural or grazing units, given existing conditions and proposed development. Viability is considered in terms of many factors, including product marketability, soils, parcel size and any other factors relevant to the particular parcel. The report shall establish a baseline of information to be used to describe the role that each factor plays as a variable influencing the site and surrounding area's viability for agricultural production. The report is prepared by a consultant according to approved City procedures. In terms of scope, the feasibility analysis should analyze both the site and the larger area's current and past productivity as an agricultural unit for the preceding five years.

Determination of the feasibility of continued or renewed agricultural use when agricultural land conversion is proposed shall be based upon an evaluation that addresses, and contains, at a minimum, ~~The report shall include an economic feasibility evaluation, containing at least both of~~ the following elements:

1. Soils

a. The identification of all soil types that are found in the area (As stated in the most recent Soil Survey published by the United States Department of Agriculture).

b. Storie index and Capability Classification ratings of all identified soil types (As stated in the most recent Soil Survey published by the United States Department of Agriculture).

c. The expected animal unit month (AUM) yield for each identified soil type (As stated in the most recent Soil Survey published by the United States Department of Agriculture).

d. The expected net dollar return for crops that are currently cultivated on each soil type.

e. An identification of crop types that could be potentially grown on each identified soil

type, and also the expected net dollar return for such crops.

f. An identification of soil types used exclusively for grazing.

g. An identification of agricultural uses in the area that are not dependent upon the soil (e.g., greenhouses), and where identified, a description of their location and nature of operation(s).

2. Geographic

a. The description of factors such as slope, temperature, adequate sunlight, length of growing season, precipitation, soil quality (depth, drainage, capability classification rating, storie index rating, texture, development, unique qualities) affecting agricultural operations in the area.

b. The description of management techniques that are currently used, or could be used, in order to improve soil quality for agricultural operations.

c. An identification of agricultural operations that use more than one parcel for production in the area, and where identified, a description of their current practice and average acreage for each individual operation.

d. A description of the relationship or proximity of agricultural and urban land uses.

3. Water

a. The availability of water in the area.

b. An identification of the water source.

c. An identification of whether poor water quality impacts agricultural operations in the area.

d. The current cost of water.

4. Access

a. Description of whether adequate access to agricultural operations in the area currently exist.

b. Where access is problematic, an identification of the nature of the conflict; and how the conflict impacts agricultural operation(s).

5. History

a. An identification of the types of agricultural operations that have taken place in the area in the past and where have they occurred.

b. An identification of how long agricultural operations have been conducted in the area.

c. An identification of those parcels that have been used for agricultural operations in the area consistently in past, and where applicable an identification of such time periods.

d. An identification of significant past management practices have been used in the area in order to affect agricultural yields.

6. Risk Factors

a. An identification of whether drought years affect agricultural operations in the area and, if so, what the cost of water is during these periods.

b. An identification of whether the costs of production and labor are unpredictable for agricultural operations in the area.

c. An identification of whether commodity prices are consistent or inconsistent from year to year for crops grown in the area.

d. An identification of whether salt water intrusion into well water supply is an issue, and if so, how it affects agricultural operations in the are.

e. An identification of whether there is a problem with crop quality in the area.

f. An identification of whether the agricultural market is volatile for crops grown in the area.

7. Economics

a. An analysis of the gross revenue from the agricultural products grown in the area for the five years immediately preceding the date of the filing of the application for coastal development; and,

b. An analysis of the operational expenses excluding the cost of land, associated with the production of the agricultural products grown in the area for the five years immediately preceding the date of the filing of the application for coastal development.

c. Cost shall be determined by, and consist of, the following variables:

1. Fixed Costs for any given crop are assumed to be constant, regardless of the annual yield. Fixed costs shall include only current costs and shall not speculate on potential future circumstances.

a. Land cost (i.e. rent, lease, property tax, etc.) shall NOT be included into the cost analysis (See Coastal Act Section 30241.5)

b. Capital costs including: 1) land improvements (i.e., fences, roads, clearing, leveling, wells and pumps, etc.); 2) equipment (i.e., trucks, tractors, buildings, special equipment (e.g. irrigation), etc.); 3) herd expenses (i.e., payment for bulls and heifers); and 4) miscellaneous expenses. Cost determination must also include depreciation and interest expenses.

c. Cultivating cost including operating costs for: 1) labor (i.e., the amount of hours necessary for planting and the rate of pay per hour including benefits); 2) materials (i.e., water, seed, feed supplements, salt, fertilizer, and pesticides); 3)

machinery; 4) fuel and repair; and 5) outside consultants (i.e., veterinary and management).

2. *Variable Costs are the harvest costs and are based on the amount of yield only. Depending on the crop yield, variable costs fluctuate for any given year. In most cases, this is expressed as the cost per unit of yield (tons, 100 weight, or pounds).*

d. Gross Revenue shall be determined by and consists of the following variables:

1. *Gross returns for each crop type as detailed in the annual crop report issued by the County Agriculture Commissioner.*
2. *Past return figures should factor in the appropriate Producer Price Index (PPI) figure in order to account to inflation over time.*

e. Evaluative methods to incorporate the above cost and revenue figures shall include:

1. *Determination of the net economic impact on private and public sectors and, second, a test for agricultural viability. Net economic impact refers to change in dollar flow within the community brought about by a given change in land use. "Net economic impact" equals total public revenues minus total public costs, plus private sector income. This should be computed according to the existing land use, the proposed development, and any viable project alternatives. This may be accomplished through the following process:*
   a. *Cost/Revenue analysis that determines public costs associated with conversion of agricultural land and also revenues generated by increases in property tax within the project site. Public service marginal costs should compute the new and/or incremental costs of adding development to the public service system, which includes the cost of capital improvements necessary to accommodate such development. This should also state, and if possible quantify, those costs or externalities not easily accounted for in cost computations. One externality could include the probable change in assessed value of parcels adjacent to the development. Public service revenues are generated by increases in property tax within the project site.*
   b. *Input/Output analysis that looks at the private sector of the areas economy in terms of its purchases and sales to other sector both locally and from outside the area. From this information, multipliers for each sector should be developed. Determination of the input figures will reveal the affect of removing the subject number of acres, for the subject crop, from agricultural production. This will reveal the effect to the private sector economy.*
2. *Determination of the minimum acreage for a viable agricultural operation (farm family approach). In order to determine net income, production costs by crop should be computed on a per acre basis and subtracted from gross market receipts expected*

from that crop, as detailed in the County Agricultural Commissioner's annual crop report. The resulting figure represents the farmer's income per acre of productive land. The per acre income figure should then be divided into the County's Median Income figure to compute the number of acres required to support a farm family.

3. *Determination of net return per acre, per crop type, for the area only. By crop type, determine gross revenue per acre for subject crop types as listed in the County Agricultural Commissioner's annual crop report. Then subtract from gross revenue figures the cost per acre associated with each crop type.*

7. *Prime Agricultural Land Determination*

a. *All agricultural land proposed for conversion to non-agricultural use shall be evaluated for a determination of whether it should be categorized as prime or non-prime agricultural land. As defined in the Coastal Act, "prime agricultural land" is "those lands defined in paragraph (1), (2), (3), or (4) of subsection (c) of Section 51201 of the Government Code" (Coastal Act Section 30113). Government Code Section 51200 – 51296, also known as the Williamson Act, lists the following definitions of prime agricultural land under the applicable four subsections of Section 51201(c):*

1. *All land that qualifies for rating as class I of class II in the Natural Resource Conservation Service land use capability classifications.*
2. *Land which qualifies for rating 80 through 100 in the Storie Index Rating*
3. *Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.*
4. *Land planted with fruit- or nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than two hundred dollars ($200) per acre.*

The report shall include maps and photos (air and site photos) of the area being evaluated that, at a minimum, identify the following on all such figures: parcel lines, parcel numbers, farm boundaries, owners and/or leassees of each parcel and/or farm, wells and/or any other water supply lines, storie ratings, Capability classifications, slopes, and roads.

For purposes of this definition, "area" means a geographic area of both the City and County of sufficient size to provide an accurate evaluation of the economic feasibility of agricultural uses for those lands included in the City's certified local coastal program.

The report shall not be considered complete until it has been submitted to, and found factually adequate by a qualified governmental reviewing authority other than the City. Examples of appropriate reviewing authorities include the Santa Cruz County Agricultural Commissioner, U.S.D.A. – Soil Conservation Service, Resource Conservation District, or the Coastal

Commission.

Mod 8. Preservation of the Public Viewshed, Minimizing Landform Alteration, and Ensuring Compatible Development

Ensure that development is sited and designed to protect public views, to minimize the alteration of the natural landform, and to ensure compatibility with the rolling rural agricultural character of the City of Watsonville coastal zone and south Santa Cruz County.

A. Land Use Plan Modifications

(1) Modify LUP Policy II.B ("Policies Affecting All Areas, Coastal Visual Resources") as follows:

New development shall be sited and designed to protect views of scenic coastal areas (including the wetlands of the Watsonville Slough complex and associated riparian areas), to minimize the alteration of natural landforms, to be visually compatible with the character of the surrounding area, and where feasible to restore and enhance the visual quality of visually degraded areas; all utilities in new development shall be placed underground, and hillsides and pervious areas shall be ~~reforested~~ revegetated through a mix of natives grasses, shrubs, and trees coordinated with, and complementary to, building design, consistent with a transition to the natural landform, and ~~where feasible and~~ compatible with view protection. All development shall be designed and sited so as to be subordinate to preservation of the rural agricultural and wetland character of the surrounding rolling hill landscape.

Relation to Coastal Act: Section 30251

Effect on Development: Scenic coastal areas afforded view protection include the wetlands of the ~~Pajaro Valley~~ Watsonville Slough complex visible from or across Areas A, B, and C. Underground placement of utilities and hillside reforestation are existing requirements of the City's Conservation Element and support the preservation of visual resources.

B. Implementation Plan Modifications

(1) Modify IP Section 9-5.705(f)(3) ("Policy II.B, Coastal Visual Resources") as follows:

(3) Policy II.B, Coastal Visual Resources. New development shall be sited and designed to protect views of scenic coastal areas; in particular, this requirement shall apply to the seaward views from State Route 1, across the wetlands and associated riparian areas of the Watsonville Slough Complex and along the Pajaro River. These existing scenic views of natural habitat and agricultural croplands shall be protected through all appropriate measures, including but not limited to:

(i) Where feasible, new structures shall be hidden from Highway 1; otherwise such development shall be screened through planting and permanent upkeep of appropriate tree species (such as native live oak which will provide, upon maturity, complete vegetative screening on a year-round basis);

(ii) All utilities (including but not limited to electrical power, telephone and cable television service connections; utility meters, electrical panels, and transformers) in new development shall be placed underground;

(iii) Advertising and commercial ~~sighs~~ signs that ~~which~~ would block views from Highway 1 and/or other coastal zone roads to the wetland and riparian and other environmentally sensitive habitat areas shown on LUP Figure~~.~~ 2, shall not be allowed. All signs shall be designed to be consistent with the architectural character of the development, designed to be an integral part of the landscape area, and compatible with the character of the surrounding scenic rural lands. Plastic shall not be used as a sign material. Sign illumination, where necessary, shall be the minimum required and shall be designed to avoid off-site glare.

(iv) Land divisions and/or lot line adjustments that would result in increased visibility of future development due to the configuration of the new parcels as seen from Highway One and/or other coastal zone roads shall be prohibited.

(v) Minimize alterations of the natural landform through avoidance of grading visible from Highway One and/or other coastal zone roads. Where grading visible from Highway One and/or other coastal zone roads cannot be avoided, such grading shall blend the contours of the finished surface with the adjacent natural terrain and landscape to achieve a smooth transition and natural appearance. Retaining walls that protrude above the level of finished grade and that would be visible from Highway One and/or other coastal zone roads shall not be allowed.

(vi) All development visible from Highway One and/or other coastal zone roads shall be sensitively designed and subordinate to preservation of the public viewshed. All development shall be designed to be compatible with the rural agricultural character of the surrounding rolling hill landscape, except that no design changes that would entail a new approval from the State Architect are required. Compatible design shall be achieved through the use of: utilitarian design features; roofs pitched above horizontal; low-slung buildings separated by open spaces to break up visual massing; large building facades broken up by varied rooflines, offsets, and building projections that provide shadow patterns; large structures broken down into smaller building elements (rather than long continuous forms); and second story building elements setback from the first story exterior. Large box-like designs, large unbroken roof lines, and/or large flat surfaces lacking architectural treatment shall not be allowed. All exterior finishes shall consist of earthen tone colors that blend with the surrounding landscape (such as board and batten wood siding). All required fencing shall be rustic split rail fencing of rough-hewn and unpainted wood timbers (e.g., cedar) with the exception that rustic wood fencing with no gaps can be utilized if such fencing is required to screen sensitive habitat areas from development.

(vii) All non-agricultural development shall include landscaping (for all areas not covered with structures) with only native plant species characteristic or indigenous to the immediate surrounding area that evoke the sense of rolling rural area. Such landscaping shall include a mix of natives grasses, shrubs, and trees coordinated with, and complementary to, building design, and consistent with a transition to the natural landform. All landscaping shall provide for screening vegetation fronting any structures that are visible from Highway One and/or other coastal zone roads. These landscape requirements shall be implemented through a landscape plan that, at a minimum, shall specify that: (a) all plantings will be maintained in good growing conditions throughout the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the plans; (b) landscaping will be kept free of weeds and invasive non-natives (such as acacia, pampas grass, and scotch broom) and shall require the removal of any such invasive non-natives that are already present on the site; (c) all landscaping will be provided with an adequate, permanent and nearby source of water which shall be applied by an installed irrigation, or where feasible, a drip irrigation system. The irrigation system shall be designed to avoid runoff, overspray, low head drainage, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways or structures.

Mod 9. Non-Point Source Polluted Runoff

Ensure that polluted runoff is adequately controlled and water quality adequately preserved so that the biological productivity of coastal water resources are maintained. Clarifies and implements Land Use Plan Policy II.D.4.

A. Land Use Plan Modifications

(1) Modify LUP Policy II.D.4(c) ("Policies Affecting All Areas, Environmentally Sensitive Habitat Areas and Water Resources") as follows:

(c) Runoff from all impervious surfaces and from all areas subject to vehicular traffic shall be collected and disposed of in a way which does not result in soil erosion or degradation of water quality. Drainage systems shall be designed to accommodate runoff from at least a 25-year storm. ~~(Proposed sedimentation, erosion and runoff standards are presented in~~ All requirements of Land Use Plan Appendix D ("Erosion Sedimentation and Runoff Controls") shall be implemented.~~)~~

(2) Add new LUP Policy II.D.4(d) ("Policies Affecting All Areas, Environmentally Sensitive Habitat Areas and Water Resources") as follows:

(d) All development shall incorporate structural and non-structural Best Management Practices (BMPs). BMPs are methods for controlling, preventing, reducing, or removing typical runoff pollutants. BMPs generally fall into two categories: source control BMPs and treatment BMPs. Source control BMPs are designed to reduce or eliminate the introduction of pollutants into runoff (e.g., regular sweeping/vacuuming of vehicle parking areas). Treatment BMPs are

designed to remove pollutants from runoff (e.g., silt fences to trap sediments at construction sites). In order of priority, all development shall: first, limit impervious surfacing and pollutant loading through good site planning; second, reduce pollutant loads through source control; and third, reduce pollutant loads through treatment controls (where appropriate).

B. Implementation Plan Modifications

(1) Add new IP Section 9-5.705(f)(8) ("Polluted Runoff Controls") as follows:

(8) Polluted Runoff Controls. All development shall incorporate structural and non-structural Best Management Practices (BMPs). BMPs are methods for controlling, preventing, reducing, or removing typical runoff pollutants. BMPs generally fall into two categories: source control BMPs and treatment BMPs. Source control BMPs are designed to reduce or eliminate the introduction of pollutants into runoff (e.g., regular sweeping/vacuuming of vehicle parking areas). Treatment BMPs are designed to remove pollutants from runoff (e.g., silt fences to trap sediments at construction sites). In order of priority, all development shall: first, limit impervious surfacing and pollutant loading through good site planning; second, reduce pollutant loads through source control; and third, reduce pollutant loads through treatment controls (where appropriate). All development is subject to the following requirements, and shall at a minimum, include the following components:

(a) BMPs shall be designed to filter and/or treat the volume of runoff produced from each and every storm event up to and including the 85th percentile 24-hour runoff event, prior to its discharge to a storm water conveyance system, with the exception that more resource-protective runoff filtration and/or treatment standards for any specific coastal zone Area shall not be superceded;

(b) Post-development peak runoff rates and volumes shall be maintained at levels similar to pre-development conditions;

(c) All runoff shall be captured and filtered to remove typical runoff pollutants. Runoff from all surfaces subject to vehicular traffic or parking shall be directed through vegetative or other media filter devices effective at removing and/or mitigating contaminants such as petroleum hydrocarbons, heavy metals, and other particulates, or shall be filtered through an engineered filtration system specifically designed to remove vehicular contaminants. All filtered runoff that is suitable for groundwater recharge and/or wetland restoration purposes shall be directed to groundwater basins and/or wetlands in such a manner as to avoid erosion and/or sedimentation;

(d) Opportunities for directing runoff into pervious areas on-site for infiltration and/or percolation of rainfall through grassy swales or vegetative filter strips shall be maximized where geotechnical concerns would not otherwise prohibit such use;

(e) Structural BMPs, other than vegetated strips consistent with a biological restoration plan, shall be placed outside of environmentally sensitive habitat buffer areas;

(f) All development shall include Erosion Control Plans which clearly identify all BMPs to be implemented during construction and their location. Such plans shall contain provisions for specifically identifying and protecting all nearby storm drain inlets and natural drainage swales (with sand bag barriers, filter fabric fences, straw bale filters, block and gravel filters, drop-inlet sediment traps, etc.) to prevent construction-related runoff and sediment from entering into these storm drains or natural drainage areas which ultimately deposit runoff into the Watsonville Slough System and/or the Pacific Ocean. Silt fences, or equivalent apparatus, shall be installed at the perimeter of all construction sites. Except for the ESHA east of the farm road on Area C, no construction activity of any kind shall take place within 100 feet of any environmentally sensitive habitat areas, or outside of the development envelope shown on Land Use Plan Figure 2. At a minimum, Erosion Control Plans shall also include provisions for stockpiling and covering of graded materials, temporary stormwater detention facilities, revegetation as necessary, restricting grading and earthmoving during the rainy season.

All Erosion Control Plans shall make it clear that: (a) dry cleanup methods are preferred whenever possible and that if wet cleanup is necessary, all runoff will be collected to settle out sediments prior to discharge from the site; all de-watering operations must require filtration mechanisms; (b) off-site equipment wash areas that provide containment and filtration of debris and wastewater are preferred whenever possible; if equipment must be washed on-site, the use of soaps, solvents, degreasers, or steam cleaning equipment should not be allowed; in any event, wash water shall not be allowed to enter storm drains or any natural drainage; (c) concrete rinsates shall be collected and shall not be allowed into storm drains or natural drainage areas; (d) good construction housekeeping shall be required (e.g., clean up all leaks, drips, and other spills immediately; refuel vehicles and heavy equipment off-site and/or in one designated location; keep materials covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather); and (e) all erosion and sediment controls shall be in place prior to the commencement of grading and/or construction as well as at the end of each day;

(g) All parking lot areas, driveways, and other areas vehicular traffic areas on site shall be swept and/or vacuumed at regular intervals and at least once prior to October 15th of each year. Any oily spots shall be cleaned with appropriate absorbent materials. All debris, trash and soiled absorbent materials shall be disposed of in a proper manner. If wet cleanup of any of these areas is absolutely necessary, all debris shall first be removed by sweeping and/or vacuuming, all storm drains inlets shall be sealed, and wash water pumped to a holding tank to be disposed of properly and/or into a sanitary sewer system (if available). All permitted uses shall have on-site appropriate spill response materials (such as booms, absorbents, rags, etc.) to be used in the case of accidental spills;

(h) All outside storage areas and loading areas shall be graded and paved and either: (1)

surrounded by a low containment berm; or (2) covered. All such areas shall be: (1) equipped with storm drain valves which can be closed in the case of a spill; or (2) equipped with a wash down outlet to the sanitary sewer (if available);

(i) All restaurants and/or food service uses shall include a plumbed wash-down area (either inside or out) connected to the sanitary sewer (if available);

(j) All BMPs shall be permanently operated and maintained. At a minimum:

(1) All BMP traps/separators and/or filters shall be inspected to determine if they need to be cleaned out or repaired at the following minimum frequencies: (1) prior to October 15th each year; (2) prior to April 15th each year; and (3) during each month that it rains between November 1st and April 1st. Clean-out and repairs (if necessary) shall be done as part of these inspections. At a minimum, all BMP traps/separators and/or filters must be cleaned prior to the onset of the storm season, no later than October 15th of each year;

(2) Debris and other water pollutants removed from BMP device(s) during clean-out shall be contained and disposed of in a proper manner; and

(3) All inspection, maintenance and clean-out activities shall be documented in an annual report submitted to the City of Watsonville Public Works Department no later than June 30th of each year.

(2) Add new IP Section 9-5.864 ("Typical Runoff Pollutants" definition) as follows:

Sec. 9-5.864. Typical Runoff Pollutants.

Typical runoff pollutants describes constituents commonly present in runoff associated with precipitation and irrigation. Typical runoff pollutants include, but are not limited to: paints, varnishes, and solvents; hydrocarbons and metals; non-hazardous solid wastes and yard wastes; sediment from construction activities (including silts, clays, slurries, concrete rinsates, etc.); ongoing sedimentation due to changes in land cover/land use; nutrients, pesticides, herbicides, and fertilizers (e.g., from landscape maintenance); hazardous substances and wastes; sewage, fecal coliforms, animal wastes, and pathogens; dissolved and particulate metals; and other sediments and floatables.

Mod 10. Coastal Development Permit Extensions, Amendments, Emergencies, and Appeals

Ensure that any coastal development permit extensions and amendments are reviewed for consistency with the LCP, and to clarify which type of projects are appealable to the Coastal Commission.

A. Implementation Plan Modifications

(1) Modify IP Section 9-5.413(b) ("Extension of Permits") as follows:

Extension of Coastal Permits. Any coastal permit may be extended for an additional period not to exceed one (1) year by the body which approved the permit. A public hearing duly noticed pursuant to the noticing requirements of Sections 9-5.404 through 9-5.408 shall be held to consider the extension. The extension request may be granted only if the reviewing body determines that there are no changed circumstances that may affect the consistency of the development with the Local Coastal Program. Notice of the reviewing body's determination of changed circumstances shall be provided consistent with the provisions of Section 9-5.412.

The determination of whether or not changed circumstances exist shall be appealable to the Coastal Commission as described in Section 9-5.410 for the following coastal permit extension requests: (a) if the original coastal permit was appealable to the Coastal Commission; or (b) if the development authorized by the original coastal permit would be appealable pursuant to Section 9-5.410 at the time the extension request is received by the City.

If the reviewing City body, or the Coastal Commission on appeal, determines that changed circumstances exist that may affect the consistency of the development with the Local Coastal Program, then the extension request shall be denied and the development shall be set for a full public hearing on the development as if it were a new application. In such a case, the Applicant shall not be required to file a new coastal permit application, but instead shall submit any information that the City, or the Executive Director of the Coastal Commission if on appeal, deems necessary to evaluate the effect of the changed circumstances.

Any extension applied for prior to the expiration of the coastal permit shall automatically extend the time for commencement of development until such time as the reviewing body has acted upon the coastal permit extension request. The Applicant shall not undertake development during the period of automatic extension.

(2) Modify IP Section 9-5.413(d) ("Modifications") as follows:

Modifications. The Zoning Administrator shall refer any request for modifications to an approved ~~project~~ coastal permit to the decision-making body that approved the coastal permit. A public hearing duly noticed pursuant to the noticing requirements of Sections 9-5.404 through 9-5.408 shall be held prior to modifying an approved coastal permit. Notice of the reviewing body's action on the request for modifications shall be provided consistent with the provisions of Section 9-5.412.

Any action on a coastal permit modification request shall be appealable to the Coastal Commission as described in Section 9-5.410 for the following coastal permit modification requests: (a) if the original coastal permit was appealable to the Coastal Commission; (b) if the development authorized by the original coastal permit would be appealable pursuant to Section 9-5.410 at the time the modification request is received by the City; or (c) if the modification

requested is such that the proposed modified project would be appealable pursuant to Section 9-5.410.

A modification request may be granted only if the reviewing body, either the City or the Coastal Commission if on appeal, determines that: (a) the proposed modification would not lessen or avoid the intended effect of the approved coastal permit; and (2) the modified project would be consistent with the Local Coastal Program. If the modification request is denied by the City, or by the Coastal Commission if on appeal, then the terms and conditions of the original coastal permit shall remain in effect.

A request for modification shall not stay the expiration date of the coastal permit for which the modification is requested.

(3) Modify IP Section 9-5.410(b)(1)(ii) ("Appeals to Coastal Commission") as follows:

(ii) Any major public works project or major energy facility~~. The phrase "major public works project or major energy facility" is the same as used in Public Resources Code Section 30603(a)(5) and these regulations shall mean any proposed public works project as defined by Section 13012 of the Coastal Commission Regulations or "energy facility" as defined by Public Resources Code Section 30107 and exceeding $50,000 in estimated cost of construction.~~ where:

(a) "Major public works" means any of the following that cost more than one hundred thousand dollars ($100,000) with an automatic increase in accordance with the Engineering News Record Construction Cost Index:

(1) All production, storage, transmission, and recovery facilities for water, sewerage, telephone, and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities.

(2) All public transportation facilities, including streets, roads, highways, public parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and stations, bridges, trolley wires, and other related facilities.

(3) All publicly financed recreational facilities, all projects of the State Coastal Conservancy, and any development by a special district.

(4) All community college facilities.

(b) Notwithstanding the criteria in (a), "major public works" also means publicly financed recreational facilities that serve, affect, or otherwise impact regional or statewide use of the coast by increasing or decreasing public recreational opportunities or facilities.

(c) "Major energy facility" means any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other source of energy that costs more than one hundred thousand dollars ($100,000) with

an automatic increase in accordance with the Engineering News Record Construction Cost Index.

(4) Modify IP Section 9-5.304 ("Exemptions" [from coastal permit requirements]) as follows:

(q) Sidewalks and Bikeways. Maintenance, repair and construction of all sidewalks and bikeways within public rights-of-way, except for new construction beyond the developed edge of the roadway or within sensitive habitat areas.

(r) Special events. Except where the event will be of a different use and/or greater intensity than the permitted development where it is to be held or where the City determines that the event has the potential to:

(1) Either individually or together with other temporary events scheduled before or after the particular event precludes the general public from use of a public recreational area for a significant period of time;

(2) The event and its associated activities or access requirements will either directly or indirectly impact environmentally sensitive habitat areas, rare or endangered species, significant scenic resources, or other coastal resources; or

(3) The event is scheduled between Memorial Day weekend and Labor Day and would restrict public use of roadways or parking area or otherwise significantly impact public use or access to coastal waters.

(5) Modify IP Section 9-5.411(f) ("Emergency Permits") as follows:

The Planning Director may grant an emergency permit based upon reasonable terms and conditions, including language indicating that the work accomplished under an emergency permit is considered temporary unless a regular permit is issued for the work, an expiration date and the necessity for a regular permit application later...

Exhibit A: Proposed LCP Amendment
Exhibit B: Selected Existing LCP Policies (LUP Sections II & III, IP Sections 9-5.702 through 9-5.705)
Exhibit C: Existing LUP Figure 2 (LCP's Environmentally Sensitive Habitats Map)
Exhibit D: Commission Staff Correspondence on Project
Exhibit E: December 9, 1999 LCP Amendment Time Extension Hearing
Exhibit F: Pajaro Valley Unified School District Boundaries
Exhibit G: Proposed PVUSD High School Grading Plan, Site Plan, Elevations, Renderings
Exhibit H: California Department of Education Correspondence
Exhibit I: CEQA Lawsuit Correspondence
Exhibit J: California Department of Transportation, Aeronautics Program Correspondence
Exhibit K: California Department of Fish & Game Correspondence
Exhibit L: United States Fish & Wildlife Service Correspondence
Exhibit M: Dr. Robert Curry Correspondence
Exhibit N: City and School District ESHA Correspondence

Exhibit A
Proposed LCP Amendment
(12 Pages)

Watsonville Local Coastal Program: Proposed Amendments

Coastal Land Use Plan Amendments

[Proposed amendment #1: Amend Figure 1 of Section I of the Coastal Land Use Plan to designate part of existing Coastal Area C as new Coastal Area F as shown in Attachment 1.]

[Proposed amendment #2: Amend Section II.A.2 of the Coastal Land Use Plan to read as follows:]

II. POLICIES AFFECTING ALL AREAS

A. Planning and Locating New Development and Agriculture

2. Lands suitable for agricultural use shall not be converted to non-agricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such development would ~~serve to concentrate development consistent with Policy 1~~ preserve prime agricultural land or concentrate development consistent with Policy II.A.1."

Relation to Coastal Act: Section 30242 (non-prime lands)

Effect on Development: Reinforces Policy A.1 (There is no prime agricultural land within the present boundaries of the City's coastal zone. See Section VA for further details.)

Relationship to Coastal Act: The Watsonville Disposal Site is a permitted Class II-2 sanitary landfill operating under Waste Discharge Requirements of the Regional Water Quality Control Board. Eventually the site will be closed and the land reclaimed. The site overlaps a portion of the Gallighan Slough riparian zone, which is identified in the County LCP as a sensitive riparian habitat, and requires protection under Section 30231 and 30233, and buffering under Section 30240(b). The riparian portion of the site will be left undisturbed by the city landfill.

Effect on Development: New development must include measures to protect the riparian portion of the site and the adjacent riparian habitat areas.

[Proposed amendment #3: Amend Figure 2 of Section II.D.1 of the Coastal Land Use Plan to include Figure 2, Part 2, to revise the delineation of environmentally-sensitive habitat in Coastal Area F as shown in Attachment 2. See enclosed report by Huffman & Associates, Inc. entitled: Investigation of the Presence of Waters of the United States, June 1998.*]*

[Proposed amendments #4, #5, #6, #7, and #8:

Amendment #4 -- Amend Section III of the Coastal Land Use Plan by adding Section III, Area F to read as set forth below;

Amendment #5 -- Amend new Subsection III.F.2 to add "Public school" as a conditional use in Area F;

Amendment #6 -- Amend new Subsection III.F.3.d to allow up to 50 percent maximum imperious surface in Area F;

Amendment #7 -- Amend new Subsection III.F.3.f to allow development of areas with up to 25 percent slope in Area F;

Amendment #8 -- Amend new Subsection III.F.4 to discourage conversion of prime agricultural land.]

[Amendment #4]

AREA F

F.1 Permitted Uses

Passive Recreation

Agriculture

Aquaculture

F.2 Conditional Uses

Residential, subject to F.4

Light non-nuisance industrial park (not including outside storage), subject to F.4.

[Public Schools, subject to F.4 Amendment #5]

F.3 Performance Standards for all Development

a. Environmentally sensitive habitat areas must be kept in a natural state and protected from the incursion of humans, domestic animals and livestock, from erosion, sedimentation and contaminated runoff, and from loud noise

or vehicular traffic. Peat harvesting is permitted within such areas and grazing of presently grazed areas may be continued but not expanded, but discing, harrowing and structures are prohibited. Managed observation areas may be permitted adjacent to sensitive habitat areas, subject to an approved plan and management program which preserves sensitive habitat values and minimizes human disturbance. Land in environmentally sensitive habitat areas must be excluded from calculation of lot size for number of units and allowable impervious surfaces area.

b. Minimum Lot for Residential Use: 5 acres per housing unit.

c. Minimum Lot for Industrial Use: 15 acres

d. [Maximum Impervious Surface Area: ~~10%~~ 50% of lot area Amendment #6]

e. Minimum setback for all development or agricultural activity from Riparian Habitat: 50'; from Wetland or Transitional Zone: 100'. Appropriate tall trees shall be planted in the required setback area whenever development is adjacent to an environmentally sensitive habitat area, in such a manner as to provide a dense visual screen, impede human access and enhance bird roosting and nesting. Adjacent to running water, native riparian species are appropriate.

f. [Maximum Slope of Developed Portion of Lot (before grading): ~~15~~ 25 feet in any 100 foot interval Amendment #7]

g. There is the possibility that specimens of the endangered Santa Cruz Tarplant exist in Area F. Prior to approval of any development, a field search for this plant shall be conducted by a qualified botanist on the lot(s) in question during the time of year in which the plant is expected to be in bloom.

h. Approved erosion control measures must be utilized during construction. No excavation or grading shall be permitted during the months of October through March.

i. Prior to the approval of any development relying upon a septic tank system, a specific design must be submitted supported by an engineering analysis by a licensed soils engineer which demonstrates both sufficient separation between leaching fields and winter groundwater levels to ensure that no degradation of groundwater quality will occur. Any approval of a septic tank system must also be conditional upon compliance with any waste discharge requirements established for that system by the Regional Water Quality Control Board.

j. The City should work with the Wildlife Conservation Board, the Nature Conservancy, and other agencies to promote public or foundation acquisition of the upper half of the West Branch of Struve Slough in order to allow a greater degree of resource protection than is possible under private ownership.

k. Any development in a stream bed must be conditional upon execution of and compliance with an Agreement ("1603 Agreement") with the California Department of Fish and Game under the requirements of Sections 1601-1603 of the California Public Resources Code.

l. Service Systems

Sewer service will probably not be required if the site is developed at the recommended densities and a septic tank system is proven feasible. If sewer service is provided, it must be financed in a way that does not require assessment against properties along Lee Road outside of Area F, or against any agricultural property.

m. Phasing of Development

It is anticipated that market forces and development costs will delay development of this area until after the in filling of comparable land east of Highway 1.

F.4 Criteria for Non-Agricultural Use

~~Non-agricultural use may be permitted only if continued agricultural use is demonstrated to be feasible.~~

[Lands suitable for agricultural use shall not be converted to non-agricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such development would preserve prime agricultural land or concentrate development consistent with Policy II.A.1." Amendment #8]

Coastal Zone Implementation Plan Amendments

[Proposed amendment #9: Amend Section 9-5.702 (District) by referring to six new areas, instead of five, and by adding a new Subsection (f) to Section 9-5.702 to read as follows:]

Sec. 9-5.702. District.

The CZ District shall be subdivided into ~~five (5)~~ six (6) areas identified in the official Coastal Land Use Plan for the City, referred to in this article as the Coastal LUP. On the City Zoning Map the lands shall be designated as follows:

(a) Area A designated CZ-A;

(b) Area B designated CZ-B;

(c) Area C designated CZ-C;

(d) Area D designated CZ-D;

(e) Area E designated CZ-E;

(f) Area F designated CZ-F.

[Proposed amendment #10: Amend Section 9-5.703 (Principal Permitted Uses) by adding a new Subsection (f) to Section 9-5.703 to read as follows:]

Sec. 9-5.703. Principal permitted uses.

(f) *Zone F.*

GLU	81	Parks, public
GLU	86	Open lands, publicly owned, and privately owned aquaculture facilities
GLU	89	Public and quasi-public open space
GLU	91	Irrigated agriculture
GLU	92	Non-irrigated agriculture
GLU	93	Pasture and native grasses
GLU	94	Animals, agriculture
GLU	98	Wetlands

[Proposed amendment #11: Amend Section 9-5.704 (Conditional Uses) by adding a new Subsection (f) to read as follows:]

Sec. 9-5.704. Conditional uses.

(f) *Zone F.*

DLU	01	Single-family residences
DLU	1282	Industrial machinery, equipment, and supplies, wholesale
DLU	19	Industrial nonmanufacturing, miscellaneous
DLU	3565	Industrial pattern makers
DLU	4213	Industrial truck services
DLU	432	Highway right-of-way (within the existing roadway area)
DLU	71	Public Schools [<--- new use allowed]

Also any of the principal permitted uses of the IP-Industrial Park District, subject to the regulation of both districts.

[Proposed amendments #12, #13, #14, #15, and #16:

Amendment #12 -- Amend Section 9-5.705 (Regulations) by redesignating existing Subsection (f) to be "Subsection (g)" and by inserting new Subsection (f) (Zone F. Performance Standards) to read as set forth below;

Amendment #13 -- Amend Section 9-5.705.f.3 to allow up to 50 percent maximum impervious surface in Area F;

Amendment #14 -- Amend Section 9-5.705.f.4.i to discourage conversion of prime agricultural land;
Amendment #15 -- Amend Section 9-5.705.f.4.ii to allow alteration of riparian areas less than 0.01 acres in size in Area F.]
Amendment #16 -- Amend Section 9-5.705.f.4.iii to allow development of areas with up to 25 percent slope in Area F.]

[Amendment #12]

Sec. 9-5.705. Regulations.

(f) *Zone F. Performance standards.*

(1) Minimum lot area and dimensions:

Area per housing unit	5 acres
Area for industrial uses	15 acres
Frontage	330 acres

(Exclude wetland riparian habitat and other environmentally sensitive habitat areas)

(2) Minimum yard setbacks:

Front	20 feet
Interior side	5 feet
Rear	20 feet
Riparian habitat	50 feet
Wetland or Transition Zone	100 feet

(3) [Maximum building height and lot coverage: Lot coverage by impervious surface ~~10%~~ 50%

Amendment #13]

Height	2½ stories/ 30 feet

(Exclude wetland riparian habitat and other environmentally sensitive areas)

(4) Special conditions and findings required for issuing Special Use Permits:

(i) For nonagricultural uses, ~~an agricultural viability report has been prepared which indicates that continued agricultural use is demonstrated to be infeasible~~ [either an

agricultural viability report has been prepared which indicates that continued agricultural use is demonstrated to not be feasible, or such use would preserve prime agricultural land or concentrate development consistent with Section II of the Land Use Plan; Amendment #14]

(ii) [That environmentally sensitive habitat areas less than 0.1 acre in size be developed, provided such areas are replaced at a minimum 2:1 ratio; Amendment #15]

(iii) [Maximum slope of the developed portion of the lot (before grading): ~~fifteen (15%)~~ twenty-five (25%) percent; Amendment #16]

(iv) A field search for the endangered Santa Cruz Tarweed shall be conducted by a qualified botanist during the time of the year in which the plant is expected to be bloom (between June and October) on the lot(s) in question before approval of any development. The report of such field investigation shall be forwarded to the State Department of Fish and Game for evaluation. If any portion of the site is confirmed to be endangered plant habitat, such area shall be treated as environmentally sensitive habitat and protected from significant disruption;

(v) Any development relying upon a septic tank system, shall submit a specified design and engineering analysis by a licensed soils engineer which demonstrates both sufficient separation between leaching fields and winter groundwater levels, and that the requirements of the Regional Water Quality Control Board are complied with;

(vi) Any development in a streambed shall be conditional upon execution of and compliance with an agreement ("1603 Agreement") with the State Department of Fish and Game under the requirements of Sections 1601 through 1603 of the Public Resources Code of the State; and

(vii)Appropriate tall trees shall be planted in the required setback area wherever development is adjacent to an environmentally sensitive habitat area, in such a manner as to provide a dense visual screen to impede human access and enhance bird roosting and nesting. Adjacent to the running water, native riparian species are appropriate. In other areas, eucalyptus or native upland species are appropriate."

[Proposed amendment #17: Amend newly renumbered Subsection (g) of Section 9-5.705 (Regulations) by adding Zone F to its title to read as follows:]

(g) *All Zones, A through ~~D~~ F. Performance standards.*

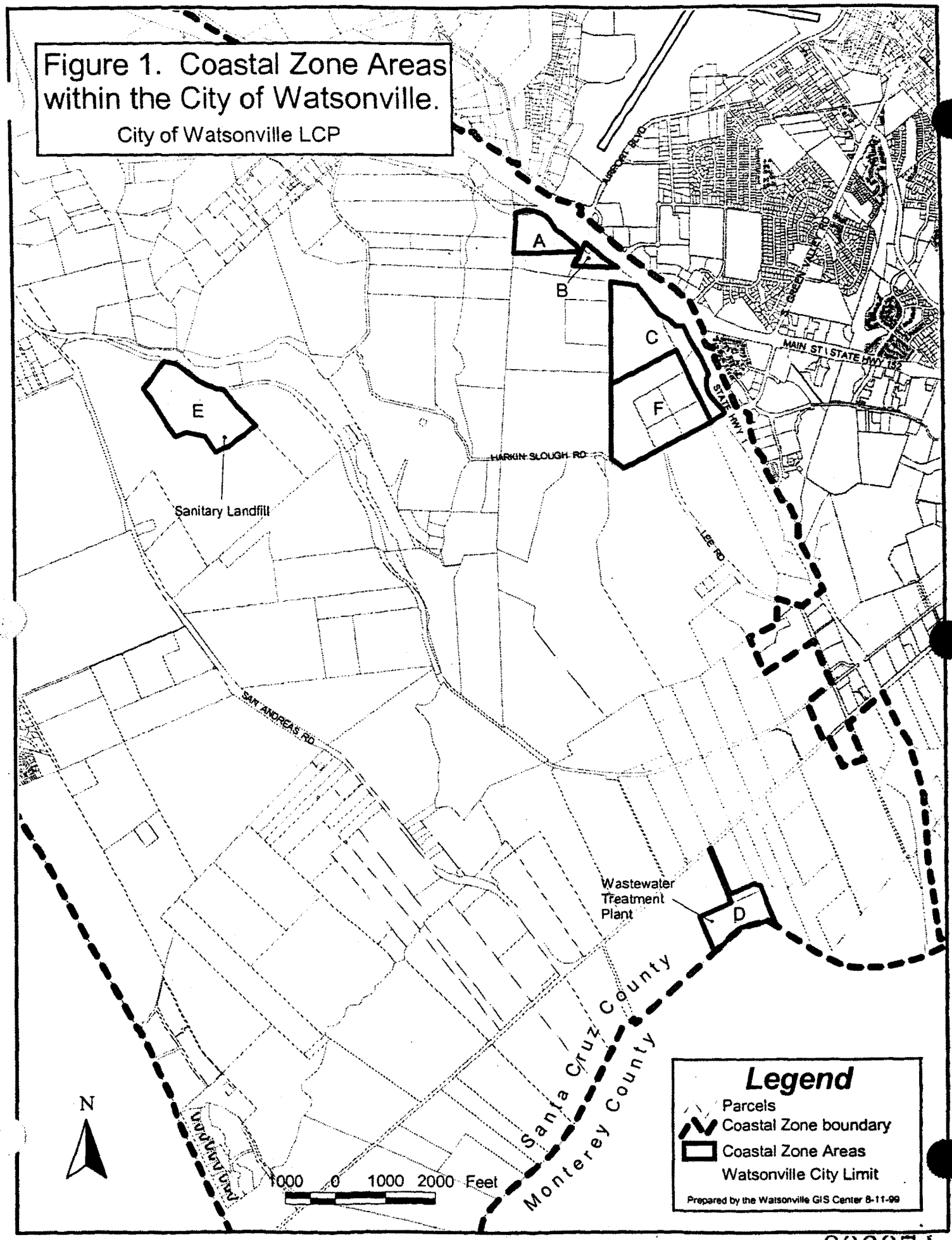
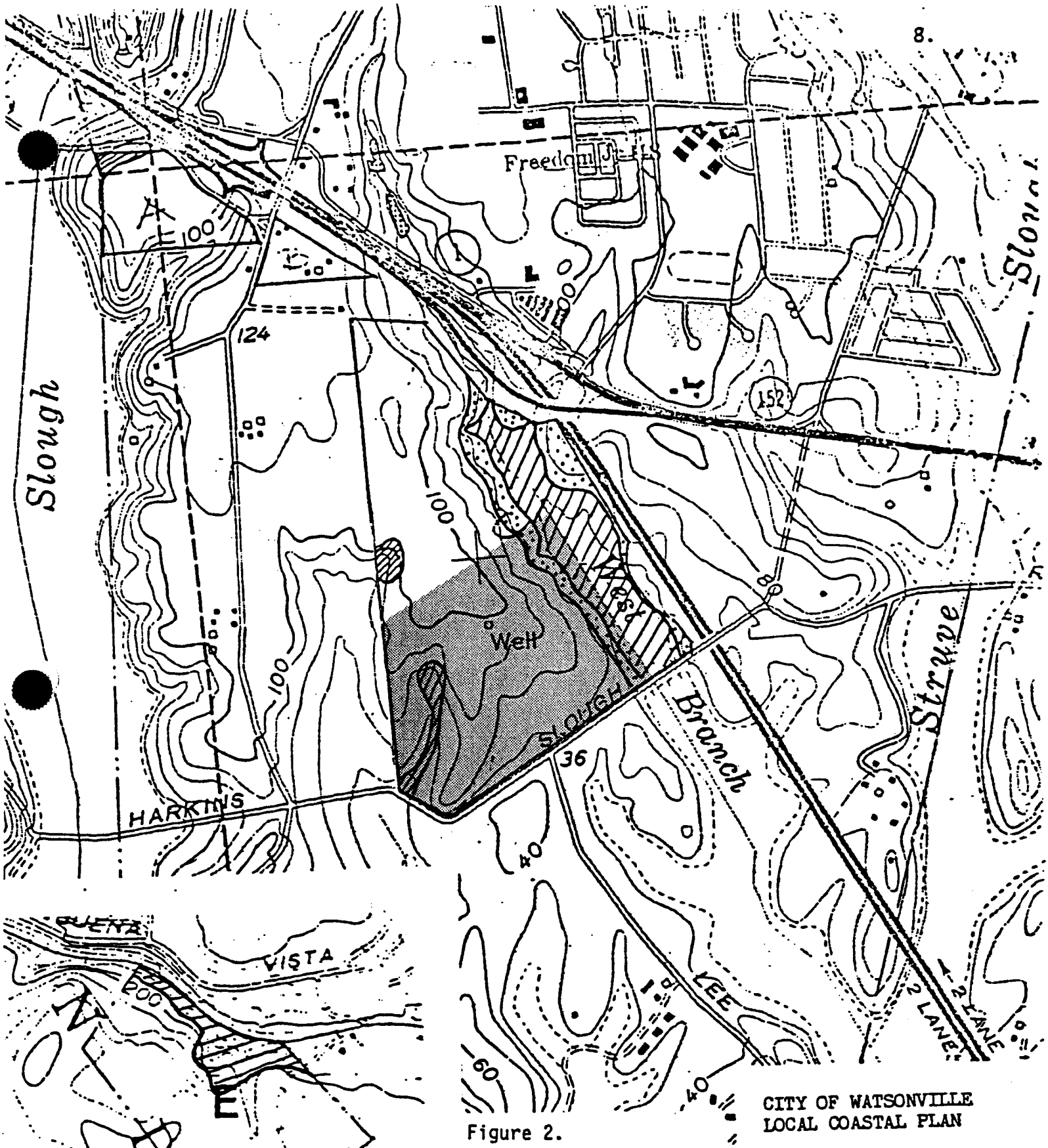


Figure 1. Coastal Zone Areas within the City of Watsonville.
City of Watsonville LCP
A
B
C
D
E
F
Sanitary Landfill
Wastewater Treatment Plant
HARKIN SLOUGH RD
LEE RD
SAN ANDREAS RD
MAIN ST | STATE HWY 152
STATE HWY 1
GREEN VALLEY RD
AIRPORT BLVD
Santa Cruz County
Monterey County
N
1000 0 1000 2000 Feet
Legend
Parcels
Coastal Zone boundary
Coastal Zone Areas
Watsonville City Limit
Prepared by the Watsonville GIS Center 8-11-99



See Figure 2, Part 2 for delineation of this area

Figure 2.

CITY OF WATSONVILLE
LOCAL COASTAL PLAN

ENVIRONMENTALLY SENSITIVE HABITATS – KEY

Freshwater Wetland

Wetland/Upland Transition

Riparian Habitat

Developed from field notes taken March 1982 and aerial photos from Jan. 1977 and Feb. 1981.

Figure 2, part 2
Environmentally Sensitive Habitats -- Area F
Watsonville Local Coastal Program

Exhibit B

Selected Existing LCP Policies

(LUP Sections II & III, IP Sections 9-5.702 through 9-5.705)

(24 Pages)

policies which when adopted and certified will govern the development of land in the coastal zone of Watsonville. Following each policy or group of policies is a discussion of its relationship to the Coastal Act and its effect upon land development.

II. POLICIES AFFECTING ALL AREAS

A. Planning and Locating New Development and Agriculture

1. New development shall be located within, contiguous with, or in close proximity to existing developed areas able to accommodate it and minimize energy consumption and vehicle miles travelled. However, visitor serving facilities that cannot feasibly be located in existing developed areas may be located at selected points of attraction for visitors.

   Relation to Coastal Act: Section 30250 (a) (compact development), 30253(4) (energy consumption), 30250(c) (points of attraction).

   Effect on Development: A similar policy exists in the City General Plan. This has the effect of discouraging "leapfrog" development and premature or excessive extension of streets and utility lines.

2. Lands suitable for agricultural use shall not be converted to non-agricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such development would serve to concentrate development consistent with Policy 1.

   Relation to Coastal Act: Section 30242 (non-prime lands)

   Effect on Development: Reinforces Policy A.1. (There is no prime agricultural land within the present boundaries of the City's coastal zone. See Section IV A for further details.)

3. New development shall be consistent with requirements imposed by the Monterey Bay Unified Air Pollution Control District.

Relation to Coastal Act: Section 30253(3)

Effect on Development: Large new stationary sources of air pollutants may be prohibited or required to provide 120% offsetting reductions. None are contemplated.

4. Where development would adversely impact archeological or paleontological resources as identified by the State Historical Preservation Officer, reasonable mitigation measures shall be required.

Relation to Coastal Act: Section 30244

Effect on Development: No such resources are presently on record within Areas A, B, C, D or E.

5. Development shall not expose people or property to hazards from landslides, soil expansion or shrinkage, flooding or subsidence, and shall not increase any such hazard which may exist in nature. A grading plan and soil stability analysis may be required at the discretion of the City Planning Department for any major construction or grading. (Standards for erosion, sediment and runoff are given in Appendix D.)

Relation to Coastal Act: Section 30253(2)

Effect on Development: May require avoidance or special engineering treatment of areas subject to the hazards list.

6. *No lot shall be created which would not contain a building site consistent with the LUP policies and any City Ordinance.*

B. Coastal Visual Resources

New development shall be sited and designed to protect views of scenic coastal areas (including the wetlands of the Watsonville Slough complex and associated riparian areas), to minimize the alteration of natural

landforms, to be visually compatible with the character of surrounding areas, and where feasible to restore and enhance the visual quality of visually degraded areas; all utilities in new development shall be placed underground, and hillsides shall be reforested where feasible and compatible with view preservation.

Relation to Coastal Act: Section 30251

Effect on Development: Scenic coastal areas afforded view protection include the wetlands of the Pajaro Valley Slough complex visible from or across Areas A, B and C. Underground placement of utilities and hillside reforestation are existing requirements of the City's Conservation Element and support the preservation of visual resources.

C. Public Works

Special districts shall not be formed or expanded except where assessment for, and the provision of, the service would not induce new development inconsistent with the preservation of agricultural land and other coastal resources.

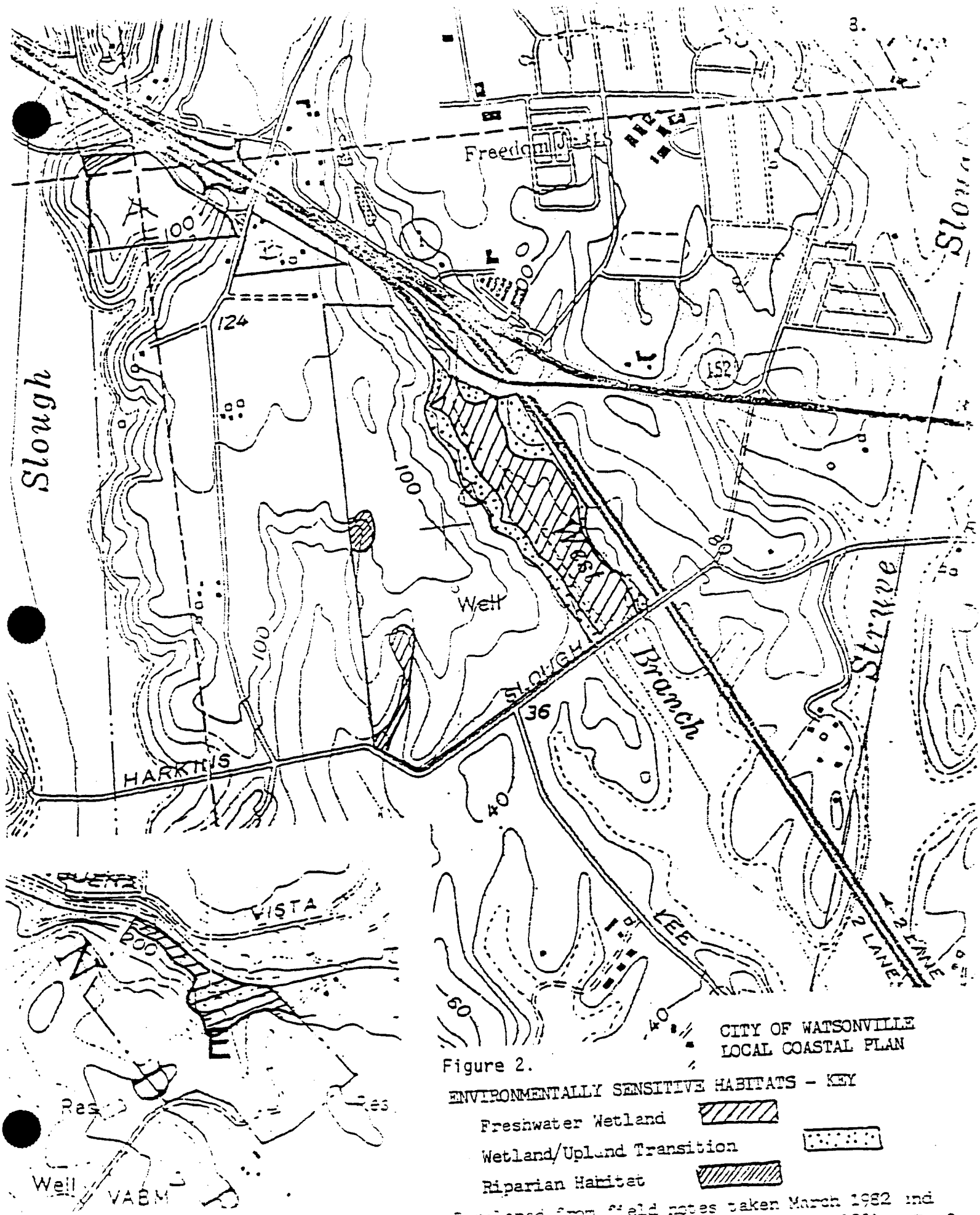
Relation to Coastal Act: Section 30254 (part)

Effect on Development: The cost of extending improvements such as a sewer pipeline along Lee Road to serve Area C will not be assessed against abutting property owners except as determined by the County to be consistent with its LCP. This will avoid growth-inducing impacts adjacent to a new wildlife conservation area between Lee Road and Highway 1.

D. Environmentally Sensitive Habitat Areas and Water Resources

1. Environmentally sensitive areas shall include but not be limited to the freshwater wetlands, wetland-upland transition and riparian habitat identified in this Local Coastal Program (Fig. 2). "Environmentally sensitive areas" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem which could be easily disturbed or degraded by human activities and developments, including endangered species habitat as identified by the State Department of Fish and Game, or by a qualified professional botanist. All coastal wetlands and

B3



CITY OF WATSONVILLE
LOCAL COASTAL PLAN

Figure 2.

ENVIRONMENTALLY SENSITIVE HABITATS - KEY

Freshwater Wetland

Wetland/Upland Transition

Riparian Habitat

Developed from field notes taken March 1982 and aerial photos from Jan. 1977 and Feb. 1981.

B4

lagoons and areas of riparian vegetation.

Wetland-upland transition is defined as a type of wetland occurring along the seasonally inundated margins of a slough. Wetland-upland transition may have been altered historically for the production of pasture or other crops. Nevertheless, if it displays evidence at any time of year of periodic inundation by surface water, hydric soil conditions, the occurrence of wetland plants, or use by wetland dependent animals, it shall be deemed a wetland and as such an environmentally sensitive area.

If any environmentally sensitive areas are newly identified or suspected or if environmentally sensitive area boundaries are to be adjusted as a result of ommission - see draft independent scientific research, the City shall conduct appropriate studies to verify and delineate the area. The City shall then make a determination as to the existence of an environmentally sensitive area with specific factual findings based on these studies. If this determination differs from the conclusions contained in the LUP maps and policies as to the location of environmentally sensitive areas, then the City shall seek an amendment to the LUP reflective of this determination. The verification and delineation steps shall include consultation with the State Department of Fish and Game and the consideration of additional information which may be provided by other experts.

Relation to Coastal Act: Section 30107.5

Effect on Development: Watsonville's wetlands below 20 ft. elevation are already subject to the Wetland Protection policies of the State Department of Fish and Game as discussed in Section IV-A. A site survey identified those wetlands plus valuable transitional riparian zones also subject to Coastal Act protection. See map and policies affecting specific areas, which include setback requirements and grading restrictions.

2. Environmentally sensitive habitat areas (including but not limited to those mapped in Fig. 2) shall be protected against any significant disruption of habitat values, and only uses dependent on such resource shall be allowed within such areas.

Relation to Coastal Act: 30233 (wetland protection); 30240(a) (buffer areas).

Effect on Development: This prohibits residential, commercial or industrial development in the habitat areas shown in Fig 2 or identified in future studies. More specific measures are given under Policies Affecting Specific Areas, below.

3. Development of areas adjacent to environmentally sensitive habitat areas (including but not limited to those mapped in Fig. 2) shall be sited and designed so as to prevent impacts which would significantly degrade or be incompatible with the continuance of such habitat areas. Specific

setback distances for development are given in Section II.

Relation to Coastal Act: Section 30240(b)

Effect on Development: Specific control measures are given for each area, depending upon the use, topography, and resources being protected.

4. (a) The biological productivity of coastal streams and wetlands shall be maintained, where feasible, by minimizing adverse effects of waste water discharges and entrainment, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian streams, and minimizing alteration of natural streams.

(b) Development shall be designed to conserve water to the greatest practical extent, so as to minimize both the occurrence of overdrafts from the Pajaro Valley Groundwater Basin and the amounts of runoff and sanitary waste which need to be controlled to protect coastal wetlands.

(c) Runoff from all impervious surfaces and from all areas subject to vehicular traffic shall be collected and disposed of in a way which does not result in soil erosion or degradation of water quality. Drainage systems shall be designed to accommodate runoff from at least a 25-year storm. (Proposed sedimentation, erosion and runoff standards are presented in Appendix D.)

Relation to the Coastal Act: Parts (a) and (b) use the language of the Act, Section 30231 (part), except as it applies to runoff. Because all areas drain into sensitive wetlands, the runoff control part (c) are more stringent.

Effect: See Policies Affecting Specific Areas.

B6

E. Access Component

1. Development must maintain and enhance public access to the shoreline and to public recreation facilities via Highway 1 and Beach Road by not crowding these routes through excessive additional use for purposes other than shoreline access.

2. Development involving internal roadways must also provide for non-automobile circulation within the development.

3. Development shall facilitate the provision of public transit service where appropriate and feasible.

Relation to Coastal Act: Section 30254

Effect on Development: See specific area policies.

III. POLICIES AFFECTING SPECIFIC AREAS

AREA A

A.1 Permitted Uses

Agriculture

Public open-space recreational use

A.2 Performance Standards for All Development

a. Riparian habitat area must be kept in a natural state.

b. Minimum Lot: 10 acres

c. Maximum Impervious Surface: 50% of lot area.

Exclude riparian habitat from lot area to calculate impervious surface allowed.

d. Minimum Setback from Riparian Habitat: 50'

e. Maximum Slope of Developed Portion of Lot (Before Grading): 15 feet in any 100 foot interval.

f. Approved erosion control measures must be utilized during construction. No excavation or grading shall be permitted during the months of October through March.

g. Any structures within the jurisdiction of an FAA clear zone must have prior approval of the Federal Aviation Administration.

Relation to Coastal Act: Sections 30231 and 30240(a) of the Coastal Act requires maintaining natural vegetation buffer areas as well as runoff and wastewater controls to protect riparian habitats. Area A contains an area of riparian habitat at its northwest corner which should be regarded as an environmentally sensitive habitat area requiring special protection, under Section 30233. There are steep slopes on the south and west sides of the site which should be left undisturbed to protect the wetlands below. The area drains directly into a large sensitive habitat area, the Harkins Slough complex, necessitating the control of runoff and wastewater discharges in any direction, and restriciting the impervious area created on the site. Area A is presently subject to an agreement under which any buildings must be approved by FAA to avoid interference with aviation. The restriction on large population concentrations is due to the position of the site under the Watsonville Airport main runway flight path.

AREA B

B.1 Permitted Uses

Agriculture

B.2 Conditional Uses

Visitor serving commercial: hotel, motel, restaurant. Subject to B.4.

B.3 Performance Standards for All Development

a. Minimum Lot Size: 5 acres

b. Maximum Impervious Surface: 50%

c. Approved erosion control measures must be utilized during construction. No excavation or grading shall be permitted between the months of October through March.

d. Development must utilize topographic shielding and/or dense planting to minimize impact upon views from Highway 1.

e. Maximum number of hotel-motel units: 100

B.4 Criteria for Visitor Serving Commercial Development

Visitor serving commercial use may be approved only if it is demonstrated that: (a) public sewer and water services can and will be provided to the site; and (b) the proposed facility could not be located in an existing developed area and continued agricultural use is not feasible.

Relation to Coastal Act: The agricultural quality of Area B is poor. Area B does not contain or adjoin any sensitive habitat subject to Coastal Act protection. Section 30222 of the Coastal Act requires that the use of private lands suitable for visitor serving commercial recreation facilities be designed to enhance public opportunities for coastal recreation, with priority over most uses other than agricultural and coastal dependent industry. Section 30250(a) requires locating new development in close proximity to existing developed areas able to accommodate it, but Section 30250(c) allows visitor service facilities that cannot feasibly be located in existing developed areas to be located at selected points of attraction. Although west of Highway 1, it is located near the Watsonville Airport at an interchange with Airport Boulevard, a major arterial street. Utilities are not provided or planned, but are currently being extended along Airport Boulevard to the east side of Highway 1. The area drains directly into a large sensitive habitat area, the Harkins Slough complex, necessitating the control of runoff and wastewater discharge in any direction, and restricting the impervious area created on the site.

Effect on Development: Area B could be developed for a motel, as proposed by its owner, or other visitor serving commercial facilities, subject to the above site-specific and general policies protecting visual resources and water resources, when and if it can be demonstrated that no feasible site for such a facility remains within developed area and continued agricultural use is not feasible.

B1C

AREA C

C.1 Permitted Uses

Passive recreation

Agriculture

Aquaculture

C.2 Conditional Uses

a. Residential, subject to C.4

b. Light non-nuisance industrial park (not including outside storage), subject to C.4.

C.3 Performance Standards for All Development

a. Environmentally sensitive habitat areas must be kept in a natural state and protected from the incursion of humans, domestic animals and livestock, from erosion, sedimentation and contaminated runoff, and from loud noise or vehicular traffic. Peat harvesting is permitted within such areas and grazing of presently grazed areas may be continued but not expanded, but discing, harrowing and all structures are prohibited. Managed observation areas may be permitted adjacent to sensitive habitat areas, subject to an approved plan and management program which preserves sensitive habitat values and minimizes human disturbance. Land in environmentally sensitive habitat areas must be excluded from calculation of lot size for number of units and allowable impervious surface area.

b. Minimum Lot for Residential Use: 5 acres per housing unit

c. Minimum Lot for Industrial Use: 15 acres

d. Maximum Impervious Surface Area: 10% of lot area

e. Minimum setback for all development or agricultural activity from

BU

Riparian Habitat: 50'; from Wetland or Transitional Zone: 100'. Appropriate tall trees shall be planted in the required setback area wherever development is adjacent to an environmentally sensitive habitat area, in such a manner as to provide a dense visual screen, impede human access and enhance bird roosting and nesting. Adjacent to running water, native riparian species are appropriate. In other areas eucalyptus or native upland species are appropriate.

f. Maximum Slope of Developed Portion of Lot (Before Grading): 15 feet in any 100 foot interval.

g. There is a possibility that specimens of the endangered Santa Cruz Tarweed exist in Area C. Prior to approval of any development, a field search for this plant shall be conducted by a qualified botanist on the lot(s) in question during the time of year in which the plant is expected to be in bloom.

h. Approved erosion control measures must be utilized during construction. No excavation or grading shall be permitted during the months of October through March.

i. Prior to the approval of any development relying upon a septic tank system, a specific design must be submitted supported by an engineering analysis by a licensed soils engineer which demonstrates both sufficient separation between leaching fields and winter groundwater levels to ensure that no degradation of groundwater quality will occur. Any approval of a septic tank system must also be conditional upon compliance with any waste discharge

requirements established for that system by the Regional Water Quality Control Board.

j. The City should work with the Wildlife Conservation Board, the Nature Conservancy, and other agencies to promote public or foundation acquisition of the upper half of the West Branch of Struve Slough in order to allow a greater degree of resource protection than is possible under private ownership.

k. Any development in a streambed must be conditional upon execution of and compliance with an Agreement ("1603 Agreement") with the California Department of Fish and Game under the requirements of Sections 1601-1603 of the California Public Resources Code.

l. Service Systems

Sewer service will probably not be required if the site is developed at the recommended densities and a septic tank system is proven feasible. If sewer service is provided, it must be financed in a way which does not require assessments against properties along Lee Road outside of Area C, or against any agricultural property.

m. Phasing of Development

It is anticipated that market forces and development costs will delay development of this area until after the infilling of comparable lands east of Highway 1.

C.4 Criteria for Non-Agricultural Use

Non-agricultural use may be permitted only if continued agricultural use is demonstrated to be infeasible.

Relation to Coastal Act: Area C contains two wetlands, as defined by the Coastal Commission, and a small area of riparian habitat. All three should be regarded as environmentally sensitive habitat areas requiring special protection under Sections 30231 and 30233. Section 30231 of

B13

the Coastal Act requires the maintenance and, where feasible, restoration of water quality by minimizing the adverse effects of wastewater discharge, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas which protect riparian habitats, and minimizing the alteration of natural streams. Buffer areas area also required under Section 30240(b).

Effect on Development: The foregoing requirements will cluster development within the high, gently sloping terrace which runs along the middle of Area C where it can do the least damage to the low-lying environmentally sensitive areas, and protect the sensitive areas with buffer areas and dense planting.

The large lot sizes are intended to limit the populations of people and domestic animals in close proximity with the sensitive habitats, and to allow the provision of adequately-sized septic tank leaching fields. The small maximum percentage of impervious ground water cover is intended to minimize the disruption of groundwater recharge and to avoid erosion problems due to channelization of runoff.

Utility systems are encouraged not to be extended along the Lee Road from Area C in order to avoid growth - including impacts on the west side of the road. (The east side is within the State Wildlife Conservation Board acquisition.)

AREA D

D.1 Permitted Use

Municipal sewage treatment plant

D.2 Performance Standards for All Development

a. Waste discharge requirements of Regional Water Quality Control Board.

b. Any new structures visible from the Pajaro River bicycle path shall be designed to minimize visual intrusion.

Relation to Coastal Act: None (no development contemplated)

Effect on Development: None

AREA E

E.1 Permitted Use

Municipal solid waste landfill

E.2 Conditional Uses

Public Recreation

Agriculture

Methane Gas Production

Waste Recycling and Conversion Facilities

E.3 Performance Standards for All Development

a. Waste discharge requirements of Regional Water Quality Control Board - (contained in Appendix F).

b. 50' setback of all development from environmentally sensitive habitat areas as identified herein or in the County LCP.

c. A reclamation plan providing for landscape contouring and vegetation consistent with the proposed use and surrounding land uses.

d. Riparian habitat area must be kept in a natural state.

Relationship to Coastal Act: The Watsonville Disposal Site is a permitted Class II-2 sanitary landfill operating under Waste Discharge Requirements of the Regional Water Quality Board. Eventually the site will be closed and the land reclaimed. The site overlaps a portion of the Gallighan Slough riparian zone, which is identified in the County LCP as a sensitive riparian habitat, and requires protection under Sections 30231 and 30233, and buffering under Section 30240(b). The riparian portion of the site will be left undisturbed by the city landfill.

Effect on Development: New development must include measures to protect the riparian portion of the site and adjacent riparian habitat areas.

IV. IMPLEMENTATION PROGRAM

The policies set forth in the Coastal Land Use Plan (July 6, 1982) can be implemented by the city in four steps, as follow:

1. Work towards public or foundation management of the environmentally sensitive wetland habitat area lying along the West Branch of Struve Slough. This could be accomplished through acquisition of either fee title or permanent open space easement by a public agency or foundation, and arranging for long-term management by a responsible body committed to preserve and enhance its habitat values. (Section III, policy C.3j)

2. Amend the zoning of Area C to EM-A-2.

3. Prepare and adopt (in ordinance form) a "Coastal Zone Overlay" zoning district incorporating policies A, B, D and E from Section II and all of Section III.

4. Adopt a city council resolution stating that at such time as any sewer or water service may be extended along Lee Road, the City will prevent hookups except as determined by the county to be consistent with its LCP. Also amend any city ordinance inconsistent with this policy. (Section II, policy C)

Step 1 can be started immediately by contacting appropriate agencies and political representatives. Its duration will depend upon agency decision cycles. Steps 2, 3 and 4 would be undertaken upon Coastal Commission certification of the Land Use Plan and completed within perhaps 90 days.

Sec. 9-5.702. Districts.

The CZ District shall be subdivided into five (5) areas identified in the official Coastal Land Use Plan for the City hereafter referred to as the Coastal LUP. On the City Zoning Map the lands shall be designated as follows:

(a) Area A designated CZ-A.

(b) Area B designated CZ-B.

(c) Area C designated CZ-C.

(d) Area D designated CZ-D.

(e) Area E designated CZ-E.

Sec. 9-5.703. Principal Permitted Uses.

All principal permitted uses shall be subject to an Administrative Use Permit issued through the public hearing process by the Zoning Administrator.

(a)	Zone A		
	GLU	86	Open lands
	GLU	93	Pasture and native grasses
	GLU	94	Animals, agriculture
	GLU	81	PUBLIC PARKS*
(b)	Zone B		
	GLU	91	Irrigated agriculture
	GLU	92	Non-irrigated agriculture
	GLU	93	Pasture and native grasses
	GLU	94	Animals, agriculture
(c)	Zone C		
	GLU	81	Parks, public
	GLU	86	Open lands, publicly owned, and privately owned aquaculture facilities
	GLU	89	Public and quasi-public open space
	GLU	91	Irrigated agriculture
	GLU	92	Non-irrigated agriculture
	GLU	93	Pasture and native grasses
	GLU	94	Animal, agriculture
	GLU	98	Wetlands

* LCP AMENDMENT 1-98

(d) Zone D
GLU 4911 Electrical generating plants
GLU 4942 Water treatment plants
GLU 495 Sewage disposal facilities

(e) Zone E
GLU 496 Landfill, sanitary

Sec. 9-5.704. Conditional Uses.

The following uses shall be subject to the approval of a Special Use Permit issued through the public hearing process by the City Council.

(a) Zone A
DLU 432 Highway right of way (within existing roadway area)

(b) Zone B
DLU 5811 Restaurant
GLU 68 Transient accommodations
DLU 6801 Hotel
DLU 6802 Motel
DLU 432 Highway right of way (within existing roadway area)

(c) Zone C
DLU 01 Single family residence
DLU 1282 Industrial machinery, equipment, and supplies - wholesale.
DLU 19 Industrial nonmanufacturing, miscellaneous
DLU 3565 Industrial pattern makers
DLU 4213 Industrial truck services
Also Any of the Principal Permitted uses of the IP-Industrial Park District subject to the regulations of both districts.
DLU 432 Highway right of way (within existing roadway area)

(d) Zone D - None

(e) Zone E
GLU 81 Parks, public
GLU 84 Public recreational facilities
GLU 86 Open lands
GLU 89 Public and quasi-public open space
GLU 91 Irrigated agriculture
GLU 92 Non-irrigated agriculture
GLU 94 Animals, agriculture
GLU 98 Wetlands, slough, marsh, swamp
GLU 49 Waste recycling and conversion facilities
GLU 492 Gas works, gasholders

Sec. 9-5.705. Regulations.

All applications for development, including land divisions and public works projects, shall follow the Specific Development Standards listed in Appendix D of the Coastal LUP which sets minimum standards for: Erosion; Sediment; Runoff; Timing/and Area; Soils; and Vegetation.

All applications for any development in which excavation, grading, filling, or clearing of vegetation is to be performed shall include, where applicable, the information listed in Appendix D item G "Information Requirements" of the Coastal LUP.

In addition to the above all applications for development or use permits shall comply with the specific area regulations and conditions of approval, if any, which are necessary to meet the special findings required in each area zone as follows:

(a) Zone A - Performance Standards.

(1) Maximum lot coverage by impervious surfaces: 50% (exclude the riparian habitat from lot area to calculate impervious surface allowed).

(2) Special Conditions
(a) Riparian habitat area must be kept in a natural state.
(b) Maximum slope of developed portion of lot (before grading): 15%.
(c) Any structures within the jurisdiction of an FAA clear zone must have prior approval of the Federal Aviation Administration.

(d) A field search for the endangered Santa Cruz Tarweed shall be conducted by a qualified botanist during the time of year in which the plant is expected to be in bloom (between June and October) on the parcel(s) in question before approval of any development. The report of such field investigation shall be forwarded to the California Department of Fish and Game for evaluation. If any portion of the site is confirmed to be endangered plant habitat, such area shall be treated as environmentally sensitive habitat--kept in a natural state and protected from intrusion of humans, erosion, vehicular traffic and other activities which could significantly disrupt the habitat.

(3) Minimum setback from riparian habitat: 50 feet.

(b) Zone B - Performance Standards.

(1) Minimum Lot Area and Dimension

Area, interior and corner lot:	5 acres
Frontage:	50 feet

(2) Minimum Yard Setbacks

Front:	15 feet
Side and rear:	10 feet

(3) Maximum Building Height and Lot Coverage

Lot coverage by impervious surfaces:	50%
Density, hotel/motel for entire area:	100 units max.
Height:	3 stories/35 feet

(4) Special Conditions and Findings Which are Required for Approval of a Special Use Permit:

(a) For non-agricultural use an Agricultural Viability Report has been prepared which indicates that continued agricultural use is demonstrated to be infeasible;

(b) That public sewer and water services can and will be provided to the site;

(c) That the proposed facility could not be located in an existing developed area; and

(d) That the development will utilize topographical shielding and/or dense planting to minimize impact upon views from Highway 1;

(e) A field search for the endangered Santa Cruz Tarweed shall be conducted by a qualified botanist during the time of year in which the plant is expected to be in bloom (between June and October) on the parcel(s) in question before approval of any development. The report of such

field investigation shall be forwarded to the California Department of Fish and Game for evaluation. If any portion of the site is confirmed to be endangered plant habitat, such area shall be treated as environmentally sensitive habitat--kept in a natural state and protected from intrusion of humans, erosion, vehicular traffic and other activities which could significantly disrupt the habitat.

(c) Zone C - Performance Standards.

(1) Minimum Lot Area and Dimensions

Area per housing unit:	5 acres
Area for industrial use:	15 acres
Frontage:	330 feet

[exclude wetland, riparian habitat, and other environmentally sensitive habitat areas.

(2) Minimum Yard Setbacks

Front:	20 feet
Interior Side:	5 feet
Rear:	20 feet
Riparian Habitat:	50 feet
Wetland or Transition Zone:	100 feet

(3) Maximum Building Height and Lot Coverage

Lot coverage by impervious surface:	10%
Height:	2 1/2 stories/30 feet

[exclude wetland, riparian habitat, and other environmentally sensitive habitat areas.

(4) Special Conditions and Findings Required for Issuing a Special Use Permit:

(a) For non-agricultural use an Agricultural Viability Report has been prepared which indicates that continued agricultural use is demonstrated to be infeasible;

(b) Environmentally sensitive habitat areas must be kept in a natural state and protected from intrusion of humans, domestic animals and livestock, from erosion, sedimentation and contaminated runoff, and from loud noise or vehicular traffic.

(c) Maximum slope of developed portion of lot (before grading): 15%

(d) A field search for the endangered Santa Cr Tarweed shall be conducted by a qualified botanist during the time of year in which the plant is expected to be in bloom (between June and

October) on the lot(s) in question before approval of any development. The report of such field investigation shall be forwarded to the California Department of Fish and Game for evaluation. If any portion of the site is confirmed to be endangered plant habitat, such area shall be treated as environmentally sensitive habitat and protected from significant disruption;..."

(e) Any development relying upon a septic tank system, shall submit a specific design and engineering analysis by a licensed soils engineer which demonstrates both sufficient separation between leaching fields and winter groundwater levels, and that the requirements of the Regional Water Quality Board are complied with;

(f) Any development in a streambed must be conditional upon execution of and compliance with an Agreement ("1603 Agreement") with the California Department of Fish and Game under the requirements of Sections 1601-1603 of the California Public Resources Code.

(g) Appropriate tall trees shall be planted in the required setback area wherever development is adjacent to an environmentally sensitive habitat area, in such a manner as to provide a dense visual screen, impede human access and enhance bird roosting and nesting. Adjacent to running water, native riparian species are appropriate. In other area eucalyptus or native upland species are appropriate.

(d) Zone D - Performance Standards.

(1) Waste discharge requirements of the Regional Water Quality Control Board are met;

(2) Any new structures visible from the Pajaro River bicycle path are designed to minimize visual intrusion.

(e) Zone E - Performance Standards.

(1) Waste discharge requirements of the Regional Quality Control Board will be met;

(2) Provide a 50-foot setback from the environmentally sensitive habitat areas identified in the Coastal Land Use Plan for the City of Watsonville and County of Santa Cruz;

(3) Submission of a reclamation plan providing for landscape contouring and vegetation consistent with proposed and surrounding land uses;

(4) That the riparian habitat will be kept in a natural state, and that measures have been taken to protect the riparian habitat areas on the site and adjacent sites.

(5) A field search for the endangered Santa Cruz Tarweed shall be conducted by a qualified botanist during the time of year in which the plant is expected to be in bloom (between June and October) on the parcel(s) in question before approval of any development. The report of such field investigation shall be forwarded to the California Department of Fish and Game for evaluation. If any portion of the site is confirmed

(f) All Zones, A through E--Performance Standards.

In addition to the above specific performance standards for each Area Zone, all approved development applications shall be subject to performance standards, findings and conditions as needed for conformance with the Chapter II policies ("Policies Affecting All Areas") of the certified Watsonville Coastal Land Use Plan (LUP), as follows:

(1) Each coastal development permit shall cite the applicable Chapter II policies, and, as necessary, the specific manner in which the policy requirements will be met for the particular project and site.

(2) LUP Policy II.A.4, Archaeologic Resources. Permits shall be conditioned to require that if archaeological or paleontological materials are encountered, work which would disturb such materials shall be halted until reasonable mitigation measures, consistent with the standards prescribed by the State Historical Preservation Office, are implemented.

(3) Policy II.B, Coastal Visual Resources. New development shall be sited and designed to protect views of scenic coastal areas; in particular, this requirement shall apply to the seaward views from State Highway Route 1, across the wetlands and associated riparian areas of the Watsonville slough complex and along the Pajaro River. These existing scenic views of natural habitat and agricultural croplands shall b protected through all appropriate measures, including but not limited to:

(i) Where feasible, new structures shall be hidden from Highway 1; otherwise such development shall be screened through planting and permanent upkeep of appropriate tree species (such as the native live oak which will provide, upon maturity, complete vegetative screening on a year-round basis;

(ii) All utilities in new development shall be placed underground;

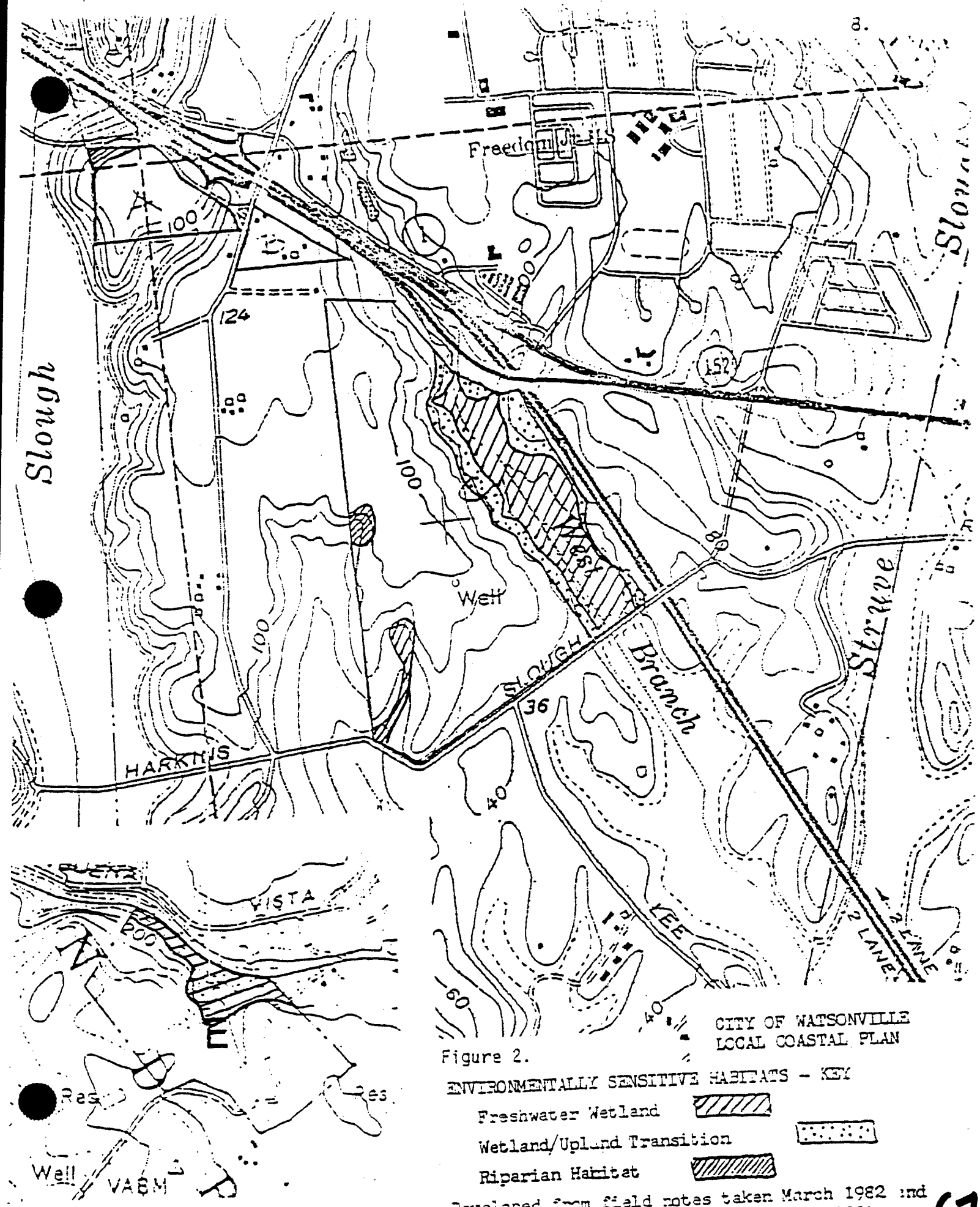
(iii) Advertising and commercial sighs which would block views from Highway 1 to the wetland and riparian areas shown on LUP Fig. 2, shall not be allowed.

Exhibit C

Existing LUP Figure 2

(LCP's Environmentally Sensitive Habitats Map)

(1 Page)



CITY OF WATSONVILLE
LOCAL COASTAL PLAN

Figure 2.

ENVIRONMENTALLY SENSITIVE HABITATS - KEY

Freshwater Wetland

Wetland/Upland Transition

Riparian Habitat

Developed from field notes taken March 1982 and aerial photos from Jan. 1977 and Feb. 1981.

C1

Exhibit D
Coastal Commission Staff Correspondence on Project
(70 Pages)

Exhibit D: Commission Staff Correspondence on Project

In mid-1993, when it became public knowledge that PVUSD had abandoned the Green Valley Road site because of neighborhood opposition and was considering the subject Area C site, Commission staff began what has since become a lengthy exchange with the District and the City. Commission staff has consistently informed both parties that the proposed Area C site west of Highway One raised (and continues to raise) a range of coastal resource issues, including, but not limited to development adjacent to sensitive wetlands habitat, extension of public services and infrastructure to rural areas west of Highway 1, growth inducement, conversion of agricultural lands, impacts to the public viewshed, impaired water quality, and a destabilized urban-rural boundary.

In summary, in addition to numerous more informal phone conversations, the Commission staff made it's views known through a total of ten letters, testimony at three District hearings, and testimony at one City meeting from 1993 through 1999 as follows (copies of letters included in this exhibit)

1993

In 1993, when it became public knowledge that the District was considering the subject Area C site, Commission staff began what has since become a lengthy correspondence with the District and the City informing both parties that the proposed Area C site west of Highway 1 raised a range of coastal resource issues, including, but not limited to development adjacent to sensitive wetlands habitat, extension of public services and infrastructure to rural areas west of Highway 1, growth inducement, conversion of agricultural lands, impacts to the public viewshed, impaired water quality, and a destabilized urban-rural boundary. A similar letter was subsequently sent June 22, 1995. See July 28, 1993 and June 22, 1995 letters.

1995

In July of 1995, Commission staff testified at the School Board's Public Meeting and expressed concerns that the proposed high school location was inappropriate and that such development at this location could result in significant impacts to coastal resources including, but not limited to, agriculture, wetlands, and a stable urban-rural boundary. Despite this, and despite Commission staff correspondence identifying significant coastal resource issues in terms of high school development here, the District informed Commission staff in late 1995 that the District intended to pursue the subject Area C site for the location of their third high school, and intended to commission an EIR for such a project. See August 14, 1995 and September 15, 1995 letters.

1996

On January 1, 1996, Commission staff requested that the City and District continue to consider the "Console" site as an alternative school site in the District's upcoming EIR "since it is not yet developed and is contiguous to urban uses," as opposed to considering the Console site for commercial development. This January 1 letter further stated that "the proposed high school site in the coastal zone west of Highway 1 is in an undeveloped agricultural area, lacking urban services, and not designated for urbanization" and encouraged the planning process to accommodate needed public facilities within already urbanized areas to "significantly diminish the costs associated with school development, (e.g., new freeway improvements, extension of major utilities, etc.) protect the agricultural and natural resources existing west of the highway, and provide a more central, logical location for the high school"

consistent with the Coastal Act. See January 16, 1996 letter.

Subsequently, in 1996, the District issued a notice of preparation to prepare a draft EIR for a proposed high school at the Area C site. On April 11, 1996, Commission staff provided detailed comments on the notice of preparation, identifying significant issues including, but not limited to: conflicts with the Coastal Act; growth inducement on west side of Highway 1; growth inducement specifically on remainder of Edwards parcel; negative impacts on wetland habitat due to increasing access to the wetlands; negative impacts on adjacent agriculture and the need for 200 foot agricultural setbacks; compatibility with continued adjacent agricultural practices; the need for 100 foot wetland setbacks and full compliance with the LCP's wetland protection policies; visual siting impacts; non-point source water quality impacts; increased auto-dependence due to relatively isolated location; potential for future siting constraints (i.e., away from wetlands) for any Harkins Slough/Highway 1 interchange projects; the need for fuller discussion of transportation provisions and impacts; and the need for fuller examination of alternative sites. The 1996 EIR notice of preparation comment letter concluded that the submitted comments in no way endorse the proposed project and that "serious consideration needs to be given to alternative sites." See April 11, 1996 letter.

1997

The District subsequently issued a draft EIR (DEIR) for the proposed high school project at Area C on February 24, 1997. On March 26, 1997 Commission staff again testified before the PVUSD School Board, this time at the first School Board hearing on the DEIR. Consistent, with all previous correspondence on the topic, Commission staff testimony expressed serious concerns with the proposed project: indicated that it is inconsistent with the Coastal Act; that it is inconsistent with using Highway One as a logical urban/rural boundary for the City of Watsonville (consistent with previous Commission actions); expressed dismay that Commission staff's attempts to have relevant Coastal Act issues addressed earlier in the process have gone largely ignored; that Commission staff attempted to participate in the site selection process to underscore the problematic nature of the site related to its lack of infrastructure, its agricultural resources, and its proximity to sensitive habitat areas (among other issues), but were not afforded the opportunity and the site selection process completed without our input; and that the draft EIR was inadequate. Staff comments concluded that: (1) an LCP amendment for the high school at this location would be inconsistent with Coastal Act policies protecting coastal agriculture, environmentally sensitive habitat areas, scenic resources, and requiring new development to be located within existing developed areas with adequate public services; (2) pursuant to California Code of Regulations Section 13540(f), the Coastal Commission cannot certify an LCP amendment for which there is a less environmentally damaging feasible alternative (according to the draft EIR, the environmentally superior alternative at that time was the Watsonville Hospital site); and (3) denial of the project by the City of Watsonville or the Coastal Commission was a possibility. See March 26, 1997 School Board comment notes.

Commission staff public testimony on the DEIR was followed by a comment letter on the DEIR reiterating serious concerns with the proposed project. This April 9, 1997 letter identified issues including, but not limited to: concerns that staff's previous efforts to highlight relevant coastal issues with the Harkins Slough Road site had been disregarded; inadequacy of the DEIR to describe the project and its impacts; the need for better description of the required LCP amendment and any associated mitigations as necessary; inadequate analysis of alternative sites that would reduce impacts to environmental and agricultural resources and reduce costs associated with new school and infrastructure

construction; growth inducing impacts; departure from the Highway One urban-rural boundary as established by previous Commission actions (for example, coastal permits for the wastewater treatment plant); precedent for further development on lands west of Highway One; conversion of agricultural lands; compatibility of school development with continued adjacent agricultural productivity; the need for agricultural buffers; inadequate analysis of the significant adverse impacts to environmentally sensitive habitats and wetland/slough system; significant adverse impacts on scenic resources as seen from Harkins Slough Road and Highway One; and cumulative impacts, including potential projects facilitated by the project's growth-inducing jump of Highway One. In the April 9, 1997 letter, Commission staff "urge[d] the District to pursue a less environmentally damaging alternative location" and stated their "belie[f] that the pursuit of an alternative location is of primary importance and the most effective way to avoid the significant adverse environmental impacts posed by the project." The letter emphasized that Commission staff "have strived to avoid a situation where the district has invested a lot of time and money into the development of a school site which does not conform with the standards of the California Coastal Act, and therefore, can not be approved." The April 9, 1997 letter concludes that the DEIR should be refocused to examine alternative sites, and that Commission staff support the DEIR assertion that an alternative location (other than the Harkins Slough/Lee Roads site) is the environmentally superior alternative. See April 9, 1997 letter.

The Commission was subsequently informed at the April 1997 Commission hearing about the nature of the proposed high school project at Area C, and staff's serious concerns for siting such development at this location. A copy of the April 9, 1997 DEIR comment letter was provided to Commissioners at that time. See April 16, 1997 memo.

Commission staff again testified before the District's Board regarding the proposed high school development at the subject site at the May 14, 1997 second District public hearing on the DEIR. Staff again reiterated serious concerns over the proposed site, indicated that that the proposed project was not the least environmentally damaging feasible alternative available, and that the DEIR does not adequately address the environmental impacts of the proposed project, particularly impacts to agriculture and the biological resources of the adjacent wetland habitats. Staff's conclusionary recommendation to the Board at that time was that it was of utmost importance for the District to pursue a less environmentally damaging alternative location for the third high school than the subject Area C site. See May 14, 1997 School Board comment notes.

Despite the best efforts by Commission staff and others through testimony and other correspondence to clearly identify the serious planning constraints at the subject Area C site, the District certified the first DEIR for high school development on the Area C site in May 1997.

In June of 1997 Watsonville Wetlands Watch and California Alliance for Resource Conservation filed a Petition for Writ of Mandamus against the District and it's Board of Trustees (Case No.133018) in Superior Court of Santa Cruz County seeking to overturn the EIR and alleging several violations of CEQA. This suit alleged, among other things, that the EIR did not adequately analyze, identify, and/or mitigate impacts to sensitive habitat, agricultural lands, and water quality; growth inducement; and cumulative environmental impacts. The suit likewise contended that the EIR's alternatives analysis was inadequate. Rather than litigate this suit, the PVUSD Board decided to decertify the first EIR and circulate a revised draft EIR (RDEIR) with additional information and analysis to correct possible flaws in the first EIR. As a result of the Board's decertification of the first EIR, Watsonville Wetlands Watch and California Alliance for Resource Conservation dismissed their lawsuit (subject to recovery of attorneys' fees and costs).

1998

In June 1998, the District issued a Revised Draft EIR (RDEIR). Commission staff again commented on the project, providing detailed comments on the RDEIR on August 5, 1998. This comment letter focused on the District's alternatives analysis and identified issues including, but not limited to: concern that the Landmark site had been dismissed as a potential alternative location when this site appeared to be the best alternative location available; inadequacies of the RDEIR's agricultural viability study; and concern that the RDEIR's environmentally superior alternative was not being pursued. The letter: identified several alternative locations to consider; recommended that the District further define future residential densities of potential high schoolers within the District in relation to potential sites; requested further information regarding Watsonville Airport flight lane constraints relative to proposed and potential alternative sites; recommended that infrastructure costs for feasible alternatives be compared directly; requested better explanation of acreage requirements and the possibility of pursuing smaller site standards; requested exploration of site design variations to accommodate a school on a smaller alternative site; and requested that criteria used to distinguish between alternatives be ranked/weighted.

Ultimately, the August 5, 1998 RDEIR staff comment letter stated, "as we previously indicated to you, and as we again do so through this letter, we urge the district to pursue a less environmentally damaging alternative for the proposed third high school. In particular, we believe that the most effective way to avoid the significant environmental impacts posed by the proposed project is through the pursuit of an alternative location for the project. Towards this end, the substance of this letter provides both feedback on the RDEIR's alternatives analysis as well as a framework for broadening the scope of the alternatives analysis in the final EIR." The letter concluded that:

> *even if the [final] EIR does not explore any more alternative sites than did the RDEIR, the RDEIR identifies the expansion of existing facilities as the environmentally superior alternative (following the "no project" alternative). Why isn't this option being pursued? Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Any action the Coastal Commission may be required to take to amend the City of Watsonville Land Use Plan must be consistent with this section of CEQA and the Coastal Act. From a Coastal Act perspective, the growth inducing aspects of this project (i.e., extending sewer, water, and related infrastructure across Highway One where they were heretofore not found) are particularly troubling. Please be advised that the fact that a less environmentally damaging feasible alternative is available, and it is not being pursued, may be reason enough for Commission staff to recommend denial of the necessary LCP amendment should the district decide to insist on the currently proposed project.*

See August 5, 1998 letter.

CDFG likewise commented on the RDEIR indicating in a July 24, 1998 letter that "the Department believes that the proposed project would result in significant adverse impacts to biological resources including State- and Federally-listed species. Unless adequate mitigation can be provided, adoption of this project would require a finding of overriding considerations. In view of the existence of other feasible sites, this would appear to be unjustified." See Exhibit F for the full text of the CDFG letter.

Notwithstanding this serious concerns for the subject site, the Final RDEIR (FEIR) was certified by the District's Board on September 9, 1998.

In October 1998, Watsonville Wetlands Watch and California Alliance for Resource Conservation once again filed suit in Santa Cruz County Superior Court alleging that the FEIR failed to acknowledge that the site is located on prime agricultural land and that the project failed to mitigate or change the project as a result of it's inconsistencies with the Watsonville LCP and the Coastal Act (Case No.134587). On May 14, 1999 the Court found that the revised EIR complied with CEQA requirements, and that substantial evidence in the record supported the revised EIR's conclusions. The Court also specifically found that:

> *The above referenced findings [on the adequacy of the EIR] do not purport to bind the California Coastal Commission in its determinations regarding the third high school project.*

Thus, the Court's decision places no burden on the Coastal Commission's own determinations with regard to the LCP amendment and any impacts or issues therein. As for the lawsuit, Watsonville Wetlands Watch and California Alliance for Resource Conservation appealed the Santa Cruz Superior Court decision to Appellate Court on July 19, 1999. As of the date of this staff report, several briefs have been filed with the Court, but the appeal remains unresolved and a date for oral arguments has yet to be set.

1999

Prior to the any local hearings on the proposed LCP amendment, Commission staff ascertained from newspaper accounts that the Area C site was not for sale by a willing seller. In fact, the District had commenced eminent domain proceedings to force the sale of the Area C property for development of a public school. Accordingly, Commission staff informed the District by letter May 12, 1999 that such proceedings were premature until and unless the LCP were amended. Staff encouraged the District to apply to the City to amend the LCP before obtaining title to the subject site so that the District was not left with surplus land acquired at great effort in the event that the required planning approvals were not obtained. The eminent domain proceedings are undecided as of the date of this staff report. In any case, staff's May 12, 1999 letter concluded that:

> *Before the District pursues any course, though, we once again encourage the District to look beyond the Edwards [Area C] site. We continue to believe that an alternative site (or sites) contiguous to existing urban areas and services is the most effective way for the District to avoid the significant environmental impacts posed by the proposed project. Any development in or near the Watsonville Slough system impacts this environmentally sensitive habitat area and the overall chances for long-term slough survival. In this case, the proposed high school extends intensive development including infrastructure, concrete and steel, across Highway 1 directly into the midst of a rural area at the direct expense of coastal agriculture, public views, Hanson Slough and Struve Slough (according to the certified LCP, "the City's most valuable coastal resource"). This in turn may induce future growth on the west side Highway 1 that would undoubtedly further degrade and fragment these sensitive coastal resources. It also places a large population of students and faculty immediately adjacent to productive agricultural operations thus creating the potential for conflicts similar to those which have already occurred at Amesti School between school use and agricultural practices such as pesticide spraying.*
>
> *Without question, we believe that the best public policy and planning choice for the District is to acknowledge the serious constraints at the Harkins Slough site and to find another site that is not so constrained. In fact, as you are no doubt aware, the District's own final environmental impact*

report for the proposed project identifies an environmentally superior feasible alternative that does not involve the Harkins Slough site. Moreover, the fact that alternative sites do not meet specific project objectives or the typical state school standards is insufficient, in staff's view, to warrant selection of an alternative with many more problems. Given the significant negative resource implications of pursuing the Harkins Slough site, the District needs to look for more creative solutions. These solutions may not fit the mold of an idealized fifty acre campus, but rather may involve a smaller campus, shared facility arrangements, site design variations, and other such options. In particular, as we have stated before, the Landmark area adjacent to the Overlook shopping center appears to be an ideal location for pursuing an urban high school and we would encourage the District to work with the City of Watsonville to accommodate the school in this currently undeveloped area, which is also much closer to the residential neighborhoods from which the student body will be drawn.

Overall, while we are very supportive of a high school to educate the young people of South Santa Cruz County, we are also charged with protecting coastal resources. Accordingly, in light of the problems that we have identified and the CEQA materials that we have reviewed to date, Commission staff will be compelled to recommend that the Coastal Commission deny the required LCP amendment if the District continues to pursue the high school project at the Harkins Slough Road (Edwards) site. In the alternative, we believe that new high school facilities and protection of coastal resources are not mutually exclusive concepts. Thus, we again respectfully request that the District pursue a different location for the third high school as soon as possible so that needed educational facilities can be provided consistent with the California Coastal Act.

See May 12, 1999 letter.

When the LCP amendment subsequently went before the City of Watsonville Planning Commission on June 7, 1999, Commission staff again provided oral testimony recommending that the City and the District pursue alternatives to the subject Area C site in order to avoid significant coastal resource impacts including, but not limited to development adjacent to sensitive wetlands habitat, extension of public services and infrastructure to rural areas west of Highway 1, growth inducement, conversion of agricultural lands, impacts to the public viewshed, impaired water quality, and a destabilized urban-rural boundary. In addition, staff's May 12, 1999 correspondence was provided to Planning Commissioners to help them understand the planning history associated with the site since the letter contains an annotated list of staff's previous correspondence on the subject.

At around this same time, CDFG had commented on the District's FEIR; this May 19, 1999 CDFG letter was likewise distributed to the City Planning Commissioners. CDFG's May 19, 1999 concurred with Commission staff concerns, and outlined a series of serious development constraints for the Area C site. CDFG observed that the proposed high school would have significant and unmitigatable adverse impacts on the Watsonville Slough system, on and off-site, and recommended that the proposed high school be relocated to an alternative site. The CDFG letter concludes (see Exhibit F for the full text of the CDFG letter):

The Department finds the Final Revised EIR unacceptable and strongly advises the applicant to seek an alternative site.

Notwithstanding these CDFG and Commission staff concerns, the Planning Commission approved the

LCP amendment package, which relies on the subject FEIR, by a vote of four to two, and the matter was sent to the Watsonville City Council for action.

On July 27, 1999 the Watsonville City Council reviewed the subject LCP Amendment package. Again, Commission staff provided comments on the project to City decision-makers. In a July 27, 1999 letter on the subject LCP amendment package, Commission staff once again reiterated the same set of serious concerns over the proposed high school project, and indicated that the proposed LCP amendment package raised significant Coastal Act compliance issues. The July 27, 1999 letter identified the low-intensity uses allowed and the performance standards required under the LCP that together act to currently limit development on the sensitive Area C site. This July 27, 1999 letter concluded:

> *At your meeting this evening you will be asked to vote on proposed amendments which will significantly intensify allowable development on this crucial site in the City's coastal zone. The proposed amendments west of Highway 1 raises a range of coastal resource issues, including, but not limited to development adjacent to sensitive wetlands habitat, extension of public services and infrastructure to rural areas west of Highway 1, growth inducement, conversion of agricultural lands, impacts to the public viewshed, impaired water quality, and a destabilized urban-rural boundary. We urge you to turn back such a proposal which would significantly weaken the certified LCP.*

By this time, CDFG had provided additional comments to the City and the District regarding CDFG concerns about siting a high school at Area C. In particular, CDFG's July 12, 1999 letter indicates that the subject site is biologically sensitive, and that if some form of development were to occur on the subject site, adverse impacts from such development cannot be mitigated on the site. The CDFG letter concludes that the proposed high school project would need to be modified to avoid on-site resources (i.e., relocation of the proposed school building envelope away from on-site slough resources). In the case that such avoidance of impacts and associated mitigation could not be achieved at the subject Area C site, CDFG concluded that (see Exhibit F for the full text of the July 1999 letter):

> *We will continue to advise against locating the high school at this site.*

By a vote of six to zero, the Watsonville City Council adopted Resolution 222-99 and ordinance 1080-99 thereby approving the proposed amendment to the City's Coastal Land Use Plan and Implementation Plan. This Council action also considered and concurred with the subject FEIR, and relied upon it in the Council's LCP findings (Resolution 221-99).

By the time the City took this action on the proposed amendments, Commission staff had provided written comment on 10 separate occasions, and testified at 4 different City and District public hearings on the matter. Each time, Commission staff consistently delivered the message that the subject site raised core Coastal Act issues including protection of ESHA, preserving agricultural lands, and maintaining a stable urban-rural boundary, and that feasible less-environmentally damaging alternative sites were available that should be pursued before this one.

STATE OF CALIFORNIA – THE RESOURCES AGENCY GRAY DAVIS, Governor

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877

BY FAX & U.S. MAIL
July 27, 1999

Mayor Rios and City Council Members
City of Watsonville
City Hall Council Chambers
250 Main Street
Watsonville, CA 95076

Subject: ***Item 6.1 of the July 27, 1999 Watsonville City Council Hearing (Proposed PVUSD High School at Harkins Slough and Lee Roads in the City of Watsonville)***

Dear Mayor Rios and City Council Members,

I write to once again reiterate Commission staff's serious concerns regarding the Pajaro Valley Unified School District's proposed high school project at Harkins Slough and Lee Roads in the City of Watsonville's coastal zone.

The City's certified local coastal program (LCP) includes specific provisions to limit development on this site in order to protect the sensitive Hanson and Struve Slough resources there. The LCP currently designates the proposed high school site for passive recreation, agriculture or aquaculture (principal uses) and large-lot (5 acre minimum) residential or light non-nuisance industrial (conditional uses). Moreover, the LCP limits the proposed site's impervious coverage to a maximum of 10%, and limits development to those portions of the site that are less than 15% slope.

All of these protections were certified into the LCP in acknowledgement of the valuable slough resources and the overall need to limit development on this sensitive site west of Highway 1. As stated in the certified LCP:

> *[The proposed high school site] presents the largest set of questions [in terms of the City's coastal zone areas]. Though zoned for residential development, it has the most varied terrain of any of the Coastal Zone areas and is the location of the city's most valuable coastal resource, Struve Slough. Without question any form of development of the site would be difficult and would require preservation of the natural resources. Potential options included transfer of development rights to Area A, extremely limited light industrial development with the requisite buffer zones and flood control maintenance requirements, or designation of the entire area for environmental management. Residential development would require very strict performance standards with the need to extend roads, sewer or septic tank and water systems, and the potentials for encroachment on the wetlands, flooding and further degradation of the groundwater, and the need for improved access to the parcels.*

At your meeting this evening you will be asked to vote on an amendment package that will significantly intensify allowable development on this crucial site in the City's coastal zone. The proposed amendments raise a range of coastal resource issues, including, but not limited to development adjacent to sensitive wetlands habitat, extension of public services and

infrastructure to rural areas west of Highway 1, growth inducement, conversion of agricultural lands, impacts to the public viewshed, impaired water quality, and a destabilized urban-rural boundary. We urge you to turn back such a proposal to significantly weaken the certified LCP, contrary to existing California Coastal Act policies.

Should the City still choose to forward this LCP amendment package to the Coastal Commission for consideration, we would also like to clarify for you that the standard of review for such a proposal will be the Coastal Act. Previous discussions with City and School District representatives have suggested some confusion that California Environmental Quality Act (CEQA) requirements are solely the appropriate standard for the City Council to consider. This is not the case. Conformance with the policies of the Coastal Act is what the Coastal Commission will be determining in the review of any LCP amendments. Thus, I urge the City Council to carefully examine those policies as you consider the high school project amendments this evening.

We would like to close by reiterating our support for new south county high school facilities to relieve overcrowding at Aptos and Watsonville High Schools. As we have done consistently since 1993 (please refer to attachment 5 in your packet for this project), however, we also would like to reaffirm our serious concern for pursuing such development at the currently proposed location.

Thank you for the opportunity to comment.

Sincerely,

Tami Grove

Tami Grove
Deputy Director
California Coastal Commission

STATE OF CALIFORNIA – THE RESOURCES AGENCY

GRAY DAVIS, *Governor*

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863

May 12, 1999

John Casey, Superintendent
Pajaro Valley Unified School District
P.O. Box 50010
Watsonville, CA 95076

Subject: ***Proposed High School at Harkins Slough and Lee Roads in Watsonville***

Dear Mr. Casey,

I am writing in response to continuing developments concerning the Pajaro Valley Unified School District's proposed high school project at Harkins Slough and Lee Roads in the City of Watsonville's coastal zone. While our office continues to be very supportive of new south county high school facilities to relieve overcrowding at Aptos and Watsonville High Schools, we feel it is important to again convey our serious concern that the proposed project site is not appropriate for a new high school. We urge you again to pursue a less environmentally damaging location. As we have consistently informed the District since 1993, the proposed project site west of Highway 1 raises a range of coastal resource issues, including, but not limited to development adjacent to sensitive wetlands habitat, extension of public services and infrastructure to rural areas west of Highway 1, growth inducement, conversion of agricultural lands, impacts to the public viewshed, impaired water quality, and a destabilized urban-rural boundary. These concerns have been well detailed in a series of letters, meetings, telephone discussions, and presentations going back to 1993 (see attached list of summarized correspondence).

From recent newspaper coverage, we have become aware that the District is again moving forward with the proposed project and currently intends to acquire some portion of the subject Harkins Slough site through eminent domain proceedings. The ±115 acre site is comprised of five separate parcels owned by the Edwards family. These parcels are currently designated for passive recreation, agriculture or aquaculture (principal uses) and large-lot (5 acre minimum) residential or light non-nuisance industrial (conditional uses) in the certified local coastal program (LCP); all of the parcels are limited to a maximum impervious coverage of 10%. Intensive development, such as a high school, is not permitted on this land. As we have indicated previously (see summarized correspondence), in order to use these parcels for a high school, the LCP must be amended, a process which requires the approval of the Coastal Commission. Given the numerous constraints associated with this site, approval of the required amendment is problematic. We encourage the District to apply for an LCP amendment and allow that process to conclude *before* obtaining title to this site that may or may not be approved for the development desired.

We note also that the proposed purchase involves all of four of the Edwards parcels and part of the fifth (and largest) Edwards parcel. Unless the eminent domain proceeding involves taking ownership for all five parcels, a land division will be necessary to create the parcel(s) containing the proposed high school. Please note that any such division of land requires a coastal

development permit, which would be issued by the City of Watsonville, and may be appealable to the Coastal Commission. In any case, though, pushing forward with eminent domain proceedings at this time is premature from both a planning and regulatory standpoint. It would seem a more efficient use of District resources to first pursue the planning approvals which are necessary to permit the high school on this site. If these approvals are not forthcoming, the District will not be left with surplus land acquired at great effort. If the approvals are secured, then it would be appropriate to acquire the land.

Before the District pursues any course, though, we once again encourage the District to look beyond the Edwards site. We continue to believe that an alternative site (or sites) contiguous to existing urban areas and services is the most effective way for the District to avoid the significant environmental impacts posed by the proposed project. *Any* development in or near the Watsonville Slough system impacts this environmentally sensitive habitat area and the overall chances for long-term slough survival. In this case, the proposed high school extends intensive development including infrastructure, concrete and steel, across Highway 1 directly into the midst of a rural area at the direct expense of coastal agriculture, public views, Hanson Slough and Struve Slough (according to the certified LCP, "the City's most valuable coastal resource"). This in turn may induce future growth on the west side Highway 1 that would undoubtedly further degrade and fragment these sensitive coastal resources. It also places a large population of students and faculty immediately adjacent to productive agricultural operations thus creating the potential for conflicts similar to those which have already occurred at Amesti School between school use and agricultural practices such as pesticide spraying.

Without question, we believe that the best public policy and planning choice for the District is to acknowledge the serious constraints at the Harkins Slough site and to find another site that is not so constrained. In fact, as you are no doubt aware, the District's own final environmental impact report for the proposed project identifies an environmentally superior feasible alternative that does not involve the Harkins Slough site. Moreover, the fact that alternative sites do not meet specific project objectives or the typical state school standards is insufficient, in staff's view, to warrant selection of an alternative with many more problems. Given the significant negative resource implications of pursuing the Harkins Slough site, the District needs to look for more creative solutions. These solutions may not fit the mold of an idealized fifty acre campus, but rather may involve a smaller campus, shared facility arrangements, site design variations, and other such options. In particular, as we have stated before, the Landmark area adjacent to the Overlook shopping center appears to be an ideal location for pursuing an urban high school and we would encourage the District to work with the City of Watsonville to accommodate the school in this currently undeveloped area, which is also much closer to the residential neighborhoods from which the student body will be drawn.

Overall, while we are very supportive of a high school to educate the young people of South Santa Cruz County, we are also charged with protecting coastal resources. *Accordingly, in light of the problems that we have identified and the CEQA materials that we have reviewed to date, Commission staff will be compelled to recommend that the Coastal Commission deny the required LCP amendment if the District continues to pursue the high school project at the Harkins Slough Road (Edwards) site.* In the alternative, we believe that new high school

facilities and protection of coastal resources are not mutually exclusive concepts. Thus, we again respectfully request that the District pursue a different location for the third high school as soon as possible so that needed educational facilities can be provided consistent with the California Coastal Act. Please feel free to contact me or Dan Carl, Coastal Commission Planner for the Watsonville area, at (831) 427-4863 if you should have any questions or would like to discuss this matter further.

Thank you in advance for your prompt attention to this matter.

Sincerely,

Charles Lester
District Manager
Central Coast District Office

cc: Brian Hunter, Central Coast Regional Manager, California Department of Fish and Game
Duwayne Brooks, School Facilities Planning Division Director, California Department of Education
Dave Zian, Regional Programs Manager, Office of Public School Construction, California Department of General Services
David Williams, Director, City of Watsonville Community Development Department
Alvin James, Director, Santa Cruz County Planning Department

D12

Attachment: Annotated List of Correspondence

7/28/93 letter from David Loomis (Central Coast District Office Assistant District Director) to Richard Meyer (PVUSD Director of Construction/Government Relations): Requests a meeting "to discuss the potential for, and impacts of locating a new high school west of State Highway One." Informs the District that "there is a high potential for significant impacts on coastal zone resources. Furthermore, none of the certified Local Coastal Plans reflect that type or intensity of use."

6/22/95 letter from David Loomis (Central Coast District Office Assistant District Director) to Anthony Alvina (PVUSD Superintendent): Reiterates that siting a high school west of Highway One at this location could result in significant impacts to coastal resources. Again requests a meeting to discuss issues surrounding siting the proposed high school at this location.

7/12/95 presentation from David Loomis (Central Coast District Office Assistant District Director) to the PVUSD at the School District's public meeting: Expresses concerns that the proposed high school location is inappropriate and that such development at this location could result in significant impacts to coastal resources including, but not limited to, agriculture, wetlands, and a stable urban-rural boundary. Requests that PVUSD staff meet with Coastal Commission staff to address these issues.

8/14/95 letter from David Loomis (Central Coast District Office Assistant District Director) to Richard Meyer (PVUSD Director of Construction/Government Relations): Summarizes meeting of August 3, 1995 between staff of the Coastal Commission, PVUSD, Santa Cruz County, City of Watsonville, and LAFCO. Expresses dismay that the District concluded their site selection process without soliciting any input from Coastal Commission staff. Requests further meetings with the District and the City to discuss LCP amendment requirements and procedures. Concludes that this letter "is not an endorsement of [the District's] proposal which will require careful scrutiny pursuant to Coastal Act standards," but rather a clarification of scheduling and procedures as discussed in the August 3, 1995 meeting.

9/15/95 letter from David Loomis (Central Coast District Office Assistant District Director) to Maureen Owens (City of Watsonville Planning Director); copied to PVUSD: Discusses Local Coastal Program Amendment requirements. States that, pursuant to PRC Section 21080.5(d)2(i) and Section 13540(f) of the California Code of Regulations, "the Commission [can]not approve an activity if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant environmental impact."

1/16/96 letter from Tami Grove (Central Coast District Office District Director) and Les Strnad (Central Coast District Office Supervisor of Planning and Regulation) to Maureen Owens (City of Watsonville Planning Director); copied to Richard Meyer (PVUSD Director of Construction/Government Relations): Requests that the City continue to consider the "Console" site as an alternative school site in the District's upcoming EIR "since it is not yet developed and is contiguous to urban uses," as opposed to considering the Console site for commercial development. States that "the proposed high school site in the coastal zone west of Highway 1 is in an undeveloped agricultural area, lacking urban services, and not designated for

urbanization." Encourages the planning process to accommodate needed public facilities within already urbanized areas to "significantly diminish the costs associated with school development, (e.g., new freeway improvements, extension of major utilities, etc.) protect the agricultural and natural resources existing west of the highway, and provide a more central, logical location for the high school" consistent with the Coastal Act.

4/11/96 letter from Tami Grove (Central Coast District Office District Director) to Daniel Santo (Educational Services Managing Director); copied to PVUSD: Detailed comments on the CEQA Initial Study/Notice of Preparation document for the proposed high school identifies issues including, but not limited to: conflicts with Coastal Act; growth inducement on west side of Highway 1; growth inducement specifically on remainder of Edwards parcel; negative impacts on wetland habitat due to increasing access to the wetlands; negative impacts on adjacent agriculture and the need for 200 foot agricultural setbacks; compatibility with continued adjacent agricultural practices; the need for 100 foot wetland setbacks and full compliance with the LCP's wetland protection policies; visual siting impacts; non-point source water quality impacts; increased auto-dependence due to relatively isolated location; potential for future siting constraints (i.e., away from wetlands) for any Harkins Slough/Highway 1 interchange projects; the need for fuller discussion of transportation provisions and impacts; and the need for fuller examination of alternative sites. The letter concludes that the submitted comments in no way endorse the proposed project and that "serious consideration needs to be given to alternative sites."

3/26/97 presentation from Steve Monowitz (Central Coast District Office Coastal Planner) to the PVUSD Board of Directors at the first public hearing on the draft EIR: Expressed serious concerns with the proposed project: indicated that it is inconsistent with the Coastal Act; that it is inconsistent with using Highway One as a logical urban/rural boundary for the City of Watsonville (consistent with previous Commission actions); expressed dismay that Commission staff's attempts to have relevant Coastal Act issues addressed earlier in the process have gone largely ignored; that Commission staff attempted to participate in the site selection process to underscore the problematic nature of the site related to its lack of infrastructure, its agricultural resources, and its proximity to sensitive habitat areas (among other issues), but were not afforded the opportunity and the site selection process completed without our input; and that the draft EIR was inadequate. Concluded that: (1) an LCP amendment for the high school at this location would be inconsistent with Coastal Act policies protecting coastal agriculture, environmentally sensitive habitat areas, scenic resources, and requiring new development to be located within existing developed areas with adequate public services; (2) pursuant to California Code of Regulations Section 13540(f), the Coastal Commission cannot certify an LCP amendment for which there is a less environmentally damaging feasible alternative (according to the draft EIR, the Hospital site); and (3) denial of the project by the City of Watsonville or the Coastal Commission is a possibility.

4/9/97 letter from Tami Grove (Central Coast District Office District Director) to Richard Meyer (PVUSD Director of Construction/Government Relations): Detailed comments on the CEQA Draft Environmental Impact Report (DEIR) document for the proposed high school identifies issues including, but not limited to: concerns that our previous efforts to highlight relevant

coastal issues with the Harkins Slough Road site have been disregarded; inadequacy of the DEIR to describe the project and its impacts; the need for better description of the required LCP amendment and any associated mitigations as necessary; inadequate analysis of alternative sites which would reduce impacts to environmental and agricultural resources and reduce costs associated with new school and infrastructure construction; growth inducing impacts; departure from the Highway One urban-rural boundary as established by previous Commission actions (for example, coastal permits for the wastewater treatment plant); precedent for further development on lands west of Highway One; conversion of agricultural lands; compatibility of school development with continued adjacent agricultural productivity; the need for agricultural buffers; inadequate analysis of the significant adverse impacts to environmentally sensitive habitats and wetland/slough system; significant adverse impacts on scenic resources as seen from Harkins Slough Road and Highway One; and cumulative impacts, including potential projects facilitated by the project's growth-inducing jump of Highway One. Commission staff "urge the District to pursue a less environmentally damaging alternative location" and "believe that the pursuit of an alternative location is of primary importance and the most effective way to avoid the significant adverse environmental impacts posed by the project." Emphasized that Commission staff "have strived to avoid a situation where the district has invested a lot of time and money into the development of a school site which does not conform with the standards of the California Coastal Act, and therefore, can not be approved." The letter concludes that the DEIR should be refocused to examine alternative sites, and that Commission staff support the DEIR assertion that an alternative location (other than the Harkins Slough/Lee Roads site) is the environmentally superior alternative.

5/14/97 presentation from Steve Monowitz (Central Coast District Office Coastal Planner) to the PVUSD Board of Directors at the second public hearing on the draft EIR: Expressed serious concerns over the proposed site and reiterated that the proposed project is not the least environmentally damaging feasible alternative available and that the DEIR does not adequately address the environmental impacts of the proposed project, particularly impacts to agriculture and the biological resources of the adjacent wetland habitats. Concluded that Commission staff believe it is of utmost importance that the District pursue a less environmentally damaging alternative location for the third high school.

8/5/98 letter from Lee Otter (Central Coast District Office District Chief Planner) to Richard Meyer (PVUSD Director of Construction/Government Relations): Detailed comments on the CEQA Revised Draft Environmental Impact Report (RDEIR) document for the proposed high school focuses on the District's alternatives analysis and identifies issues including, but not limited to: concern that the Landmark site had been dismissed as a potential alternative location when this appears to be the best alternative location available; inadequacies of the RDEIR's agricultural viability study; and concern that the RDEIR's environmentally superior alternative is not being pursued. The letter: identifies several alternative locations to consider; recommends that the District further define future residential densities of potential high schoolers within the District in relation to potential sites; requests further information regarding Watsonville Airport flight lane constraints relative to proposed and potential alternative sites; recommends that infrastructure costs for feasible alternatives be compared directly; requests better explanation of acreage requirements and the possibility of pursuing smaller site standards; requests

exploration of site design variations to accommodate a school on a smaller alternative site; and requests that criteria used to distinguish between alternatives be ranked/weighted. Ultimately, the letter states, "as we previously indicated to you, and as we again do so through this letter, we urge the district to pursue a less environmentally damaging alternative for the proposed third high school. In particular, we believe that the most effective way to avoid the significant environmental impacts posed by the proposed project is through the pursuit of an alternative location for the project. Towards this end, the substance of this letter provides both feedback on the RDEIR's alternatives analysis as well as a framework for broadening the scope of the alternatives analysis in the final EIR." The letter concludes that "even if the [final] EIR does not explore any more alternative sites than did the RDEIR, the RDEIR identifies the expansion of existing facilities as the environmentally superior alternative (following the "no project" alternative). Why isn't this option being pursued? Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Any action the Coastal Commission may be required to take to amend the City of Watsonville Land Use Plan must be consistent with this section of CEQA and the Coastal Act. From a Coastal Act perspective, the growth inducing aspects of this project (i.e., extending sewer, water, and related infrastructure across Highway One where they were heretofore not found) are particularly troubling. Please be advised that the fact that a less environmentally damaging feasible alternative is available, and it is not being pursued, may be reason enough for Commission staff to recommend denial of the necessary LCP amendment should the district decide to insist on the currently proposed project."

D16

STATE OF CALIFORNIA - THE RESOURCES AGENCY PETE WILSON, *Governor*

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August 5, 1998

Mr. Richard Meyer
Pajaro Valley Unified School District
P.O. Box 50010
Watsonville, CA 95076

Subject: ***Revised Draft Environmental Impact Report for the Proposed Third High School (OPR State Clearinghouse #96032052; AMBAG Clearinghouse #079807)***

Dear Mr. Meyer,

Thank you for the opportunity to review the above-referenced CEQA document. As time does not permit Commission staff to analyze how our previous comments may or may not have been addressed in this revised draft environmental impact report (RDEIR), please consider this letter a supplement which adds to (and which does not replace) our previous comments to you on this project (see letter dated April 9, 1997 attached). In particular, this letter does not comment per se on the impacts associated with the district's proposed site as we feel that our concerns have previously been well documented over the years. Rather, this letter focuses on the RDEIR's alternatives analysis and ultimately suggests that the final environmental impact report (EIR) must better analyze feasible alternative sites.

In any event, we request that, since this is a new EIR process, these comments (as well as our previous comments attached) get more thorough consideration than did our previous comments in the EIR that was decertified. We note that, based on a quick perusal, the responses to our previous comments (in the previous final EIR) generally do not address the issues raised. In many cases, the responses are very brief and the response author groups several points into one numbered comment for which the response only addresses a portion of that comment. In some cases, the comment is simply "acknowledged" when a response is actually required. In other cases there is a reference to another response (which is then sometimes further cross-referenced) which, while dealing with the same subject matter, does not address the referred-to comment. In any event, the full extent of the comments present in this letter, as well as our previous comments attached, needs to be addressed in the final EIR for this project.

As we previously indicated to you, and as we again do so through this letter, we urge the district to pursue a less environmentally damaging alternative for the proposed third high school. In particular, **we believe that the most effective way to avoid the significant environmental impacts posed by the proposed project is through the pursuit of an alternative location for the project.** Towards this end, the substance of this letter provides both feedback on the RDEIR's alternatives analysis as well as a framework for broadening the scope of the alternatives analysis in the final EIR.

In general, we commend this version for having a much more complete discussion of reasonable alternatives than was present in the previous EIR. We are particularly encouraged by the addition of the Kato/Koenig sites and the high school expansion concept. At the same time we are discouraged by the bias exhibited against them. We welcome and support the

D17

conclusion that the expansion of the existing schools would be the environmentally superior alternative (after the 'no project' alternative). However, if the district continues to have serious reservations about these alternatives, then it is incumbent upon the final EIR to broaden the analysis of feasible alternatives.

In particular, we are discouraged at the RDEIR's dismissal of the **Landmark Area** as an alternative to analyze. Please provide justification for the opinion that the Landmark site is infeasible. Commission staff believes that this appears to be the best alternative site and to dismiss it as infeasible without comparing it as a valid alternative is not appropriate. The RDEIR says that the Landmark site has the same constraints as the proposed site. If that is the case, then how can the proposed site be feasible and the Landmark site not be feasible? The RDEIR says that the Landmark site is not served by utilities - but neither is the proposed site. The RDEIR says that the Landmark site has poor road access, but the City is already building a new road at this location. The RDEIR says that the Landmark site is not desirable for high school development due to its proximity to Watsonville High School, but it appears that Landmark is approximately 1½ miles away - not much closer to Watsonville High School than is the proposed site. More importantly, the Landmark site is closer to where more students live than is the proposed site. The RDEIR says that the Landmark site's proximity to the elementary school is an issue - why is this an issue? Several elementary and secondary schools are co-located (e.g., in San Lorenzo Valley). Why would this proximity be an issue for the Landmark site? Is this just a preference or is there actual district policy against proximity of elementary and secondary schools? What is the State policy on this matter?

The RDEIR does not say how many acres are developable at Landmark. The RDEIR says that of the 68 acre Franceschi parcel, 12 acres would be precluded as environmentally sensitive, and another 2 acres would be necessary for roads; this leaves 54 acres. How is the Landmark site less than 50 acres? How exactly do the open space and road easement requirements (and any other requirements) at the Landmark site reduce the useable space at this location to less than 50 acres? If the acreage is shown to be reduced, how much less than 50 acres is available at the Landmark site? According to the information that we have received from the State Department of Education, the recommended acreage for a 2,200 student high school is approximately 45 acres — not 50 acres as utilized in the RDEIR. Is it within the 45 acre size requirement? Have waivers and/or variances been pursued from the acreage standards for the Landmark site? Or any other site for that matter? What about the two adjacent parcels owned by Landmark-Sam Sells? Couldn't the Landmark site be enlarged by using some portion of these 53 acres being graded for fill material on Stonecreek?

The RDEIR says that the City of Watsonville is unlikely to support conversion of the Landmark site to a school site. However, LAFCO is currently requiring a reexamination of the site as an industrial site, and the City could reexamine its suitability for a school at the same time. Given that the Landmark site is currently vacant, and that the new school is to immediately house 700 Watsonville children, wouldn't a school at this site be a priority for the City? Wouldn't it be even more of a priority for the City since the new school will generate 120 jobs and result in an educated work force? Note that the other proposed uses at the Landmark site have not happened for 15 years. In light of the district's current space problems, wouldn't a current school use be a better use of this vacant property? Furthermore, given that the City will soon be

D18

seeking approval to annex an additional 78 acres adjacent to the Landmark site for jobs and housing (recently conditionally approved by LAFCO as an addition to the City's Sphere of Influence), there should be enough space to fit in a school at Landmark and/or the surrounding new acreage. With almost 200 acres that are undeveloped in the Landmark area, isn't there some combination of parcels that could be utilized for a school site?

We maintain that the Landmark location appears to be the best alternative site and to dismiss it as infeasible without comparing it to the proposed project as a valid alternative is not appropriate.

We are in agreement that the **no project alternative** is not a viable option. However, this needs to be clarified. The no project alternative means that there would be no new high school facilities developed to relieve student overcrowding in the district. We believe that some type of project *is* necessary and the purpose of this letter is to further that objective. There is a different spin put on the no project alternative in the RDEIR. This spin is that the 'no project alternative' relates to the agricultural viability of the proposed school site. This is not the case. There are actually two variations of the 'no project' alternative: one being no school project at all at any location, and a second being no project at the Harkins Slough Road/Lee Road location. We agree with the dismissal of the first variation; however, we would object to the RDEIR's conclusion that long-term agriculture is not viable at the site.

The **Agricultural Viability Study (RDEIR Appendix B)** says that only 15 acres have been farmed recently and bases future earnings on only those 15 acres even though the proposed school parcel is 55 acres (not counting the 9 acres to be set aside as a biological preserve). What about the other 40 acres making up the proposed school site? Are these additional 40 acres unfarmable? What about the remaining 51 acres that make up the remainder of the 115 acre parcel? Will the remaining 51 acres (not a part of the project but a part of the larger parcel) stay viable and profitable with the loss of the 55 acres proposed for conversion from agricultural to school use? Are there potential support agricultural uses that could be pursued for the parcel? Could the proposed 55 acre school site have facilities (e.g., barns) that would support agriculture on the remaining 51 acre parcel? Why or why not? If the site will be graded to a more level configuration for a school, wouldn't it also be suitable for greenhouses (which are becoming prevalent in this area)? Why or why not?

The study does not mention whether there are farming practices (e.g., farming organically and building up the soil; different crops, etc.) that could improve the soil capability. Furthermore, there are a variety of agriculturally-related uses other than row crops that might be viable and would serve as a transition to adjacent farmland in the County. Are there other farming practices that could be utilized for the subject parcel? Would these practices increase the parcel's agricultural viability? Furthermore, from the figures provided it appears that the site meets the $200 per acre Williamson Act test. How does the study come to the opposite conclusion?

The study also needs to clarify water issues. The study says that the proposed high school site is served by the Pajaro Valley Water Management District (PVWMD). However, PVWMD does not currently supply water to the site. Rather, the site is currently served by on-site wells.

D19

Therefore, the costs of water equate to the pumping costs (i.e., PG&E costs) plus any PVWMD fees. Note that PVWMD fees were capped in the June 1998 elections.

We concur that two of the alternatives can be dismissed. The **Crestview alternative (RDEIR Alternative 4)** appears to be more environmentally damaging by virtue of the fact that it is prime agricultural land in an agriculturally productive area. In terms of the **access via Airport Road alternative (RDEIR Alternative 2)**, the consideration of an alternative access road does not represent a real *alternative* and should not be given the same status of the other alternatives. Given that the proposed project already includes this same road as a secondary access, this alternative only changes the transportation pattern. Such project design are most appropriately considered *after* a site has been selected through an evaluation of valid (i.e., feasible) alternative locations.

We were encouraged by the inclusion of the **Calabasas Area (Kato/Koenig) alternative (RDEIR Alternative 3)**. Actually, these are really two sites and should be treated independently. We have a number of questions about these sites (not the least of which is where they are exactly located - as described below, these, and all alternatives, need to be mapped). Why are the infrastructural requirements (i.e., roads, drains, sewers, et al) any different for this site versus the proposed site? Is Harkins Slough Road any wider than is Calabasas Road? The RDEIR states that upgrades to existing sewer and storm drain lines would be necessary - wouldn't this be less of a burden than would be the *all new* sewer and water lines that would be required for the proposed site? Why or why not? RDEIR Table Alt-2 states that the proposed project would have less agricultural impacts than alternative 3, but what about growth inducement/adjacency impacts? What are the trade-offs? The RDEIR states that alternative 3 does not meet the objective of being in the planned direction of Watsonville growth; what does this refer to? The most recent sphere of influence unconditionally approved by LAFCO was towards Buena Vista in this general direction. Does this planned growth in the RDEIR refer to the "Tai" area? (If this is the case, then it proves that the proposal is growth-inducing.) If so, should not Tai provide its own school if it is ever approved? The RDEIR says that alternative 3 would have "urban/rural" impacts; what does this mean? The proposed site is more rural than this one, and there are high schools in urban, rural, and suburban areas; what specific locational standard, if any, would be violated by this location? Hopefully, answers to these questions will enable one to more objectively compare these two sites to the proposed site.

We welcome the **expansion of existing facilities alternative (RDEIR Alternative 5)** and the conclusion that it is the most superior alternative from an environmental perspective. Although the "mega-schools" concept was quickly floated and rejected by the school board, it deserves more serious consideration and analysis; possibly in a modified form to address the objections and any potential impacts. This alternative should also consider the effect of moving administrative facilities out of the school campuses (e.g., Watsonville High School) to free up space for students and instruction. With additional space vacated by administrative functions, the viability of expanding the existing high schools would be increased. We understand that the district is considering the purchase and/or lease of the old Watsonville Hospital for the purposes of consolidating administrative functions. The consolidation of administrative functions at the hospital site makes sense given that the facility appears too small to be considered of itself for a

D20

high school. This alternative needs to be further discussed and analyzed in the EIR, supplemented with an explicit discussion of moving administrative functions away from the school sites themselves. Given that alternative 5 is already the environmentally superior alternative (after the "no project" alternative), a revised alternative 5 incorporating the use of the old hospital site (or another developed facility for that matter) for administrative functions would likely be able to continue to be the most superior alternative from an environmental perspective.

Some additional questions on alternative 5: Why would "overall fire safety on already over-crowded school sites" be an issue at Aptos High with 2,400 students on a 75 acre campus, since it would be less dense than the proposed new high school (2,200 students on 55 acres)? If it is true that Watsonville High School would be more dense under this alternative, would it be possible to better balance student attendance (i.e., having more students at Aptos and less at Watsonville)? How would this change if administrative functions at Watsonville were transferred offsite? Why is the "response time for fire and police services severely compromised" by the two high school plan? How much further away are the nearest police/sheriff and fire stations from these two schools than from the proposed new school? How is code compliance an issue? Wouldn't this plan result in bringing the two schools up to code? A recent newspaper article mentioned that this plan may be more costly than a new high school, but wouldn't/shouldn't the existing high schools be brought up to code anyway? Why are additional road construction costs for the Aptos campus any more of a concern than the costs to improve Harkins Slough Road (including the $8 million that the City and CALTRANS are already spending to improve the Harkins Slough overpass with sidewalks and bike lanes)? Why does RDEIR Table Alt-2 show that traffic impacts would be the same for this alternative and the proposed Harkins Slough/Lee Road site? With comparatively fewer residences near the proposed high school site which is at the fringe of the City, wouldn't there be more bus and car trips at the proposed site? Shouldn't traffic generation take into account future population areas in relation to alternative sites to determine how many students will likely walk, bike, take the bus, drive, or be dropped off at any potential alternative school location? Why or why not? What is the district's transportation policy regarding bussing? Regarding driving to school? How does this policy affect traffic and circulation impacts for this alternative (and others)? Why would this proposal have similar groundwater impacts? If more students go to Aptos High, wouldn't there be less groundwater impacts because the Pajaro Valley groundwater basin is in overdraft? Why should the fact that an EIR would be required for the Aptos High expansion be a deterrent? Given that this RDEIR represents a draft EIR going through its second release, a second EIR would not be required for the Aptos expansion if the final EIR evaluated the environmental impacts of expanding the high schools.

This alternative (i.e., expansion of existing high schools) needs to identify (i.e., map) and analyze future school district boundaries and the future residential density of potential high school students within the district. What happens if there is a split or some other reorganization of the district? Would it then make even more sense to expand each high school? Less sense? In the event of secession, would each district need 2 high schools? If so, could these schools be smaller? What would be the optimal location for high school(s) if the district splits or is reorganized? What is the implication if part or all of the Monterey County portion of the school district moves into the North Monterey County Unified School District? If this were to happen, would the North Monterey County High School have room for the additional students or could it

D21

expand to accommodate them without adverse environmental impacts? What about a refined alternative whereby there are three clusters of high schools with expansion of Watsonville and Aptos High Schools and a new high school location in Freedom? Again, answers to these questions and an exploration of the above comments can help frame an acceptable alternative involving expansion of existing facilities that can be more objectively compared to proposed project.

We agree with the RDEIR that all of the evaluated alternatives have problems. However, if the environmentally superior alternative is not going to be pursued, it is incumbent upon the final EIR to broaden the comparative analysis of feasible alternatives. By this we mean that in addition to the three valid alternatives in the RDEIR (i.e., Kato, Koenig, and school expansion), the final EIR must compare additional feasible site locations that will minimize the significant environmental impacts posed by the proposed project. In undertaking this exercise, the EIR must keep in mind the following.

Before any alternative sites are rejected by the EIR on the basis that they do not comply with the 50-acre minimum lot size set in the RDEIR, opportunities to obtain waivers and/or variances from this standard need to be pursued. The RDEIR does not even explore the question of potential waivers and/or variances from acreage requirements. Furthermore, please note that according to the information that we have received from State Department of Education, the recommended acreage for a 2,200 student high school is approximately 45 acres — not 50 acres as utilized in the RDEIR. The RDEIR states that a 50-acre minimum site size is required, but this site size is not explained and potential lesser acreage standards are not analyzed, discussed, or explored in relation to sites that may be less than 50 acres; this is a deficiency that needs to be addressed in the final EIR. Why are 50 acres required for the proposed high school? Is this a "recommended" size or is it a "required" size? If it is "required," are there variances and/or waiver procedures for pursuing smaller, less environmentally damaging sites? If so, why hasn't the district pursued these?

In addition to settling required/recommended/allowed acreage standards, the EIR also needs to explore site design measures that could result in the need for lesser acreage. In other words, if there are any potential sites which may result in a less environmentally damaging alternative but which are slightly smaller than would accommodate the current proposed high school design, the district needs to explore changed plans which may fit into this smaller parcel. For example, the RDEIR states that the parking required for the high school pursuant to accepted engineering standard would be 418 parking spaces, yet the proposed high school would provide nearly double this number of parking spaces. Why does the school need this excess of parking spaces? Isn't this counter to the County's Congestion Management Program? Why does the RDEIR propose an excess of parking based upon a 2,200 student capacity and then analyze traffic impacts based upon an initial 700 students? Shouldn't the RDEIR traffic and circulation impacts discussion focus on the worst case (as opposed to the best case) scenario? Couldn't parking be phased along with student growth? At capacity, wouldn't the traffic and circulation impacts be much greater than those shown in the RDEIR? What will be the traffic and circulation impacts associated with 2,200 students, 120 staff and X number of visitors? Wouldn't a reduction in parking result in less required acreage at the same time as helping the project to

D22

comply with City and County congestion management policies? Wouldn't lesser parking result in lesser required impervious surfacing?

Finally, from our quick survey of parcels in and around the present school district boundary, there are a number of parcels greater than 40 acres (and a number greater than 50 acres) that may be feasible alternative sites and which have not been analyzed by the RDEIR. If the district is not otherwise precluded by regulation or law, the EIR should explore less environmentally damaging sites that are somewhat less than 50 acres. For example, there are a number of large vacant parcels in the City of Watsonville's newly approved sphere of influence between Larkin Valley Road and Buena Vista Drive which are conveniently located and which have not been pursued. Could some combination of these large parcels be pursued for the new school? If not, why not? Are there other parcels in the 40 to 50 acre range that have were previously dismissed as too small without any other analysis? Would any of these parcels potentially result in a less environmentally damaging alternative? What about the site off of Trabing Road that has been evaluated by Santa Cruz County as a potential alternative landfill site (see attached map)? The County has identified some constraints for this Trabing Road site but nothing that would appear to eliminate it without any further review.

Before any alternatives are dismissed by the EIR based upon their location relative to Aptos and Watsonville High Schools, the EIR needs to map the future residential density of potential high school students within the district. This factor is more important to identifying the adequacy of potential sites than is the current high school locations. Likewise, the existing (and potential future through annexation or secession) boundaries of the school district need to be included in this density analysis. It is more desirable to construct school improvements in such a way that students can easily get to (i.e., by walking and biking) schools that are near their residences as opposed to requiring long commutes (and driving and bussing). For example, the information in the RDEIR does not bridge this analytical gap when it summarily dismisses the Landmark site as being too close to Watsonville High School. How much closer is the Landmark site to Watsonville High School than is the proposed site? More importantly, lacking maps of future residential densities, is this distance even relevant? Where will future high schoolers reside? How does this future residential density relate to the current boundaries of the school district? How does it relate to any future boundaries of the school district due to potential annexations and/or secessions? Are there any parcels that could be pursued near these future high schoolers' residences?

Likewise, before any alternatives are dismissed by the EIR based upon their location relative to the airport, the precise boundaries of overhead flight lanes needs to be identified. The RDEIR states that multiple sites were dismissed based upon their relative position to the airport. However, it is not explained when and where these safety factors did and did not apply. In tandem with mapping future residential densities in relation to current/future district boundaries, the EIR needs to map all flight zones (including arriving and departing flight lines, and any other designated flyover zones) that are being used to disqualify potential alternative sites. What are the reasons for disallowing school construction in these areas? What are the circumstances under which school construction would be allowed in these areas?

D23

Before any alternatives are dismissed by the EIR because of necessary infrastructural needs (i.e., roads, drains, sewers, et al), the EIR must quantify and compare these requirements among alternatives. Since infrastructure improvements will likely be necessary at any potential site, no site should be dismissed based upon the need for new/improved infrastructure. Rather, the EIR needs to present information detailing these differences among sites. How do the necessary infrastructural improvements at Landmark or Calabasas compare to the proposed site? Will the pending construction of Oholone Parkway provide for any of these infrastructural improvements for the Landmark site (thus reducing the need for these to be borne by the school district)? What are the infrastructural needs were a site in the newly annexed area near Freedom to be considered? Would these be much less? What would be the infrastructural costs for the area between Larkin Valley Road and Buena Vista Drive?

In general, all alternative locations to be considered in the final EIR (including the eleven sites preliminary identified, the sites listed in RDEIR Tables Alt-1 and Alt-2, Landmark, and any other feasible sites identified as the EIR broadens the alternatives analysis) need to be precisely identified on the same map in the EIR which needs to identify future population densities, current/future school district boundaries, and any other mapped constraints (e.g., airport flight paths). The RDEIR is lacking a clear identification of the location of alternative sites. Any additional sites identified as described above need to also be included on this master map. Commission staff believe that alternative site selection and analysis is crucial to avoiding the significant environmental impacts associated with the district's proposed site and that the final EIR needs to have a master map which identifies all potential alternative site locations.

In conclusion, we maintain that the alternatives analysis in the RDEIR remains deficient in being biased against the reasonable alternatives analyzed and concurrently dismissing or failing to examine any others. The acreage requirements need to be better explained (i.e., 50 acres versus 45 acres) and smaller site standards explored (i.e., via waivers and/or variances). Site design variations requiring less acreage must be identified (e.g., Why can or cannot the district pursue a site with shared-use athletic fields? Why can or cannot the site have less parking spaces? Etc.). The relationship of future high school student population densities in relation to potential feasible alternative sites must be developed. Likewise, the existing (and potential future through annexation or secession) boundaries of the school district need to be included in this density analysis. Airport-related constraints and infrastructural costs and requirements for each site need to be identified.

Given the range of problems associated with the proposed site (as further described in our previous EIR comments dated April 9, 1997 attached) and the District's unfavorable stance toward the alternatives evaluated, additional alternative sites need to be analyzed and compared. For a fair and accurate comparison of these alternatives, the final EIR needs to explicitly rank any and all criteria used (as currently listed—but not ranked—in RDEIR 2.2) in the alternatives analysis.

Finally, even if the EIR does not explore any more alternative sites than did the RDEIR, the RDEIR identifies the expansion of existing facilities as the environmentally superior alternative (following the "no project" alternative). Why isn't this option being pursued? Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are

D22

feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Any action the Coastal Commission may be required to take to amend the City of Watsonville Land Use Plan must be consistent with this section of CEQA and the Coastal Act. From a Coastal Act perspective, the growth inducing aspects of this project (i.e., extending sewer, water, and related infrastructure across Highway One where they were heretofore not found) are particularly troubling. Please be advised that the fact that a less environmentally damaging feasible alternative is available, and it is not being pursued, may be reason enough for Commission staff to recommend denial of the necessary LCP amendment should the district decide to insist on the currently proposed project.

Thank you for the opportunity to comment on this project.

Sincerely,

Lee Otter
District Chief Planner
Central Coast District Office

Attachments: (1) April 9, 1997 letter on previous DEIR (2) Trabing Road map

cc: Charles Eadie, Director, City of Watsonville Planning Department
California Department of Education
OPR State Clearinghouse (#96032052)
AMBAG Clearinghouse (#079807)

D25

STATE OF CALIFORNIA – THE RESOURCES AGENCY

PETE WILSON, *Governor*

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST AREA OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(408) 427-4863
HEARING IMPAIRED: (415) 904-5200

April 9, 1997

Mr. Richard Meyer
Pajaro Valley Unified School District
165 Blackburn Street
Watsonville, CA 95077-5010

RE: *Draft Environmental Impact Report for the Proposed Third High School Site*

Dear Mr. Meyer:

Thank you for the opportunity to comment on the above referenced document. As you will find, these comments emphasize the Commission staff's concern regarding the selected site, and urge the District to pursue a less environmentally damaging alternative location. They also identify the document's deficient analysis of the environmental impacts associated with the proposed project. These project specific comments should not, however, be construed to imply that the Commission staff endorse the proposed location. We believe that the pursuit of an alternative location is of primary importance, and the most effective way to avoid the significant adverse environmental impacts posed by the project.

The project evaluated by this document is located within the coastal zone, and requires an amendment to the City of Watsonville's certified Local Coastal Program (LCP) to allow for the proposed use; such an amendment must be certified by the Commission as conforming with the Chapter 3 policies of the California Coastal Act. The subject document does not present the information necessary for the Coastal Commission to conclude that the amendment is consistent with the Coastal Act. In addition, the proposed project necessitates a coastal development permit (CDP) from the City of Watsonville which is appealable to the Coastal Commission. The document has also failed to supply the analysis needed to establish the proposed project's consistency with applicable LCP standards.

The Commission staff is greatly disappointed by the fact that the Draft EIR (DEIR) for this project does not respond to the coastal issues identified in our April 11, 1996 comment letter regarding the Notice of Preparation. In summary, these include:

- information and analysis needed to determine Coastal Act conformance;
- adequate alternatives analysis;
- conversion of agricultural land;
- impacts to biological resources;
- scenic resources;
- growth inducement; and,

D26

- cumulative impacts.

The need for the final EIR to adequately address these issues is reiterated in the following comments. However, prior to identifying the specific comments the Commission staff have with respect to the proposed project, it is imperative to review the history of our attempts to have these concerns addressed. Our intent has always been to provide the school district with the information necessary to consider the costs, timelines, and regulatory requirements associated with developing a new high school on undeveloped agricultural lands in the coastal zone, directly adjacent to wetland habitats, and not currently supplied with infrastructure. It was our hope that the school district would effectively consider these issues during site selection and project design.

1. Background

Beginning in 1993, this office has continuously attempted to inform the school district of the problematic nature of the proposed site, the detailed information that would be required to determine whether or not the project would be consistent with Coastal Act policies, and the process which must be followed in order to allow for such a project to move forward. On July 28, 1993, we requested a meeting with the school district, Santa Cruz County, the City of Watsonville, and LAFCO in a letter which also summarized our concerns regarding the proposal to construct a new high school west of Highway One. As this meeting never materialized, another request was sent on June 22, 1995.

The requested meeting took place on August 3, 1995, where we were informed that the site selection process had been completed without the opportunity for us to participate. We identified the need for an LCP amendment and an in-depth review of its consistency with Coastal Act standards. It was agreed that the appropriate time to review the specifics of this issue would be during the environmental review stage. Unfortunately, the subject DEIR falls far short of this expectation, as detailed in the following sections of this letter.

Prior to this meeting, our Assistant District Director Dave Loomis presented the Commission staff's concerns regarding the contemplated project at the School District meeting of July 12, 1995,. In identifying the Coastal Act issues raised by the City of Watsonville's intent to develop lands west of Highway One (including the proposed High School), Mr. Loomis' presentation referenced the following comment letters previously submitted by Coastal Commission staff on this subject:

- February 1993 letter to the State Clearinghouse on the DEIR for the proposed Watsonville 2005 General Plan;
- July 1994 letter to the school district regarding the proposed school site;
- March 1995 letter to the City of Watsonville commenting of the Notice of Preparation of a Supplemental EIR for the Watsonville 2005 General Plan; and,
- June 1995 letter to Superintendent Avina reiterating our concerns regarding the proposed High School site, and requesting, for a second time, a coordination meeting between the involved agencies.

In January, 1996, when we became aware that the City was considering commercial development of the "Console" or "DBO" site, the Commission staff sent a letter to the City of Watsonville requesting that this site be considered for use as a High School site before being committed to commercial development. This recommendation addressed the fact that this site was contiguous to existing development, while the site west of Highway One is in an undeveloped agricultural area, lacking urban services, and not designated for urbanization. In response, we were informed that the California Department of Education considered the Console site as being undersized, and as a result, it did not receive further consideration.

On March 20, 1996, we received a copy of the Initial Study/Notice of Preparation for the proposed project. Our comments to this document were sent on April 11, 1996, and are attached for reference. As previously stated, the issues identified by this letter remain unresolved.

Staff analyst Steve Monowitz shared these concerns with the School District again at its meeting of March 26, 1997. As was noted in Mr. Monowitz's presentation, we have strived to avoid a situation where the district has invested a lot of time and money into the development of a school site which does not conform with the standards of the California Coastal Act, and therefore, can not be approved. Considering the history of our attempts to have the applicable Coastal Act issues addressed, we are distressed by the subject DEIR's lack of analysis on this topic.

2. Scope of EIR

The Draft EIR is deficient in addressing the full nature of the proposed project and the affected environment, as it does not identify or analyze the extensive development that will need to take place outside of the proposed school's footprint to accommodate this facility. The current lack of an adequate infrastructure system, and the specific improvements needed to support the proposed use of the site, needs to be completely addressed by the EIR. This must include an analysis of the environmental impacts associated with infrastructure development.

While the DEIR briefly mentions some of the infrastructure expansion that will be required to serve the project, it does an inadequate job of describing the specific design, locations, and environmental impacts associated with such development. For example:

- the DEIR identifies the need for a secondary access road from West Airport Boulevard, a separate bus lane, and pedestrian and bicycle access routes (pages 5.2-9 - 5.2-11, and figures PD-2 and T-2), but does not identify their locations, proposed design capacity, or environmental impacts;

- the DEIR notes that project drainage and stormwater management still needs to be addressed, either through on-site detention or a newly engineered storm drainage system (p. 5.6-5). The document does not evaluate the design requirements of such a system, identify these facilities within illustrations of site design, or analyze their potentially significant adverse impacts on hydrology, water quality, and the biological productivity of adjacent sensitive habitat areas. The proposed mitigation measures, aimed at maintaining an equivalent quantity of runoff from the subject site as currently exists, and minimizing the discharge of urban pollutants from the site through the eventual development of a Storm

D28

ATTACHMENT 1 - P.3

Water Pollution Prevention Plan (SWPPP), is inadequate to address project impacts. Issues such as potential changes to the hydrologic functioning of adjacent wetland areas, residual impacts to water quality with implementation of the required SWPPP, and the direct impacts of stormwater system construction must be addressed by the DEIR.

Additional direct and indirect environmental impacts associated with other infrastructure improvements anticipated to be required to serve the proposed project are practically ignored by the DEIR, including:

- preventing the common closures of Harkins Slough and Lee Roads due to flooding;
- revisions to Highway One on and off ramps; and
- installation/expansion of water and sewer lines.

The inadequate scope of the EIR is further exacerbated by the fact that the DEIR is unclear as to what constitutes the project site. Our comments on the Initial Study requested that the entire parcel be discussed. In some cases the project site is shown as being the 115 acre site (Figure PD-1, for example), in other cases the project site is shown as being just the 55 acre school site (Figure PD-2) and the analysis is limited to just this portion of the site. There are several problems with this.

First, facilities associated with the proposed project, such as the secondary access road and utility extensions, are not within the 55 acres evaluated by the DEIR. The impacts from these facilities are not addressed.

Second, the DEIR suggests mitigating site-specific impacts by redesign and resiting the project within the 55 acre envelope (e.g., setting back further from the wetlands), with no discussion about whether other parts of the site would be more suitable. Is there flexibility in site design beyond the 55 acres identified?

Third, the DEIR does not discuss how this site relates to the remainder of the property: Is a land division necessary? If so, this development activity should be analyzed by the EIR. Are there any agreements with landowners as to what may happen on the remaining 60 acres (e.g., cost-sharing agreements for utility extensions)?

Fourth, if the site is limited to 55 acres, then the necessary impact analyses need to address the remaining 60 acres in addition to the surrounding area. For example, if the remainder of the site is to stay in agriculture, then a buffer on the northern boundary of the developed 55 acre site will be necessary.

Finally, the DEIR contains a recommended mitigation measure (#b-1 on page 5.7-11) to preserve the remainder of the site. This a potentially welcome recommendation, but needs some elaboration, since it goes on to say that priority should emphasize grasslands and marshlands. Does this mean that an additional area of the 115 acres beyond the 55 acres would be considered for development? The EIR should provide a map showing exactly what part of the site needs to be preserved to achieve this mitigation and a rationale for this.

3. LCP Amendment and CDP Processes and Requirements

In its discussion of permits and approvals required for the project (p. 2-5), the DEIR correctly identifies that an LCP amendment will be necessary to allow for the proposed High School use (also identified on page 5.1-1 of the DEIR). Currently, the LCP allows for passive recreation, agriculture, and aquaculture land uses on the proposed school site (Area C of the LCP). Very low-density residential and low intensity light industrial uses are allowed on a conditional basis, only if continued agriculture use is demonstrated to be infeasible.

Section 2.5 of the DEIR does not, however, identify that the amendment requires certification by the California Coastal Commission. Such certification will be based upon the amendment's conformance with the Chapter 3 policies of the Coastal Act.

Nor does this discussion identify that a coastal development permit from the City of Watsonville is required for the project, which is appealable to the Coastal Commission. The standard of review for approval of the coastal development permit will be consistency with the Watsonville certified LCP.

The greatest deficiency in the DEIR related to these requirements, is the fact that the Land Use Component of the DEIR relative to the LCP (p.5.1-3) does not contain a "consistency analysis" with respect to the LCP amendment's conformance with applicable Coastal Act standards, or the project's consistency with the specific requirements of the Watsonville LCP.

In order to address these requirements, the EIR should:

- articulate the specific provisions of the LCP that are proposed to be amended in order to accommodate the proposed project;
- evaluate the amendment's consistency with Chapter 3 policies of the Coastal Act;
- analyze the proposed project's conformance with the specific criteria and performance standards for new development contained in the LCP; and,
- identify mitigation measures needed to ensure LCP compliance.

The following sections of this letter identify the specific Coastal Act and LCP issue areas for which a more detailed analysis of project conformance must be provided.

Furthermore, Section 13540(f) of the Commission's Administrative Regulations requires that certification of Land Use Plans conform with Public Resources Code Section 21080.5(d)(2)(i), which requires that an activity will not be approved or adopted as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. This requirement underscores the need for a thorough examination of project alternatives, as discussed below.

4. Project Alternatives

The DEIR describes the following three alternatives to the proposed project: the "no project" alternative; the currently proposed site with an alternative main access along Airport Road; and, an alternative location. In the discussion of alternative locations, the DEIR considers the top three sites that were developed during the site selection process: the proposed site, the Console site, and the Hospital site.

The DEIR eliminates consideration of the Console site on the basis that it has since been purchased and is being developed as a retail center. During City processing of a permit for this retail project, the Commission staff requested that before being committed to retail development, the site's potential use for a new High School be considered. The response that was provided by the City and the School District (that the site was too small to accommodate a High School) appears to conflict with the DEIR's indication that this was, in fact, a viable alternative.

Further complicating the acceptability of the proposed site is the fact that the DEIR concludes that the Hospital site is the "environmentally superior alternative". The DEIR does not identify why this alternative is not being pursued in favor of a more environmentally damaging alternative (i.e., the proposed project). The fact that an environmentally superior alternative is available may be reason enough for the Commission to deny the needed LCP amendment according to Section 13540(f) of the Administrative Regulations, identified above.

Finally, the Commission staff do not believe that the DEIR, or the site selection process, has provided an adequate analysis of alternative sites that could feasibly accommodate the new High School. We repeat our request made in commenting on the Initial Study that "there should be at least brief mention and evaluation [from an environmental perspective] of all 13 sites initially considered", and "fuller examination of at least three alternative sites that remain feasible." In particular, we request that the EIR explore the Landmark/Lohr site and the conversion of previously developed properties such as the former Aleanza High School site, and the site on which the school district offices are currently located. Such alternatives have the potential to not only reduce impacts to environmental and agricultural resources, but greatly reduce the costs associated with the construction of the High School and necessary infrastructure as well.

Due to the many variables which figure into the determination of the most appropriate site, we further request that before any alternatives are rejected by the EIR on the basis that they do not comply with the specific High School design standards set by the California Department of Education, that opportunities to obtain waivers and/or variances from such requirements be identified.

For the record, we also note that the discussion of on-site alternatives is deficient. There is no map provided with Alternative 2 showing the alternative road access. It would appear that this road would traverse agricultural land both within and outside of the City's boundary and hence also be growth-inducing, possibly more so than the proposed project which relies existing road access. Again, there is no discussion about the fate of the remaining 60 acres of the site under this Alternative, which would be traversed by a new road.

With regard to Figure A-8 the alternative site concept, it addresses only visual and West Branch Struve Slough setback concerns. It does not address other important issues such as setbacks

from Hanson Slough, on-site agricultural buffers, detention basin location, nor impervious surface coverage (e.g., Parking lot) reduction (as elaborated on later in this letter).

The alternatives analysis provided by the EIR should not only respond to the above comments, but should also evaluate which alternatives most suitably respond to the following issue areas.

5. Conversion of Agricultural Land

Coastal Act Sections 30241 and 30242 call for maintaining agricultural land within agricultural production. In order to achieve this object, these policies point to:

- establishing stable boundaries separating urban and rural areas;
- providing clearly defined buffer areas between agricultural and urban land uses;
- limiting the conversion of agricultural lands around the periphery of urban areas;
- developing lands not suitable for agriculture prior to the conversion of agricultural land; and,
- assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability.

The City of Watsonville LCP was certified as conforming with this policy because it allowed development west of Highway One only at very low densities, and set up stringent provisions for the protection of agricultural resources. For example, before low-intensity nonagricultural development can be permitted within LCP Area C (the project site), the LCP requires submission of an Agriculture Viability report which analyzes:

- the gross revenue from the agricultural products grown in the area for the five years immediately preceding the date of the filing of the application for coastal development; and,
- the operational expenses, excluding the cost of land, associated with the production of agricultural products grown in the area for the five years immediately preceding the date of the filing of the application for coastal development. ("Area" meaning a geographic area of both the City and County of sufficient size to provide an accurate evaluation of the economic feasibility of agricultural uses for those lands included in the City's certified local coastal program).

Use of this area for non-agricultural purposes is not permitted by the City of Watsonville certified LCP unless the above report indicates that continued agricultural use is determined to be infeasible, and the report is found to be factually adequate by a qualified governmental reviewing authority other than the City (e.g., Santa Cruz County Agricultural Commissioner, U.S.D.A. – Soil Conservation Service, Resource Conservation District, or Coastal Commission). The DEIR does not provide an analysis of the agricultural viability of the site.

In order to adequately analyze this issue, the EIR should either: provide the agricultural viability analysis required by the LCP; or, identify the new standard by which non-agricultural

development would be allowed on the site, and evaluate this standard's conformance with Coastal Act Sections 30241, 30241.5, and 30242.

Due to the fact that the conversion of agricultural land associated with this project raises issues of conformity with the Watsonville certified LCP (as discussed above), the Commission staff disagree with the DEIR's finding that there is not a significant impact with regard to land use (DEIR, p. 5.1-2). On page 5.1-1, the DEIR identifies that land use impacts are considered significant if: the proposed land uses are found to be incompatible with surrounding uses, or internally incompatible; the project is found to be inconsistent with applicable City land use policies; or, prime agricultural lands are converted to uses which have not been deemed in the "public interest". The Commission staff disagree with the DEIR's finding on page 5.1-2 that the conversion of agricultural land associated with this project is not a significant impact.

We also disagree with appropriateness of the third "threshold of significance" established by the DEIR, which states that the conversion of prime agricultural land is not significant unless it is "converted to uses which have not been deemed in the "public interest". The California Coastal Act standards previously referenced call for the protection of both prime agricultural land and other lands suitable for agriculture. Therefore, the impact of converting agricultural land must be thoroughly analyzed, regardless of whether the new use is for a "public purpose".

With respect to the compatibility between the proposed school use and surrounding agricultural use, the DEIR does not, but needs to, address the issue of agricultural buffers. The proposed mitigation measure to notify the Agricultural Commissioner of special events is appropriate, but totally inadequate. The site plan should show an agricultural buffer on the site, and the EIR should provide information as to how the buffer width was determined as being adequate to ensure compatibility between the proposed school and the surrounding agricultural activities. As suggested in our comments on the Initial Study, sources of this information should include the District's own experience with Ohlone, Bradley, and Amesti schools, as well as the County's 200 foot buffer requirement. Also, in order to be able to derive effective mitigation measures, an investigation of pesticide use on the current site and surrounding areas is necessary. Although the parcel to the immediate west is shown as currently in cattle grazing, its potential for other agricultural activities, such as those involving pesticide use or noise and dust generating farm machinery, should be discussed.

Finally, because the proposed new use represents a significant increase in the intensity of non agricultural development currently allowed by the certified LCP, it must be analyzed for its secondary impacts to agricultural resources. An evaluation of the growth-inducing impacts of providing public services to an area which does not have adequate infrastructure to support non-agricultural development, are critical components of such an analysis which should be provided by the EIR. (Please refer to part 8 of this letter).

6. Impacts to Environmentally Sensitive Habitats

Adverse impacts to the environmentally sensitive habitat areas adjacent to the proposed project (Struve Slough and Hanson Slough) is another significant issue are a which needs a much greater analysis than currently provided by the DEIR. We are extremely disappointed with the discussion of the project's impacts on vegetation and wildlife, which basically restates the general information contained in the Initial Study for the project. It is completely inadequate for

the DEIR to generalize that the project may adversely affect amphibians, reptiles, mammals, songbirds, and raptors (5.7-10) without identifying the specific impacts to each category of species, their significance, and providing detailed mitigation measures necessary to maintain viable habitats for their specific needs. Moreover, adequate attention also needs to be given to options for avoiding any identified impacts.

Similarly, the proposed mitigation measures have not been appropriately evaluated for their ability to ensure that impacts to biological resources and sensitive habitats will be less than significant, nor their feasibility. Mitigation measure B-3, for example, suggests a resiting of the project away from the West Branch of Struve Slough. However, the illustrative revision (Figure A-8) sites development, including a parking lot, very close to Hanson Slough. Mitigation measure B-4 says that the fields and stadium shall not be equipped with night-time lighting, another good idea. However, we question whether this requirement will hold in the long-term given that the County's other high schools have night lighting. Further, Mitigation Measure B-11 proposes to fence the west perimeter of the school campus in order to restrict access to the Watsonville State Wildlife Area at Struve Slough. While this may be appropriate, it is insufficient to prevent human encroachment into sensitive habitat areas.

A much more detailed analysis of the specific impacts to sensitive habitats and biological resources, including an evaluation of their significance before and after implementation of the suggested mitigation measures needs to be provided by the EIR. As part of this exercise, consideration should be given to the possibility that the adjacent part of Hanson Slough now grazed and hence somewhat degraded, may be restored to more productive wetland habitat in the future. Unfortunately, the recommendation of the referenced *Water Resources Management Plan for the Watsonville Slough System* to prepare a master plan to include historic wetland extent, wildlife corridors, appropriate wetland buffers, and areas suitable for restoration has not yet been implemented. The absence of these parameters places greater burden on individual applicants to develop projects that will not individually nor cumulatively affect the wetland system.

The Commission staff agree with the DEIR's conclusion that "the presence of the high school at this location would, over time, result in indirect residual impacts that would lead to incremental decline in biological diversity in the adjacent slough an upland habitats" (p.5.7-12), a significant unavoidable adverse impact. As such, we find it difficult to see how findings of consistency with the Coastal Act (required for the LCP amendment), and compliance with the Watsonville LCP (necessary for coastal development permit approval), can be made to allow this project to move forward. The DEIR fails to:

- evaluate the proposed LCP amendment's consistency with Section 30240 of the Coastal Act; and,
- investigate the proposed project's conformance with all the specific sensitive habitat/wetland protection standards contained in the Watsonville LCP.

The EIR should respond to these deficiencies in detail.

7. Scenic Resources

As required by the Watsonville certified LCP, "new development shall be sited and designed to protect views of scenic coastal areas (including the wetlands of the Watsonville Slough complex and associated riparian areas), to minimize the alteration of natural landforms, [and] to be visually compatible with the character of surrounding areas ...".

One difficulty in assessing the proposed project's conformance with this policy is the fact that no elevations of the project are provided. The Commission staff request that the EIR provide project elevations superimposed on the photoviews of the project site (DEIR plates A-1 and A-2) in order to provide a better impression of the visual impacts that will result from this project. Another problem is that the DEIR does not evaluate the visual impacts associated with development activities that will take place outside of the school footprint, such as the secondary access road, pedestrian and bike access routes (recommended to be "well lit" by Mitigation Measure T-2), or revampments of Harkins Slough and Lee Roads that may be needed to prevent closure from flooding.

The Commission staff agree with the DEIR's conclusion that the proposed project will have significant adverse impacts on scenic views available from Harkin's Slough road, but do not agree that the proposed mitigation measures are appropriate or will reduce project impacts on views available from Highway One to a less than significant level. While the proposed resiting of the facilities described by mitigation measure A-1 and depicted in Figure A-8 may help to maintain more of the natural slopes along side Struve Slough, we are concerned that this alternative may not be environmentally appropriate due to the fact that it will result in the parking lot and paved play area being within closer proximity to Hanson Slough. In addition, the extent to which the natural landforms visible from Highway One will be impacted under this alternative is not identified by the DEIR. Similarly, the DEIR does not identify the "strategic locations" for the raised berms suggested by Mitigation Measure A-2 other than the one proposed at the south end of the Stadium, or their heights. The EIR should provide more specific information regarding the proposed mitigation, and identify the visual impacts that will occur with implementation of the mitigation measures.

8. Growth Inducement

Previous Coastal Commission actions regarding the City of Watsonville LCP and Coastal Development Permits within this coastal zone area have emphasized that Highway One serves as an appropriate boundary to urban expansion, and should be maintained as such in order to ensure compliance with Coastal Act Section 30250. For example, the conditions of approval placed on a permits issued by the Commission for expansion of the wastewater treatment plant in 1981 (CDP No. A-94-81), and modifications to the plant in 1986 (CDP No. 3-86-51), prohibits the extension of sewer services into the City's coastal zone area. Any expansion of sewer services must be consistent with the development allowed under the LCP, and be preceded by an amendment to permit A-94-81 or a separate coastal development permit which allows for the expansion. This requirement is not, but should be, identified by the DEIR; it mandates that the Coastal Commission certify that the proposed use of the site is consistent with Coastal Act standards before the required infrastructure can be legally provided.

While the DEIR appropriately concludes that the proposed project will be growth-inducing, it understates the significance of this impact. For example, the DEIR concludes that the extension of urban services will not be growth-inducing because they will be sized to only serve the high school. However, there is no discussion of utility sizing. We know from experience that capacity limitations do not hold. For example, a previous extension of a City wastewater line to serve a new hotel was supposed to be limited to six inches so as not to be growth inducing. Now the City says a larger diameter pipe is needed to avert clogging and long repair delays (*Santa Cruz Sentinel*, February 27, 1997). Similarly, fire departments are now requiring oversized water lines for fire flow purposes.

We also disagree that the proposed project will not be precedent-setting, as claimed. While it may be consistent with the City's new General Plan, it is not consistent with the certified Local Coastal Program, which remains the governing document, until amended. As previously noted, left unsaid by the DEIR is the fate of the remaining 60 acres of the site not proposed for school use. The City recently established an Enterprise Zone throughout the entire City, including the subject site, to encourage economic growth and job development. In response to our concerns that this may be growth-inducing, the City indicated that they did not expect to make any amendments to the LCP to allow more intensive development (Magana to Otter, August 30, 1996). The proposed project contradicts this assertion and thus appears to be a precedent to further develop lands west of Highway One.

We are also aware of other proposals to annex and develop agricultural land on the periphery of Watsonville's urbanized area. Until stable urban-rural boundaries are established and honored by all parties, then any proposals, such as the current one which bring urban services and urban-level activities into an agricultural are, will be growth-inducing and precedent setting.

9. Cumulative Impacts

The cumulative impacts of development expected to take place in the proposed project's vicinity must also be further analyzed by the EIR. This analysis should account for the growth inducing impacts identified above, which will have the effect of facilitating additional development within the area.

The DEIR, on page 4-1, contains an incomplete list of upcoming developments within the project vicinity; it fails to, and needs to, identify the following:

- development of the Pajaro Valley Inn, a 100 room motel with a 3,600 square foot conference facility located at 821 Airport Boulevard, for which the City recently extended the locally approved coastal development permit;

- recent incorporation of 646 acres of land west of Lee Road (the "Tai property") within the City's urban limit line. Our understanding is that the City is contemplating the eventual development of 1,800 residential units on this site;

- proposed annexation of 216 acres along Riverside Drive, including two agricultural parcels in the coastal zone, pre-zoned for high-intensity industrial use;

- contemplated development of a 10.6 acre site owned by the City of Watsonville adjacent to LCP Area A ("Gilbertson property") with a commercial facility;

- use of 23 acres currently in agricultural production near the sewage treatment plant for a County composting facility; and

- conversion of 30 acres of land currently in strawberry production for stockpiling of soil from the Buena Vista Landfill.

The Commission staff request that the final EIR thoroughly analyze the cumulative impacts of the proposed High School, the projects listed above, and the other development activities that will be facilitated by the project's growth-inducing impacts. We are especially interested in the potential cumulative effects of these projects on agricultural and sensitive habitat resources in this coastal zone region. It would be helpful if the final EIR included a map depicting these projects.

10. Other Text Specific Comments

Page 5.1-3:

There is a footnote at the bottom of the page which identifies that there may be a conflict between adjacent agricultural operations and school use related to chemical use for farming. It refers the reader to the Hazards section of the document for an analysis of this issue. No such analysis can be found throughout the entire DEIR.

Chapter 5.2, Transportation:

The DEIR fails to cite the County's Congestion Management Program and the City's efforts at Trip Reduction and analyze the project's consistency with these initiatives. The final EIR should evaluate the amount of parking provided with regards to these programs, the City's parking standards (our version shows one space per seven student seats, the proposal shows double this standard), and other high schools. It should evaluate why 200 staff and visitor parking spaces are proposed. Reduction of parking, coupled with transit programs, would not only reduce traffic impacts, but also impervious surface coverage and amount of land needed.

Chapter 5.6, Hydrology:

Page 5.6-6 of the DEIR states that "The increase in impermeable surfaces on the project site would also reduce recharge of the groundwater beneath the upland areas of the site, which may lower the water table beneath the West Branch of the Struve Slough and possibly the Hanson Slough during summer. However, because the project site is not located in a groundwater recharge area, these impacts are not considered significant". The DEIR does not analyze the impact of a lower water table on biological resources. This impact should be thoroughly analyzed by the final EIR.

In the discussion of flooding on page 5.6-6, the DEIR identifies that Harkins Slough Road is susceptible to flooding, but does not identify how this issue will be addressed. The final EIR

needs to be clear as to the road improvements that will be necessary to accommodate the proposed project, and evaluate their environmental impacts.

11. Conclusion

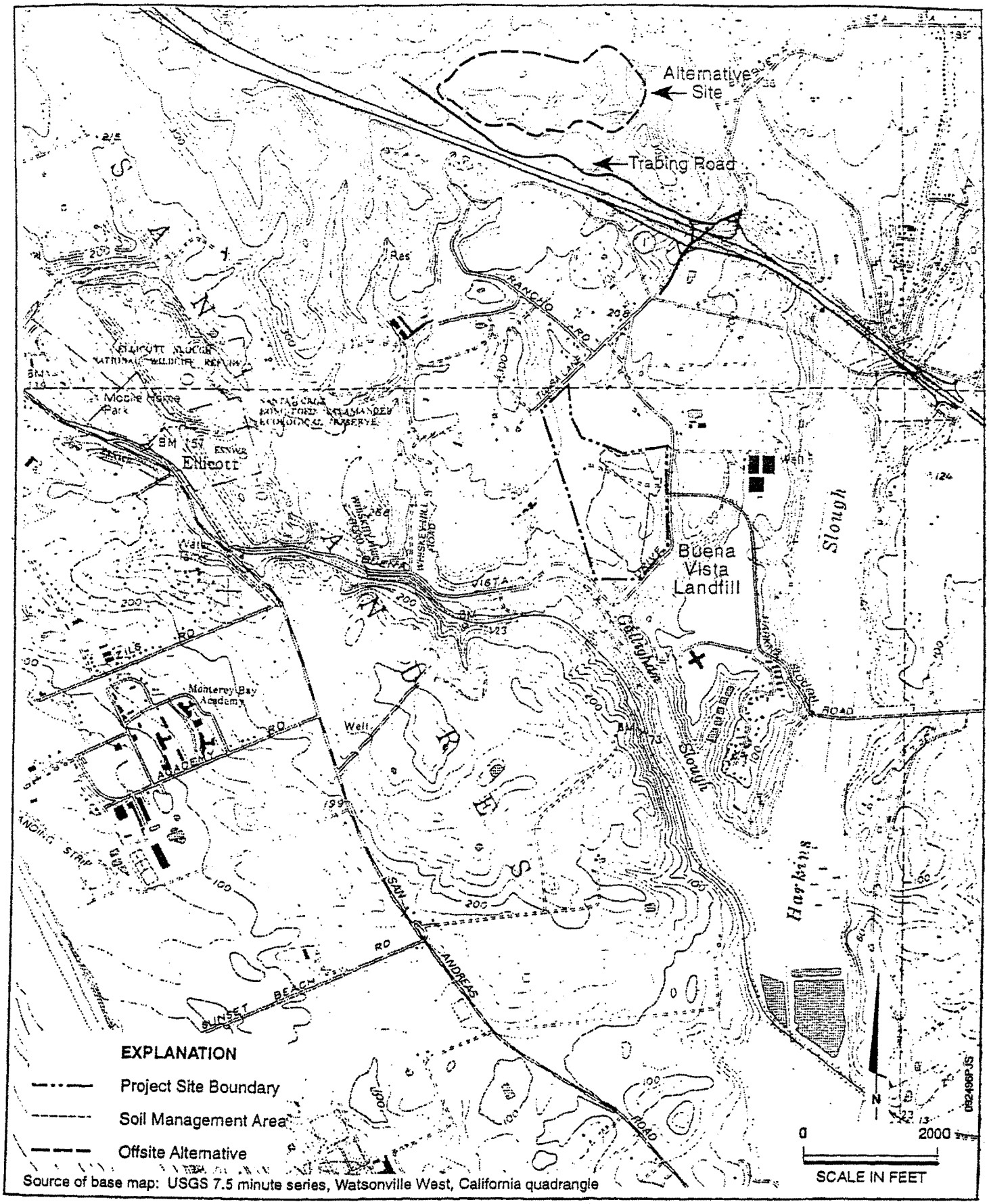
The Commission staff support the DEIR's assertion that an alternative location for the proposed third high school is the environmentally superior alternative overall. This letter amplifies the factors which lead to such a conclusion. We believe it thus be more prudent for the District to refocus the EIR process to examine alternative sites, rather than to address all the inadequacies of the DEIR. But, for the record, we also conclude that the DEIR is deficient in analyzing resource impacts and hence offering adequate mitigation measures for the subject site, most especially in the areas of habitat protection, agricultural preservation, and growth inducement.

Sincerely,

Tami Grove

Tami Grove
Deputy Director

cc: Charles Eadie, City of Watsonville
AMBAG Clearinghouse
OPR Clearinghouse
California Department of Education
Office of Public School Construction



Source of base map: USGS 7.5 minute series, Watsonville West, California quadrangle

Harding Lawson Associates
Engineering and Environmental Services

Location Map, Offsite Alternative
Buena Vista Landfill
Soil Management Plan
Santa Cruz County, California

PLATE **5.2-1**

DRAWN	JOB NUMBER	APPROVED	DATE	REVISED DATE
PJSc	34720 007		6/96	9/96

D30

ATTACHMENT 2 - P.1

STATE OF CALIFORNIA – THE RESOURCES AGENCY

PETE WILSON, *Governor*

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST AREA OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(408) 427-4863
HEARING IMPAIRED: (415) 904-5200

MEMORANDUM

May 14, 1997

TO: Members of the Pajaro Valley Unified School District

FROM: Steve Monowitz, Coastal Program Analyst

RE: ***California Coastal Commission Staff Presentation for Tonight's Second Public Hearing Regarding the DEIR for the proposed Watsonville High School***

At the previous hearing on this project (March 26, 1997), I expressed the Coastal Commission staff's serious concerns regarding the proposed project, summarized as follows:

- the proposed project is not the least environmentally damaging alternative available; and,
- the DEIR does not adequately address the environmental impacts posed by the project, particularly impacts to agriculture and the biological resources of the adjacent wetland habitats.

The Commission staff believe that is of utmost importance that the District pursue a less environmentally damaging alternative location for the third High School. If the proposed site is continued to be pursued, then a much more thorough environmental analysis must be provided.

The purpose of my attendance at this meeting tonight is not to reiterate the Coastal Commission staff's position expressed at the previous hearing and detailed in the 13 pages of written comments submitted with respect to the Draft EIR, but to try to understand how the District intends to address these issues, and to answer any questions you may have regarding our written comments or the Local Coastal Program Amendment process that the proposed project must undergo.

In closing, I must again emphasize that the Commission staff has made every attempt to have the issues we have raised addressed as early in the project development process as possible. Continuing this effort, I am here to request that the District thoroughly consider these issues before further investing in a project which the Commission staff do not believe can be approved due to its inconsistency with applicable policies of the California Coastal Act.

Thank you for the opportunity to comment, and I am available to answer any questions.

STATE OF CALIFORNIA – THE RESOURCES AGENCY PETE WILSON, *Governor*

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST AREA OFFICE
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427-4863
RING IMPAIRED: (415) 904-5200

MEMORANDUM

April 16, 1997

TO: Chairman Areias and Commissioner Calcagno

FROM: Steve Monowitz, Staff Analyst SM

RE: ***Staff Comments on the Draft Environmental Impact Report for a Proposed High School in the Watsonville Coastal Zone***

Tami Grove requested that I provide you with a copy of the above referenced comment letter. We thought that you should be aware of the Commission staff's serious concerns regarding this project, which involves the conversion of agricultural land, development adjacent to sensitive wetland habitats, and the extension of public services to the rural area of the City west of Highway One. An amendment to the City of Watsonville's certified Local Coastal Program will be required to allow for the proposed High School use.

If you have any questions, or need additional information, please feel free to contact me at the Santa Cruz office.

cc: Tami Grove, Deputy Director

STATE OF CALIFORNIA - THE RESOURCES AGENCY

PETE WILSON, *Governor*

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April 9, 1997

Mr. Richard Meyer
Pajaro Valley Unified School District
165 Blackburn Street
Watsonville, CA 95077-5010

RE: ***Draft Environmental Impact Report for the Proposed Third High School Site***

Dear Mr. Meyer:

Thank you for the opportunity to comment on the above referenced document. As you will find, these comments emphasize the Commission staff's concern regarding the selected site, and urge the District to pursue a less environmentally damaging alternative location. They also identify the document's deficient analysis of the environmental impacts associated with the proposed project. These project specific comments should not, however, be construed to imply that the Commission staff endorse the proposed location. We believe that the pursuit of an alternative location is of primary importance, and the most effective way to avoid the significant adverse environmental impacts posed by the project.

The project evaluated by this document is located within the coastal zone, and requires an amendment to the City of Watsonville's certified Local Coastal Program (LCP) to allow for the proposed use; such an amendment must be certified by the Commission as conforming with the Chapter 3 policies of the California Coastal Act. The subject document does not present the information necessary for the Coastal Commission to conclude that the amendment is consistent with the Coastal Act. In addition, the proposed project necessitates a coastal development permit (CDP) from the City of Watsonville which is appealable to the Coastal Commission. The document has also failed to supply the analysis needed to establish the proposed project's consistency with applicable LCP standards.

The Commission staff is greatly disappointed by the fact that the Draft EIR (DEIR) for this project does not respond to the coastal issues identified in our April 11, 1996 comment letter regarding the Notice of Preparation. In summary, these include:

- information and analysis needed to determine Coastal Act conformance;
- adequate alternatives analysis;
- conversion of agricultural land;
- impacts to biological resources;
- scenic resources;
- growth inducement; and,

- cumulative impacts.

The need for the final EIR to adequately address these issues is reiterated in the following comments. However, prior to identifying the specific comments the Commission staff have with respect to the proposed project, it is imperative to review the history of our attempts to have these concerns addressed. Our intent has always been to provide the school district with the information necessary to consider the costs, timelines, and regulatory requirements associated with developing a new high school on undeveloped agricultural lands in the coastal zone, directly adjacent to wetland habitats, and not currently supplied with infrastructure. It was our hope that the school district would effectively consider these issues during site selection and project design.

1. Background

Beginning in 1993, this office has continuously attempted to inform the school district of the problematic nature of the proposed site, the detailed information that would be required to determine whether or not the project would be consistent with Coastal Act policies, and the process which must be followed in order to allow for such a project to move forward. On July 28, 1993, we requested a meeting with the school district, Santa Cruz County, the City of Watsonville, and LAFCO in a letter which also summarized our concerns regarding the proposal to construct a new high school west of Highway One. As this meeting never materialized, another request was sent on June 22, 1995.

The requested meeting took place on August 3, 1995, where we were informed that the site selection process had been completed without the opportunity for us to participate. We identified the need for an LCP amendment and an in-depth review of its consistency with Coastal Act standards. It was agreed that the appropriate time to review the specifics of this issue would be during the environmental review stage. Unfortunately, the subject DEIR falls far short of this expectation, as detailed in the following sections of this letter.

Prior to this meeting, our Assistant District Director Dave Loomis presented the Commission staff's concerns regarding the contemplated project at the School District meeting of July 12, 1995. In identifying the Coastal Act issues raised by the City of Watsonville's intent to develop lands west of Highway One (including the proposed High School), Mr. Loomis' presentation referenced the following comment letters previously submitted by Coastal Commission staff on this subject:

- February 1993 letter to the State Clearinghouse on the DEIR for the proposed Watsonville 2005 General Plan;

- July 1994 letter to the school district regarding the proposed school site;

- March 1995 letter to the City of Watsonville commenting of the Notice of Preparation of a Supplemental EIR for the Watsonville 2005 General Plan; and,

- June 1995 letter to Superintendent Avina reiterating our concerns regarding the proposed High School site, and requesting, for a second time, a coordination meeting between the involved agencies.

In January, 1996, when we became aware that the City was considering commercial development of the "Console" or "DBO" site, the Commission staff sent a letter to the City of Watsonville requesting that this site be considered for use as a High School site before being committed to commercial development. This recommendation addressed the fact that this site was contiguous to existing development, while the site west of Highway One is in an undeveloped agricultural area, lacking urban services, and not designated for urbanization. In response, we were informed that the California Department of Education considered the Console site as being undersized, and as a result, it did not receive further consideration.

On March 20, 1996, we received a copy of the Initial Study/Notice of Preparation for the proposed project. Our comments to this document were sent on April 11, 1996, and are attached for reference. As previously stated, the issues identified by this letter remain unresolved.

Staff analyst Steve Monowitz shared these concerns with the School District again at its meeting of March 26, 1997. As was noted in Mr. Monowitz's presentation, we have strived to avoid a situation where the district has invested a lot of time and money into the development of a school site which does not conform with the standards of the California Coastal Act, and therefore, can not be approved. Considering the history of our attempts to have the applicable Coastal Act issues addressed, we are distressed by the subject DEIR's lack of analysis on this topic.

2. Scope of EIR

The Draft EIR is deficient in addressing the full nature of the proposed project and the affected environment, as it does not identify or analyze the extensive development that will need to take place outside of the proposed school's footprint to accommodate this facility. The current lack of an adequate infrastructure system, and the specific improvements needed to support the proposed use of the site, needs to be completely addressed by the EIR. This must include an analysis of the environmental impacts associated with infrastructure development.

While the DEIR briefly mentions some of the infrastructure expansion that will be required to serve the project, it does an inadequate job of describing the specific design, locations, and environmental impacts associated with such development. For example:

- the DEIR identifies the need for a secondary access road from West Airport Boulevard, a separate bus lane, and pedestrian and bicycle access routes (pages 5.2-9 - 5.2-11, and figures PD-2 and T-2), but does not identify their locations, proposed design capacity, or environmental impacts;

- the DEIR notes that project drainage and stormwater management still needs to be addressed, either through on-site detention or a newly engineered storm drainage system (p. 5.6-5). The document does not evaluate the design requirements of such a system, identify these facilities within illustrations of site design, or analyze their potentially significant adverse impacts on hydrology, water quality, and the biological productivity of adjacent sensitive habitat areas. The proposed mitigation measures, aimed at maintaining an equivalent quantity of runoff from the subject site as currently exists, and minimizing the discharge of urban pollutants from the site through the eventual development of a Storm

D44

Water Pollution Prevention Plan (SWPPP), is inadequate to address project impacts. Issues such as potential changes to the hydrologic functioning of adjacent wetland areas, residual impacts to water quality with implementation of the required SWPPP, and the direct impacts of stormwater system construction must be addressed by the DEIR.

Additional direct and indirect environmental impacts associated with other infrastructure improvements anticipated to be required to serve the proposed project are practically ignored by the DEIR, including:

- preventing the common closures of Harkins Slough and Lee Roads due to flooding;
- revisions to Highway One on and off ramps; and
- installation/expansion of water and sewer lines.

The inadequate scope of the EIR is further exacerbated by the fact that the DEIR is unclear as to what constitutes the project site. Our comments on the Initial Study requested that the entire parcel be discussed. In some cases the project site is shown as being the 115 acre site (Figure PD-1, for example), in other cases the project site is shown as being just the 55 acre school site (Figure PD-2) and the analysis is limited to just this portion of the site. There are several problems with this.

First, facilities associated with the proposed project, such as the secondary access road and utility extensions, are not within the 55 acres evaluated by the DEIR. The impacts from these facilities are not addressed.

Second, the DEIR suggests mitigating site-specific impacts by redesign and resiting the project within the 55 acre envelope (e.g., setting back further from the wetlands), with no discussion about whether other parts of the site would be more suitable. Is there flexibility in site design beyond the 55 acres identified?

Third, the DEIR does not discuss how this site relates to the remainder of the property: Is a land division necessary? If so, this development activity should be analyzed by the EIR. Are there any agreements with landowners as to what may happen on the remaining 60 acres (e.g., cost-sharing agreements for utility extensions)?

Fourth, if the site is limited to 55 acres, then the necessary impact analyses need to address the remaining 60 acres in addition to the surrounding area. For example, if the remainder of the site is to stay in agriculture, then a buffer on the northern boundary of the developed 55 acre site will be necessary.

Finally, the DEIR contains a recommended mitigation measure (#b-1 on page 5.7-11) to preserve the remainder of the site. This a potentially welcome recommendation, but needs some elaboration, since it goes on to say that priority should emphasize grasslands and marshlands. Does this mean that an additional area of the 115 acres beyond the 55 acres would be considered for development? The EIR should provide a map showing exactly what part of the site needs to be preserved to achieve this mitigation and a rationale for this.

D45

3. LCP Amendment and CDP Processes and Requirements

In its discussion of permits and approvals required for the project (p. 2-5), the DEIR correctly identifies that an LCP amendment will be necessary to allow for the proposed High School use (also identified on page 5.1-1 of the DEIR). Currently, the LCP allows for passive recreation, agriculture, and aquaculture land uses on the proposed school site (Area C of the LCP). Very low-density residential and low intensity light industrial uses are allowed on a conditional basis, only if continued agriculture use is demonstrated to be infeasible.

Section 2.5 of the DEIR does not, however, identify that the amendment requires certification by the California Coastal Commission. Such certification will be based upon the amendment's conformance with the Chapter 3 policies of the Coastal Act.

Nor does this discussion identify that a coastal development permit from the City of Watsonville is required for the project, which is appealable to the Coastal Commission. The standard of review for approval of the coastal development permit will be consistency with the Watsonville certified LCP.

The greatest deficiency in the DEIR related to these requirements, is the fact that the Land Use Component of the DEIR relative to the LCP (p.5.1-3) does not contain a "consistency analysis" with respect to the LCP amendment's conformance with applicable Coastal Act standards, or the project's consistency with the specific requirements of the Watsonville LCP.

In order to address these requirements, the EIR should:

- articulate the specific provisions of the LCP that are proposed to be amended in order to accommodate the proposed project;
- evaluate the amendment's consistency with Chapter 3 policies of the Coastal Act;
- analyze the proposed project's conformance with the specific criteria and performance standards for new development contained in the LCP; and,
- identify mitigation measures needed to ensure LCP compliance.

The following sections of this letter identify the specific Coastal Act and LCP issue areas for which a more detailed analysis of project conformance must be provided.

Furthermore, Section 13540(f) of the Commission's Administrative Regulations requires that certification of Land Use Plans conform with Public Resources Code Section 21080.5(d)(2)(i), which requires that an activity will not be approved or adopted as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. This requirement underscores the need for a thorough examination of project alternatives, as discussed below.

4. Project Alternatives

The DEIR describes the following three alternatives to the proposed project: the "no project" alternative; the currently proposed site with an alternative main access along Airport Road; and, an alternative location. In the discussion of alternative locations, the DEIR considers the top three sites that were developed during the site selection process: the proposed site, the Console site, and the Hospital site.

The DEIR eliminates consideration of the Console site on the basis that it has since been purchased and is being developed as a retail center. During City processing of a permit for this retail project, the Commission staff requested that before being committed to retail development, the site's potential use for a new High School be considered. The response that was provided by the City and the School District (that the site was too small to accommodate a High School) appears to conflict with the DEIR's indication that this was, in fact, a viable alternative.

Further complicating the acceptability of the proposed site is the fact that the DEIR concludes that the Hospital site is the "environmentally superior alternative". The DEIR does not identify why this alternative is not being pursued in favor of a more environmentally damaging alternative (i.e., the proposed project). The fact that an environmentally superior alternative is available may be reason enough for the Commission to deny the needed LCP amendment according to Section 13540(f) of the Administrative Regulations, identified above.

Finally, the Commission staff do not believe that the DEIR, or the site selection process, has provided an adequate analysis of alternative sites that could feasibly accommodate the new High School. We repeat our request made in commenting on the Initial Study that "there should be at least brief mention and evaluation [from an environmental perspective] of all 13 sites initially considered", and "fuller examination of at least three alternative sites that remain feasible." In particular, we request that the EIR explore the Landmark/Lohr site and the conversion of previously developed properties such as the former Aleanza High School site, and the site on which the school district offices are currently located. Such alternatives have the potential to not only reduce impacts to environmental and agricultural resources, but greatly reduce the costs associated with the construction of the High School and necessary infrastructure as well.

Due to the many variables which figure into the determination of the most appropriate site, we further request that before any alternatives are rejected by the EIR on the basis that they do not comply with the specific High School design standards set by the California Department of Education, that opportunities to obtain waivers and/or variances from such requirements be identified.

For the record, we also note that the discussion of on-site alternatives is deficient. There is no map provided with Alternative 2 showing the alternative road access. It would appear that this road would traverse agricultural land both within and outside of the City's boundary and hence also be growth-inducing, possibly more so than the proposed project which relies existing road access. Again, there is no discussion about the fate of the remaining 60 acres of the site under this Alternative, which would be traversed by a new road.

With regard to Figure A-8 the alternative site concept, it addresses only visual and West Branch Struve Slough setback concerns. It does not address other important issues such as setbacks

from Hanson Slough, on-site agricultural buffers, detention basin location, nor impervious surface coverage (e.g., Parking lot) reduction (as elaborated on later in this letter).

The alternatives analysis provided by the EIR should not only respond to the above comments, but should also evaluate which alternatives most suitably respond to the following issue areas.

5. Conversion of Agricultural Land

Coastal Act Sections 30241 and 30242 call for maintaining agricultural land within agricultural production. In order to achieve this object, these policies point to:

- establishing stable boundaries separating urban and rural areas;
- providing clearly defined buffer areas between agricultural and urban land uses;
- limiting the conversion of agricultural lands around the periphery of urban areas;
- developing lands not suitable for agriculture prior to the conversion of agricultural land; and,
- assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability.

The City of Watsonville LCP was certified as conforming with this policy because it allowed development west of Highway One only at very low densities, and set up stringent provisions for the protection of agricultural resources. For example, before **low-intensity** nonagricultural development can be permitted within LCP Area C (the project site), the LCP requires submission of an Agriculture Viability report which analyzes:

- the gross revenue from the agricultural products grown in the area for the five years immediately preceding the date of the filing of the application for coastal development; and,
- the operational expenses, excluding the cost of land, associated with the production of agricultural products grown in the area for the five years immediately preceding the date of the filing of the application for coastal development. ("Area" meaning a geographic area of both the City and County of sufficient size to provide an accurate evaluation of the economic feasibility of agricultural uses for those lands included in the City's certified local coastal program).

Use of this area for non-agricultural purposes is not permitted by the City of Watsonville certified LCP unless the above report indicates that continued agricultural use is determined to be infeasible, and the report is found to be factually adequate by a qualified governmental reviewing authority other than the City (e.g., Santa Cruz County Agricultural Commissioner, U.S.D.A. -- Soil Conservation Service, Resource Conservation District, or Coastal Commission). The DEIR does not provide an analysis of the agricultural viability of the site.

In order to adequately analyze this issue, the EIR should either: provide the agricultural viability analysis required by the LCP; or, identify the new standard by which non-agricultural

D48

development would be allowed on the site, and evaluate this standard's conformance with Coastal Act Sections 30241, 30241.5, and 30242.

Due to the fact that the conversion of agricultural land associated with this project raises issues of conformity with the Watsonville certified LCP (as discussed above), the Commission staff disagree with the DEIR's finding that there is not a significant impact with regard to land use (DEIR, p. 5.1-2). On page 5.1-1, the DEIR identifies that land use impacts are considered significant if: the proposed land uses are found to be incompatible with surrounding uses, or internally incompatible; the project is found to be inconsistent with applicable City land use policies; or, prime agricultural lands are converted to uses which have not been deemed in the "public interest". The Commission staff disagree with the DEIR's finding on page 5.1-2 that the conversion of agricultural land associated with this project is not a significant impact.

We also disagree with appropriateness of the third "threshold of significance" established by the DEIR, which states that the conversion of prime agricultural land is not significant unless it is "converted to uses which have not been deemed in the "public interest". The California Coastal Act standards previously referenced call for the protection of both prime agricultural land and other lands suitable for agriculture. Therefore, the impact of converting agricultural land must be thoroughly analyzed, regardless of whether the new use is for a "public purpose".

With respect to the compatibility between the proposed school use and surrounding agricultural use, the DEIR does not, but needs to, address the issue of agricultural buffers. The proposed mitigation measure to notify the Agricultural Commissioner of special events is appropriate, but totally inadequate. The site plan should show an agricultural buffer on the site, and the EIR should provide information as to how the buffer width was determined as being adequate to ensure compatibility between the proposed school and the surrounding agricultural activities. As suggested in our comments on the Initial Study, sources of this information should include the District's own experience with Ohlone, Bradley, and Amesti schools, as well as the County's 200 foot buffer requirement. Also, in order to be able to derive effective mitigation measures, an investigation of pesticide use on the current site and surrounding areas is necessary. Although the parcel to the immediate west is shown as currently in cattle grazing, its potential for other agricultural activities, such as those involving pesticide use or noise and dust generating farm machinery, should be discussed.

Finally, because the proposed new use represents a significant increase in the intensity of non agricultural development currently allowed by the certified LCP, it must be analyzed for its secondary impacts to agricultural resources. An evaluation of the growth-inducing impacts of providing public services to an area which does not have adequate infrastructure to support non-agricultural development, are critical components of such an analysis which should be provided by the EIR. (Please refer to part 8 of this letter).

6. Impacts to Environmentally Sensitive Habitats

Adverse impacts to the environmentally sensitive habitat areas adjacent to the proposed project (Struve Slough and Hanson Slough) is another significant issue are a which needs a much greater analysis than currently provided by the DEIR. We are extremely disappointed with the discussion of the project's impacts on vegetation and wildlife, which basically restates the general information contained in the Initial Study for the project. It is completely inadequate for

D49

the DEIR to generalize that the project may adversely affect amphibians, reptiles, mammals, songbirds, and raptors (5.7-10) without identifying the specific impacts to each category of species, their significance, and providing detailed mitigation measures necessary to maintain viable habitats for their specific needs. Moreover, adequate attention also needs to be given to options for avoiding any identified impacts.

Similarly, the proposed mitigation measures have not been appropriately evaluated for their ability to ensure that impacts to biological resources and sensitive habitats will be less than significant, nor their feasibility. Mitigation measure B-3, for example, suggests a resiting of the project away from the West Branch of Struve Slough. However, the illustrative revision (Figure A-8) sites development, including a parking lot, very close to Hanson Slough. Mitigation measure B-4 says that the fields and stadium shall not be equipped with night-time lighting, another good idea. However, we question whether this requirement will hold in the long-term given that the County's other high schools have night lighting. Further, Mitigation Measure B-11 proposes to fence the west perimeter of the school campus in order to restrict access to the Watsonville State Wildlife Area at Struve Slough. While this may be appropriate, it is insufficient to prevent human encroachment into sensitive habitat areas.

A much more detailed analysis of the specific impacts to sensitive habitats and biological resources, including an evaluation of their significance before and after implementation of the suggested mitigation measures needs to be provided by the EIR. As part of this exercise, consideration should be given to the possibility that the adjacent part of Hanson Slough now grazed and hence somewhat degraded, may be restored to more productive wetland habitat in the future. Unfortunately, the recommendation of the referenced *Water Resources Management Plan for the Watsonville Slough System* to prepare a master plan to include historic wetland extent, wildlife corridors, appropriate wetland buffers, and areas suitable for restoration has not yet been implemented. The absence of these parameters places greater burden on individual applicants to develop projects that will not individually nor cumulatively affect the wetland system.

The Commission staff agree with the DEIR's conclusion that "the presence of the high school at this location would, over time, result in indirect residual impacts that would lead to incremental decline in biological diversity in the adjacent slough an upland habitats" (p.5.7-12), a significant unavoidable adverse impact. As such, we find it difficult to see how findings of consistency with the Coastal Act (required for the LCP amendment), and compliance with the Watsonville LCP (necessary for coastal development permit approval), can be made to allow this project to move forward. The DEIR fails to:

- evaluate the proposed LCP amendment's consistency with Section 30240 of the Coastal Act; and,
- investigate the proposed project's conformance with all the specific sensitive habitat/wetland protection standards contained in the Watsonville LCP.

The EIR should respond to these deficiencies in detail.

D50

7. Scenic Resources

As required by the Watsonville certified LCP, "new development shall be sited and designed to protect views of scenic coastal areas (including the wetlands of the Watsonville Slough complex and associated riparian areas), to minimize the alteration of natural landforms, [and] to be visually compatible with the character of surrounding areas ...".

One difficulty in assessing the proposed project's conformance with this policy is the fact that no elevations of the project are provided. The Commission staff request that the EIR provide project elevations superimposed on the photoviews of the project site (DEIR plates A-1 and A-2) in order to provide a better impression of the visual impacts that will result from this project. Another problem is that the DEIR does not evaluate the visual impacts associated with development activities that will take place outside of the school footprint, such as the secondary access road, pedestrian and bike access routes (recommended to be "well lit" by Mitigation Measure T-2), or revampments of Harkins Slough and Lee Roads that may be needed to prevent closure from flooding.

The Commission staff agree with the DEIR's conclusion that the proposed project will have significant adverse impacts on scenic views available from Harkin's Slough road, but do not agree that the proposed mitigation measures are appropriate or will reduce project impacts on views available from Highway One to a less than significant level. While the proposed resiting of the facilities described by mitigation measure A-1 and depicted in Figure A-8 may help to maintain more of the natural slopes along side Struve Slough, we are concerned that this alternative may not be environmentally appropriate due to the fact that it will result in the parking lot and paved play area being within closer proximity to Hanson Slough. In addition, the extent to which the natural landforms visible from Highway One will be impacted under this alternative is not identified by the DEIR. Similarly, the DEIR does not identify the "strategic locations" for the raised berms suggested by Mitigation Measure A-2 other than the one proposed at the south end of the Stadium, or their heights. The EIR should provide more specific information regarding the proposed mitigation, and identify the visual impacts that will occur with implementation of the mitigation measures.

8. Growth Inducement

Previous Coastal Commission actions regarding the City of Watsonville LCP and Coastal Development Permits within this coastal zone area have emphasized that Highway One serves as an appropriate boundary to urban expansion, and should be maintained as such in order to ensure compliance with Coastal Act Section 30250. For example, the conditions of approval placed on a permits issued by the Commission for expansion of the wastewater treatment plant in 1981 (CDP No. A-94-81), and modifications to the plant in 1986 (CDP No. 3-86-51), prohibits the extension of sewer services into the City's coastal zone area. Any expansion of sewer services must be consistent with the development allowed under the LCP, and be preceded by an amendment to permit A-94-81 or a separate coastal development permit which allows for the expansion. This requirement is not, but should be, identified by the DEIR; it mandates that the Coastal Commission certify that the proposed use of the site is consistent with Coastal Act standards before the required infrastructure can be legally provided.

DS1

While the DEIR appropriately concludes that the proposed project will be growth-inducing, it understates the significance of this impact. For example, the DEIR concludes that the extension of urban services will not be growth-inducing because they will be sized to only serve the high school. However, there is no discussion of utility sizing. We know from experience that capacity limitations do not hold. For example, a previous extension of a City wastewater line to serve a new hotel was supposed to be limited to six inches so as not to be growth inducing. Now the City says a larger diameter pipe is needed to avert clogging and long repair delays (*Santa Cruz Sentinel*, February 27, 1997). Similarly, fire departments are now requiring oversized water lines for fire flow purposes.

We also disagree that the proposed project will not be precedent-setting, as claimed. While it may be consistent with the City's new General Plan, it is not consistent with the certified Local Coastal Program, which remains the governing document, until amended. As previously noted, left unsaid by the DEIR is the fate of the remaining 60 acres of the site not proposed for school use. The City recently established an Enterprise Zone throughout the entire City, including the subject site, to encourage economic growth and job development. In response to our concerns that this may be growth-inducing, the City indicated that they did not expect to make any amendments to the LCP to allow more intensive development (Magana to Otter, August 30, 1996). The proposed project contradicts this assertion and thus appears to be a precedent to further develop lands west of Highway One.

We are also aware of other proposals to annex and develop agricultural land on the periphery of Watsonville's urbanized area. Until stable urban-rural boundaries are established and honored by all parties, then any proposals, such as the current one which bring urban services and urban-level activities into an agricultural are, will be growth-inducing and precedent setting.

9. Cumulative Impacts

The cumulative impacts of development expected to take place in the proposed project's vicinity must also be further analyzed by the EIR. This analysis should account for the growth inducing impacts identified above, which will have the effect of facilitating additional development within the area.

The DEIR, on page 4-1, contains an incomplete list of upcoming developments within the project vicinity; it fails to, and needs to, identify the following:

- development of the Pajaro Valley Inn, a 100 room motel with a 3,600 square foot conference facility located at 821 Airport Boulevard, for which the City recently extended the locally approved coastal development permit;

- recent incorporation of 646 acres of land west of Lee Road (the "Tai property") within the City's urban limit line. Our understanding is that the City is contemplating the eventual development of 1,800 residential units on this site;

- proposed annexation of 216 acres along Riverside Drive, including two agricultural parcels in the coastal zone, pre-zoned for high-intensity industrial use;

D52

- contemplated development of a 10.6 acre site owned by the City of Watsonville adjacent to LCP Area A ("Gilbertson property") with a commercial facility;

- use of 23 acres currently in agricultural production near the sewage treatment plant for a County composting facility; and

- conversion of 30 acres of land currently in strawberry production for stockpiling of soil from the Buena Vista Landfill.

The Commission staff request that the final EIR thoroughly analyze the cumulative impacts of the proposed High School, the projects listed above, and the other development activities that will be facilitated by the project's growth-inducing impacts. We are especially interested in the potential cumulative effects of these projects on agricultural and sensitive habitat resources in this coastal zone region. It would be helpful if the final EIR included a map depicting these projects.

10. Other Text Specific Comments

Page 5.1-3:

There is a footnote at the bottom of the page which identifies that there may be a conflict between adjacent agricultural operations and school use related to chemical use for farming. It refers the reader to the Hazards section of the document for an analysis of this issue. No such analysis can be found throughout the entire DEIR.

Chapter 5.2, Transportation:

The DEIR fails to cite the County's Congestion Management Program and the City's efforts at Trip Reduction and analyze the project's consistency with these initiatives. The final EIR should evaluate the amount of parking provided with regards to these programs, the City's parking standards (our version shows one space per seven student seats, the proposal shows double this standard), and other high schools. It should evaluate why 200 staff and visitor parking spaces are proposed. Reduction of parking, coupled with transit programs, would not only reduce traffic impacts, but also impervious surface coverage and amount of land needed.

Chapter 5.6, Hydrology:

Page 5.6-6 of the DEIR states that "The increase in impermeable surfaces on the project site would also reduce recharge of the groundwater beneath the upland areas of the site, which may lower the water table beneath the West Branch of the Struve Slough and possibly the Hanson Slough during summer. However, because the project site is not located in a groundwater recharge area, these impacts are not considered significant". The DEIR does not analyze the impact of a lower water table on biological resources. This impact should be thoroughly analyzed by the final EIR.

In the discussion of flooding on page 5.6-6, the DEIR identifies that Harkins Slough Road is susceptible to flooding, but does not identify how this issue will be addressed. The final EIR

D53

needs to be clear as to the road improvements that will be necessary to accommodate the proposed project, and evaluate their environmental impacts.

11. Conclusion

The Commission staff support the DEIR's assertion that an alternative location for the proposed third high school is the environmentally superior alternative overall. This letter amplifies the factors which lead to such a conclusion. We believe it thus be more prudent for the District to refocus the EIR process to examine alternative sites, rather than to address all the inadequacies of the DEIR. But, for the record, we also conclude that the DEIR is deficient in analyzing resource impacts and hence offering adequate mitigation measures for the subject site, most especially in the areas of habitat protection, agricultural preservation, and growth inducement.

Sincerely,

Tami Grove

Tami Grove
Deputy Director

cc: Charles Eadie, City of Watsonville
AMBAG Clearinghouse
OPR Clearinghouse
California Department of Education
Office of Public School Construction

DS4

STATE OF CALIFORNIA – THE RESOURCES AGENCY PETE WILSON, Governor

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST AREA OFFICE
725 FRONT STREET, SUITE 300
TA CRUZ, CA 95060
427-4863
HEARING IMPAIRED: (415) 904-5200

MEMORANDUM

March 26, 1997

TO: Lee Otter

FROM: Steve Monowitz

RE: ***CCC Staff Presentation for Tonight's Public Hearing Regarding the DEIR for the proposed Watsonville High School***

In preparation for tonight's hearing, I have prepared the following presentation for you review and comment:

Members of the Pajaro Valley Unified School District Board of Directors:

My name is Steve Monowitz, and I am the coastal planner for the California Coastal Commission's Central Coast Area Office assigned to the coastal zone area of Watsonville, in which the proposed high school is located. I am here to express the Coastal Commission staff's serious concerns regarding the proposed project, which we believe is inconsistent with applicable policies of the California Coastal Act, as well as with previous Commission actions which have emphasized the fact that Highway One provides a logical urban/rural boundary for the City of Watsonville. The draft EIR for this project fails to address relevant Coastal Act issues, and is therefore inadequate. It is our request that the Pajaro Valley Unified School District Board of Director's direct its staff and the EIR consultants to adequately address these issues before any additional resources are expended in pursuit of the proposed high school; failure to do so will lead to additional time, effort, and money spent towards a project which may be denied on the basis that the amendment to the City of Watsonville's certified Local Coastal Program necessary to accommodate the proposed high school does not conform with the Chapter 3 policies of the California Coastal Act.

Unfortunately, the Commission staff's attempts to have relevant Coastal Act issues addressed earlier in the process have gone largely ignored. In 1993, when we first became aware that the development of a High School in the Watsonville coastal zone was being considered, we attempted to participate in the site selection process in order to underscore the problematic nature of the site related to its lack of infrastructure, its agricultural resources, and its proximity to sensitive habitat areas, among others. We were not afforded this opportunity, and the site selection process was completed without our input. In 1995, we met with school district and City staff to discuss this project and the required amendment to the Watsonville certified Local Coastal Program. At this meeting, its was concluded that the Coastal Act issues raised by the project and associated LCP amendment would be addressed by the Environmental Impact Report. The draft EIR that is the subject of this public hearing falls far short of this expectation, and fails to respond to our comments submitted in response to the Notice of Preparation.

While the Draft EIR identifies that an amendment to the Watsonville Local Coastal Program is needed in order to allow for the proposed High School, it does not evaluate the amendment's consistency with the Chapter 3 policies of the Coastal Act. Amendments to certified Local

D55

Coastal Programs can not be approved by the Coastal Commission unless the amendment can be found to conform with these Coastal Act policies. At this point in time, the Commission staff is of the opinion that the LCP amendment required to accommodate the proposed High School is inconsistent with Coastal Act policies which call for the protection of coastal agriculture, environmentally sensitive habitat areas, and scenic resources, as well as with Coastal Act policies requiring that new development be located within existing developed areas with adequate public services. These inconsistencies are more specifically described within our comment letter regarding the Draft EIR, which is currently being finalized.

One of the most important Coastal Act considerations that must be taken into account is that the Coastal Commission, pursuant to Section 13540(f) of the California Code of Regulations, can not certify an amendment to an LCP for which there is a feasible alternative that would substantially lessen the resultant environmental impact. We note that the draft EIR identifies that such an alternative is available at the Hospital site. It is unclear as to why this alternative is not being pursued.

In summary, the Coastal Commission staff believe that the Draft EIR's failure to address Coastal Act issues is a significant deficiency requiring immediate attention. Unless these issues can be resolved, there is a very real possibility that the proposed project may be eventually denied, either by the City of Watsonville or the Coastal Commission on appeal, on the grounds that it does not conform with the City of Watsonville's certified Local Coastal Program.

I realize that these comments may not be what some of you were hoping to hear. However, we are seriously concerned that we are on a course that could result in a bad "train wreck". We want to avoid such a calamity, and so I'm here to waive a red flag and say "whoa" before we wind up in the ditch. So the Coastal Commission staff is basically pleading with you to hear our message.

Thank you for the opportunity to comment, and I am available to answer any questions.

STATE OF CALIFORNIA—THE RESOURCES AGENCY PETE WILSON, *Governor*

CALIFORNIA COASTAL COMMISSION
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April 11, 1996

Daniel C. Santo, Managing Director
Educational Services
California Financial Services
30448 Rancho Viejo Road, Suite 190
San Juan Capistrano, CA 92675

Dear Mr. Santo:

Thank you for sending us the "Initial Study for Environmental Impact Assessment" dated March 11, 1996. We concur with your conclusion that an environmental impact report is required for the proposed new high school at the site selected. When we met in August 1995, we expressed concern about not being afforded the opportunity to be involved in the Pajaro School District's facility site selection process. We thus agreed that the EIR scoping would be the appropriate next time for input. Although typically greater feedback comes after the draft EIR is released, we are taking this opportunity to provide earlier, more upfront comments. These are based on California Coastal Act policies and our many years experience in implementing the policies. All development in the Coastal Zone, including public projects, must comply with the Coastal Act. Please note that we are particularly concerned that provision for an adequate analysis of alternatives is lacking in your Initial Study.

Following are comments on the "Evaluation of Environmental Impacts" section and then some suggested corrections and clarifications.

I. Land Use and Planning

I.a.,b. Since there is a noted conflict, these are potentially significant impacts. The certified Local Coastal Program is based on environmental criteria (California Coastal Act of 1976); hence, a policy inconsistency is a significant impact.

I.c. The textual discussion indicates that this is a significant impact.

I. Mitigation: We disagree that the proposed land use "will not increase public access to sensitive coastal areas." There are wetlands (which by definition are environmentally sensitive areas) on and nearby the site. Even with fencing, security, etc., the addition of over 2,350 students and staff to the site, as well as visitors to sports and other events, will increase access to the wetlands. This issue must be analyzed in the EIR and appropriate alternatives and mitigations must be identified.

DS7

I. EIR Scope: We concur with the concepts noted. "Surrounding land use" should be clarified to apply to both the site (as not all the parcel is proposed for high school use) as well as to adjacent and nearby areas. The discussion of compatibility should encompass all the potential site activities -- schooling, sports and cultural events, community recreation, emergency shelter, etc.

The Pajaro Valley School District already has experience with facility siting compatibility issues at the Ohlone School, also proposed and constructed adjacent to farmland. A discussion of the success or failure of mitigation measures and alternatives in light of continuing complaints of incompatibilities should be included in the EIR. The test of the Local Coastal Program amendment is consistency with the Coastal Act. The EIR should develop the necessary information that can be used to analyze consistency with Sections 30241 and 30241.5; e.g., discussions of a stable-urban rural boundary and economic viability. (Such information will prevent delays in filing the LCP amendments request.)

The discussion of alternatives needs to compare the environmental impacts of the other sites. While the proposed summary of why they were rejected in the site selection process may be informative, the purpose of the California Environmental Quality Act is to evaluate alternatives from an environmental perspective. There should be at least brief mention and evaluation of all 13 sites initially considered. Fuller examination must occur of at least three alternative sites that remain feasible to use today regardless of the ranking they received in the District's site selection process. While the Coastal Commission's jurisdiction does not extend inland of Highway One and we do not advocate impacting non-coastal zone resource land, our strong preference is for the high school to be located on other than currently farmed coastal zone land. And, all portions of any new facility must be setback at least 200 feet from any agricultural land and 100 feet from any wetlands.

II. Population and Housing

IIb: The project may induce substantial growth in the area. This is a potentially significant impact. The following are among the possible effects of the proposed project to consider:

- provides available capacity in utility lines that cross the freeway;
- generates the need to share the cost of utility extensions and infrastructure improvements with others;
- results in infrastructure improvements (e.g., roads, utilities, public transit) in this part of the City compared to the rest of the City, thereby prioritizing and enhancing its relative attractiveness for future growth;

D58

- allows more intensive conditional uses (i.e., residential, industrial) on the remainder of the site, if the requisite LCP finding (of infeasibility of continued agricultural use) could made once the school is built;
- paves the way for an LCP amendment for the remainder of the site;
- causes direct or cumulative conflicts with adjacent agriculture;
- increase land values;
- generates the associated establishments associated with a high school, such as fast food restaurants and commercial centers.

The EIR needs to address the likelihood of these and other inducements to growth. Methods to do so could include:

- interviews with landowners and business operators in the vicinity;
- economic analyses of infrastructure costs;
- comparative analyses from other communities where schools or similar public facilities have been built in outlying, non-residential areas without commercial support;
- analysis of previous CEQA documents and comments on them for commercial areas using the same infrastructure (e.g., CrossRoads and Watsonville Square).

III. and IV. Geology and Water

We concur with the expressed need to evaluate potential geological and water problems. Substantial guidance is now available from EPA to address non-point source pollution. Any resultant significant mitigation measures (e.g., redesign or retaining walls for geologic reasons; detention basins for water quality reasons) need to be analyzed for their own direct or indirect potential impacts as well.

VI. Transportation

VI.a. We welcome your enumeration of all types of traffic generation, including service vehicles and visitors. However, the trip generation may not be completely unvarying as suggested -- for example, major sport events may generate traffic at other times.

VI.e.f. No discussion of these impacts is included. The relatively isolated location of the proposed school means that traditional means of access (bicycling, walking taking the bus) will be less prevalent, increasing auto-dependence. This creates even more hazards for bicyclists and pedestrians as well as conflicts with local and regional goals to reduce traffic congestion. Secondary impacts include making auto trips to other locations (once students are already driving to school) and increased auto ownership by students. Potential increases in automobile accidents also should be analyzed.

DS9

VI. Setting: The text mentions that the Harkins Slough Road access would connect to Highway 1. Currently only a half freeway interchange exists. The County RTP indicates completion of the interchange as a long-term, constrained, $4 million project. We have previously commented that completion of the southbound off-ramp adjacent to the proposed high school site would have adverse wetland impacts. Since the proposed project is directly related to this interchange project, then the latter's impacts must also be addressed in this EIR. Also, if the school is constructed at the wetland setback line, then it will either preclude the off-ramp construction or constrain the ramp's location to the wetlands. For these reasons, siting alternatives for the off-ramp (including bridging the wetland and locating the off-ramp on the subject site) and other transportation alternatives to its construction must be evaluated.

VI. Mitigation and EIR Scope: The text correctly notes that the Watsonville 2005 General Plan Update and Sphere of Influence Amendment, EIR, 1994 incorporated (or at least stated that it incorporated) traffic generation and mitigation. However, this new subject EIR needs to account for:

- the nuances of a more detailed look at travel patterns generated by a full facility school, rather than just the gross evaluation that the programmatic EIR might have picked up;

- the draft nature of the programmatic EIR (as a result of comments on it, the final EIR may be different);

- the specific necessary mitigations for this project;

- the timing of the necessary mitigation for this project vis a vis future projects and mitigation.

The EIR will need a fuller, resultant discussion of the provision of alternative access provisions, since currently there are no sidewalks, bike lanes, nor bus routes to the site.

VII. Biological Resources:

VII. Existing Conditions: In more fully describing existing conditions in the EIR, information in and references noted in the Water Resources Management Plan for Watsonville Slough System should be utilized. Also, please have the EIR preparer consult Dr. John Oliver of the Watershed Institute at CSUMB who has supervised wetland restoration work across the street from the subject site.

D60

VII. Impact Discussion: We concur with your comments. They suggest that "Potential Significant Impact" boxes should be checked.

VII. Mitigation: Full compliance with the LCP's wetland protection policies is necessary, not compliance "to the extent possible," as stated. Compliance with other state and federal regulations may be required as well (e.g. of California Department of Fish and Game, U.S. Army Corps of Engineers, U.S. EPA).

VII. EIR Scope: Please consult the Coastal Commission's guidelines for wet environmentally sensitive habitats with regard to delineating the site's and adjacent wetland resources. We will be happy to send your biologic consultant a copy of our "Procedural Guidance for the Review of Wetland Projects in California's Coastal Zone." Experience with other projects adjacent to wetlands (e.g., Shoreline Middle School in Live Oak School District) should also be reviewed to determine necessary mitigations and whether or not mitigations can actually be successful.

IX. and X. Hazards and Noise:

Please refer to the above comments regarding agricultural compatibility. The recent draft EIR for the County's proposed composting facility would be a good source to consult as to the methodology for determining odor, noise and airborne impacts. Although the composting facility is not proposed to be nearby, its final location could change and/or other similar facilities allowed in agricultural areas (e.g., mushroom farms) could choose to locate nearby the school. Mosquito control should also be addressed; e.g., will it conflict with school use or, alternatively, will the school use induce the need for additional spraying with its attendant impacts and costs?

XII. Utilities and Source Systems

XII. EIR Scope: The EIR needs to analyze any impacts from any necessary utility and service extension or improvement.

XIII. Aesthetics:

We would need to see more analysis in the EIR before we could concur with your impact discussion. Given the site location and the scope of development, we believe that it poses a "Potentially Significant Impact." The EIR needs to present before and after views from all scenic roads shown from the vantage point of a car passenger or bicyclist. Night lighting needs to be thoroughly addressed in the

D61

context of school sports requirements (refer to the controversy as to light stand heights at Santa Cruz High School) and potential habitat as well as human impacts.

XVI. Mandatory Findings and Significance

XVI.b. Cumulative impacts should include potential development on parcels west of Highway 1 already in the City limits as well as those proposed for annexation. Existing and proposed/approved landfill and related wastewater management projects as well as other potential public facilities need to be considered. Please refer to our enclosed comments.

Suggested Corrections and Clarifications:

- "Addenda page": - Under California Coastal Commission -- should say Watsonville will generate Local Coastal Plan (LCP) "amendment".

- "checklist #8." Under discussion of consultation with the "state" -- the specific agencies should be noted, so as not to leave the impression that all state agencies were consulted and in agreement with this choice; the State Coastal Commission was not consulted.

- "checklist #11" - The City of Watsonville approval must include an appealable coastal development permit, considered after certification of the LCP Amendment.

- XVI EIR Scope: The EIR should be refered to as the "forthcoming" or "draft" EIR, rather than the "subsequent" one.

- Site Plan: Please describe why part of an athletic field is shown in the "unuseable sloped area."

- Site Plan: Please conform the site plan map's shaded site area boundary with that shown on the following location map (they don't match).

- Mitigation Monitoring Plan: This outline will need additional detail in the EIR, assuming that an approvalable project that requires mitigation results. Some mitigation measures, for example, may extend beyond construction (e.g., monitoring impacts to adjacent wetlands) for which responsibilities will have to be assigned.

D62

We hope that these comments prove helpful in preparing the draft EIR. Had another, less problematic, high school site been top-ranked, then our comments, if any, might have been less extensive. While this letter suggests the minimum level of analysis necessary to meet the intent of the California Environmental Quality Act, they should not be taken as an endorsement of the selected project's ability to be consistent with the California Coastal Act. Thus, this letter in no way serves as an endorsement of the City's forthcoming LCP amendment request. To reiterate, serious consideration needs to be given to alternative sites. We look forward to reviewing the draft EIR as soon as it is available.

Sincerely,

Les Strnad
for Tami Grove
District Director

TG/RH/cm
Enclosure
cc: OPR Clearinghouse
AMBAG Clearinghouse
Maureen Owens, Watsonville Planning Director
Dan Shaw, Santa Cruz County Planning Director
County Farm Bureau
Pajaro Valley Unified School District
0259R

D63

STATE OF CALIFORNIA—THE RESOURCES AGENCY PETE WILSON, Governor

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST AREA OFFICE
725 FRONT STREET, STE. 300
SANTA CRUZ, CA 95060
(408) 427-4863
HEARING IMPAIRED: (415) 904-5200

January 16, 1996

Maureen Owens, Planning Director
City of Watsonville
P.O. Box 50000
Watsonville, CA 95077-5000

Dear Ms. Owens:

This letter is a follow-up to our letter of August 14, 1995 to Richard Meyer and interagency discussions about a new high school site. We are still awaiting the opportunity to review a Notice of Preparation for this project. However, we have become aware through newspaper reports that the City is considering commercial development on the "DBO" or "Console" site. This site was considered as a possible school location in the Pajaro Valley Unified School District's initial selection process. Since it is not yet developed and is contiguous to urban uses, it should be analyzed as an alternative school site in the upcoming EIR. Under the Coastal Act, the priority is to concentrate new development within existing developed areas. The proposed high school site in the coastal zone west of Highway 1 is in an undeveloped agricultural area, lacking urban services, and not designated for urbanization. Hopefully, the City's planning process can accommodate needed public facilities, such as schools, within urbanized areas. This could significantly diminish the costs associated with school development, (e.g., new freeway improvements, extension of major utilities, etc.) protect the agricultural and natural resources existing west of the highway, and provide a more central, logical location for a high school. Please transmit these concerns to the appropriate decision-making bodies.

Sincerely,

Tami Grove
District Director

Les Strnad
Supervisor of Planning and Regulation

LS/cm
cc: Richard Meyer, Director
AMBAG
County Office of Education
0175R

D64

STATE OF CALIFORNIA—THE RESOURCES AGENCY PETE WILSON Governor

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST AREA OFFICE
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SANTA CRUZ, CA 95060
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HEARING IMPAIRED: (415) 904-5200

September 15, 1995

Maureen Owens, Planning Director
City of Watsonville
City Hall
P.O. Box 50000
Watsonville, CA 95077-5000

Dear Ms. Owens:

Thank you for your letter of September 5, 1995. We requested the meeting in August between this office, the City, the Pajaro Valley Unified School District and other key agencies because we were concerned that significant decisions were being made concerning future development within the coastal zone without involving the Coastal Commission. To that end the meeting was successful; we gained an insight into the proposal by the school district, and hopefully the school district and the City gained an understanding of the statutory responsibilities of the Coastal Commission.

Your letter addressed two questions. It would be appropriate and efficient to process a coastal development permit and an LCP amendment on similar timelines. This will enable the City and District to clearly address all of the significant environmental and cumulative impact issues within the Environmental Impact Report. Although the Commission doesn't certify the adequacy of environmental documents pursuant to CEQA, the Commission still must make the finding that land use plans meet the requirements of Section 21080.5(d)(2)(i) of the Public Resources Code which requires that the Commission not approve an activity if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant environmental impact (see Section 13540(f) of the Commission's Code of Regulations). We will be looking to the CEQA process to ask and answer the environmental questions relative to the proposed high school and the precedential nature of that proposal.

The second question was the apparent conflict between my memo to local governments on the LCP amendment process and the language in Section 30514(b) of the Coastal Act which speaks to a substantial issue determination by the Commission in Section 30512. Section 30512 deals with the <u>initial</u> submittal of land use plans, which is a two step process. This procedure was followed when the Watsonville LCP was first submitted for Commission review. Under this section, if the Commission determines substantial issue(s) the standard of review remains conformance with Chapter 3 of the Coastal Act (30512(c)). All other subsequent submittals for <u>amendments</u> are reviewed pursuant to Section 30514, which refers to the procedures and processes of Sections 30512 and 30513. However, Section 30514(b) eliminates the step of the substantial issue determination required for initial LUP submittals. Section 30512(c) requires the Commission to find that any amendment meets the requirements of and conformity with the policies of Chapter 3. Section 30513 requires zoning ordinances to conform with and be adequate to carry out the provisions of the certified land use plan.

D65

We agree that a meeting in the near future to discuss process and to start to identify issues to be addressed in the environmental documents is needed. I await your call to initiate that process.

Sincerely,

David Loomis

David Loomis
Assistant District Director

DL/cm
cc: Pajaro Valley Unified School District
01100

D66

STATE OF CALIFORNIA—THE RESOURCES AGENCY PETE WILSON, Governor

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST AREA OFFICE
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A CRUZ, CA 95060
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HEARING IMPAIRED: (415) 904-5200

August 14, 1995

Richard S. Meyer
Director, Construction/Governmental Relations
Pajaro Valley Unified School District
P.O. Box 50010
Watsonville, CA 95076

Dear Mr. Meyer:

Thank you to Dr. Avina, Assistant Superintendent Miyasaki, and your associates for meeting with us and apprising us of your District's plans. We learned that your District has selected a site in the Coastal Zone for a new high school within the Watsonville City limits. We also were told by the city's planning director that the city endorsed this use, although it was not currently a permitted use in the city's certified Local Coastal Program. We, thus, generally discussed the need for a local coastal plan amendment. Your consultants indicated that they had scheduled approximately nine months for an environmental review and approval process, including LCP amendment processing. Further discussion indicated that a more specific timetable had not yet been developed. We look forward to receiving one as soon as it is available, as you agreed to do so. As early input, please be advised that the Coastal Commission has three months after receiving a complete submittal to act on an LCP amendment. No coastal permits for the school could be issued by the city until after an LCP amendment approval by the Coastal Commission has been received.

With regard to the land use decision that will form the basis of the LCP amendment submittal, we also learned that a site selection process had already been concluded. Unfortunately, your district did not solicit our input in that process. The documentation associated with that process will likely be useful in analyzing the LCP amendment submittal. You offered to send us that information soon and we look forward to receiving it. From this point ("Day 1" as your described it) on, we also look forward to being kept apprised of your progress. We will provide comments on the Notice of Preparation/Initial Study when we receive it and comments on all stages of the CEQA, LCP and development review process, if the Coastal Commission approves the city's LCP amendment.

It would be helpful to meet in advance of any LCP amendment submittal to discuss information requirements and procedures which are spelled out in the Commission's regulations. While we will be happy to discuss this matter with you, city staff should also continue to be involved, since the city must submit and be the applicant for any LCP amendment.

D67

Hopefully, this letter reiterates and clarifies some of the points discussed and agreed to at our meeting regarding scheduling and procedures. It is not an endorsement of your proposal which will require careful scrutiny purusant to Coastal Act standards. We have also just received from California Financial Services two handbooks, School Site Analysis and Development, and School Site Selection and Approval Guide. Our thanks to Dan Santo for this background. Thanks again and keep in touch.

Sincerely,

David Loomis
dc

David Loomis
Assistant District Director

DL/RH/dc

cc: Anthony Avina, PVUSD, Superintendent
Maureen Owens, Planning Director, Watsonville
Steve Scholl, Acting District Director

0103D

D68

FILE

STATE OF CALIFORNIA—THE RESOURCES AGENCY PETE WILSON, *Governor*

CALIFORNIA COASTAL COMMISSION
TRAL COAST AREA OFFICE
FRONT STREET, STE. 300
SANTA CRUZ, CA 95060
(408) 427-4863
HEARING IMPAIRED: (415) 904-5200

June 22, 1995

Anthony Avina, Superintendent
Pajaro Valley Unified School District
P.O. Box 50010
Watsonville, CA 95077

Dear Superintendent Avina:

We have recently read in the newspapers about the District's continued interest in locating a new high school west of State Highway One in the coastal zone. Obviously there is a high potential for significant impacts on coastal zone resources. Furthermore, none of the certified Local Coastal Programs reflect that type or intensity of use.

Once again we request a meeting with you to discuss this matter. It would be helpful to have Santa Cruz County, Watsonville City and LAFCO staff present as well. Can we meet in mid- to late July? Please call our office and we will coordinate a convenient meeting time.

Sincerely,

Dave Loomis

David Loomis
Assistant District Director

DL/RH/cm
cc: Dan Shaw, Santa Cruz County
Maureen Owens, City of Watsonville
Pat McCormick, LAFCO
127R

D69

STATE OF CALIFORNIA—THE RESOURCES AGENCY PETE WILSON, Governor

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST AREA OFFICE
725 FRONT STREET, STE. 300
SANTA CRUZ, CA 95060
(408) 427-4863
HEARING IMPAIRED: (415) 904-5200

July 28, 1993

Richard Meyer
Pajaro Valley Unified School District
Maintenance and Operations
205 Blackburn Street
Watsonville, CA 95076

Dear Richard:

I wanted to re-emphasize that the Coastal Commission staff is anxious to meet with the Pajaro Valley Unified School District, Santa Cruz County, the City of Watsonville, and LAFCO as early as possible in August to discuss the potential for, and impacts of locating a new high school west of State Highway One in the coastal zone. There is a high potential for significant impacts on coastal zone resources. Furthermore, none of the certified Local Coastal Plans reflect that type or intensity of use.

I have left a message with your office to try to coordinate a meeting the week of August 9 or 16. Please call Les Strnad of this office upon your return so that we can start working on the meeting date.

Sincerely,

David Loomis /cm

David Loomis
Assistant District Director

DL/cm

cc: Tony Avia, Superintendent
Dan Shaw, Santa Cruz. Co.
Maureen Owens, City of Watsonville
Pat McCormick, LAFCO

0019D

D70

Exhibit E
December 9, 1999 LCP Amendment
Time Extension Hearing

(2 Pages)

STATE OF CALIFORNIA - THE RESOURCES AGENCY

GRAY DAVIS, *Governor*

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863

C.7.L.
11/19/99

MEMORANDUM

ADOPTED

Th22b

December 9, 1999

To: Coastal Commissioners and Interested Persons

From: Charles Lester, District Manager
Dan Carl, Coastal Planner

Subject: Request to extend the 90 day time limit for processing City of Watsonville Local Coastal Program Major Amendment Number 1-99 (PVUSD High School)

On August 23, 1999, Central Coast District staff received the above-referenced Local Coastal Program (LCP) Amendment request from the City of Watsonville proposing to amend the City's certified LCP to redefine the criteria for agricultural conversion for the whole LCP; and to modify other policies that would apply to proposed new coastal area "F" (a portion of existing coastal area "C" bordered by Highway 1 and Harkins Slough Road) to: allow Public Schools as a conditional use; reduce the area mapped in LCP as environmentally sensitive habitat; allow development in environmentally sensitive habitat areas less than 0.1 acre in size; increase maximum slope on which development is allowed from 15% to 25%; and increase maximum allowed impervious surface coverage from 10% to 50%.

Coastal Act Section 30510 provides that a proposed LCP (or LCP amendment) may be submitted if the submittal contains materials sufficient for a thorough and complete review. Once that requirement is satisfied, the Coastal Act requires that the Commission act on an Implementation Plan (IP) amendment within 60 days, and a Land Use Plan (LUP) amendment within 90 days (Sections 30512, 30213, and 30514(b)). Where an amendment request contains both IP and LUP amendments, as is the case here, Section 30511(a) of the Coastal Act allows for a 90 day period within which the Commission must act.

Central Coast District staff received the initial amendment package from the City on August 23, 1999, and subsequent materials missing from the main package on August 27 and September 15, 1999. The amendment request was subsequently filed on September 15, 1999. The 90th day falls on December 14, 1999 (i.e., September 15 + 90 days = December 14). Therefore, the amendment would have to be scheduled for action at the Commission's December 7-10, 1999 meeting in San Rafael if it were to be decided within 90 days of filing. However, Coastal Act Section 30517 allows the Commission to extend, for good cause, the 90 day time limit for a period not to exceed one year.

In this case, the City has requested that the item be heard no earlier than March 2000 in order to better enable the City to prepare necessary documentation supporting the amendment request (see City's letter request attached). The Commission's March 14-17, 2000 meeting will be held in Carmel; Carmel is also the most local Commission venue possible for the Watsonville area in the next year. The amendment presents complex planning issues and a later meeting date would allow for adequate review and consultation with the City regarding any possible amendment modifications. Staff's tentative plans are to have our analysis completed in time for a March hearing. Therefore, staff requests an extension of time not to exceed one year.

Summary of the Staff Recommendation

Staff recommends that the Commission extend the 90 day time limit for a period not to exceed one year.

Motion. I move that the Commission extend the 90 day time limit to act on City of Watsonville Local Coastal Program Amendment Number 1-99 for a period not to exceed one year.

Staff Recommendation. Staff recommends a **YES** vote. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

Administration
Building
215 Union Street
Second Floor
Fax (831) 761-0736
Fax (831) 728-9358

Mayor &
City Council
215 Union Street
(831) 728-6006
City Manager
728-6011
City Attorney
728-6013
City Clerk
728-6005
Personnel
728-6012

City Hall Offices
250 Main Street
Community
Development
728-6018
728-6020
Fax 728-6173
Finance
728-6031
Fax 763-4066
Public Works &
Utilities
728-6049
Fax 763-4065
Purchasing
728-6029
Fax 763-4066

Airport
100 Aviation Way
728-6075
Fax 763-4058

Fire
115 Second Street
728-6060
Fax 763-4054

Housing & Economic
Development
231 Union Street
728-6014
Fax 763-4016

Library
310 Union Street
728-6040
Fax 763-4015

Parks & Recreation
30 Maple Street
728-6081
Fax 763-4078

CITY OF WATSONVILLE

"Opportunity through diversity; unity through cooperation"

RECEIVED

NOV 1 2 1999

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

November 3, 1999

Charles Lester
Regional Director
Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Dear Mr. Lester:

On behalf of the Watsonville City Council, I respectfully request the City's application for an amendment to the Local Coastal Plan and Implementation Plan be heard by the Coastal Commission no earlier than March 2000. This will better enable the City staff and representatives of the Pajaro Valley Unified School District to prepare necessary documents to support the amendment request.

Thank you for considering this request.

Sincerely,

Carlos J. Palacios
City Manager

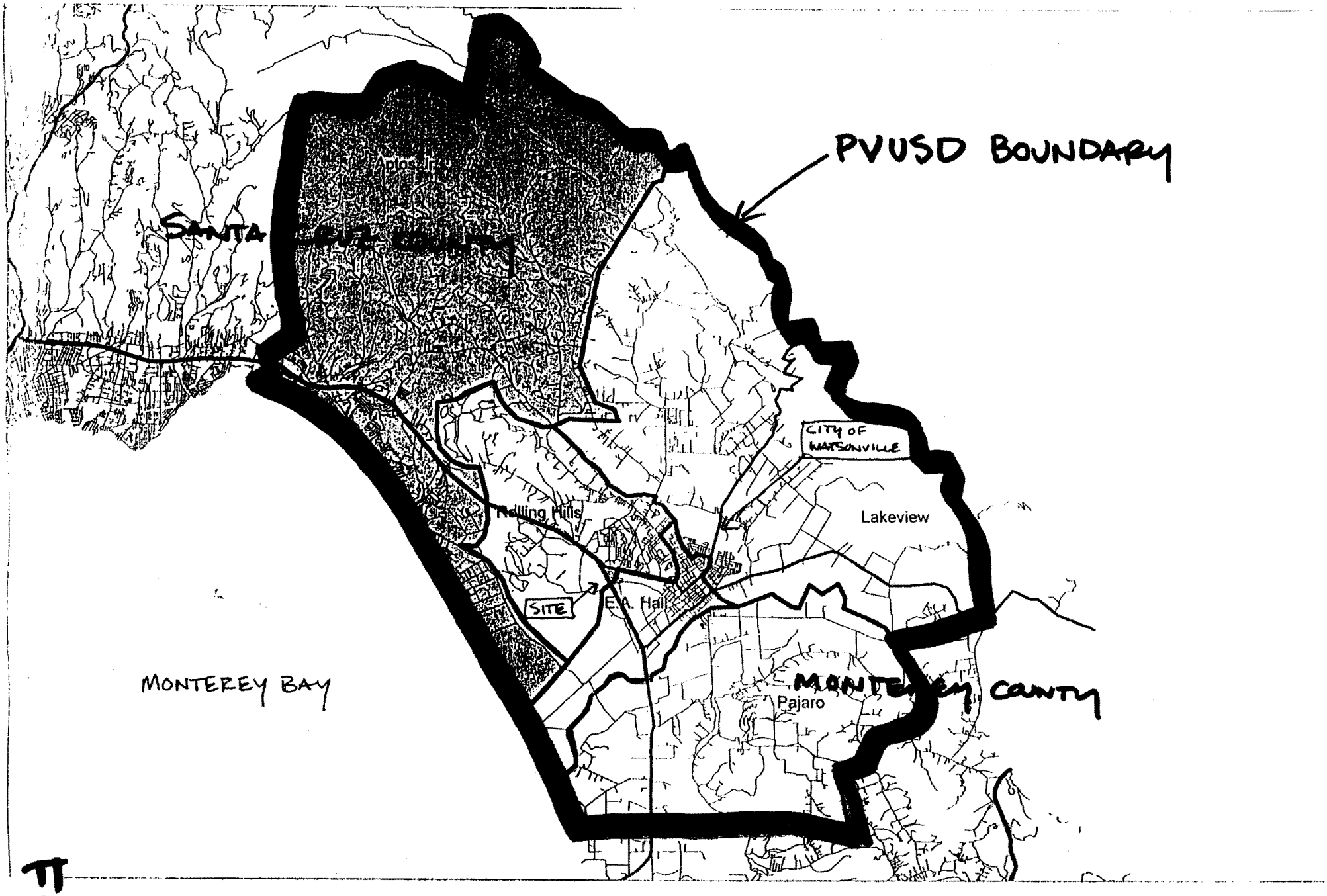
c. Dr. John Casey, Superintendent, PVUSD
John Doughty, Community Development Director

TH22b ATTACHMENT - CITY REQUEST

P.O. BOX 50000 WATSONVILLE, CA 95077-5000

E2

Exhibit F
Pajaro Valley Unified School District Boundaries
(1 Page)

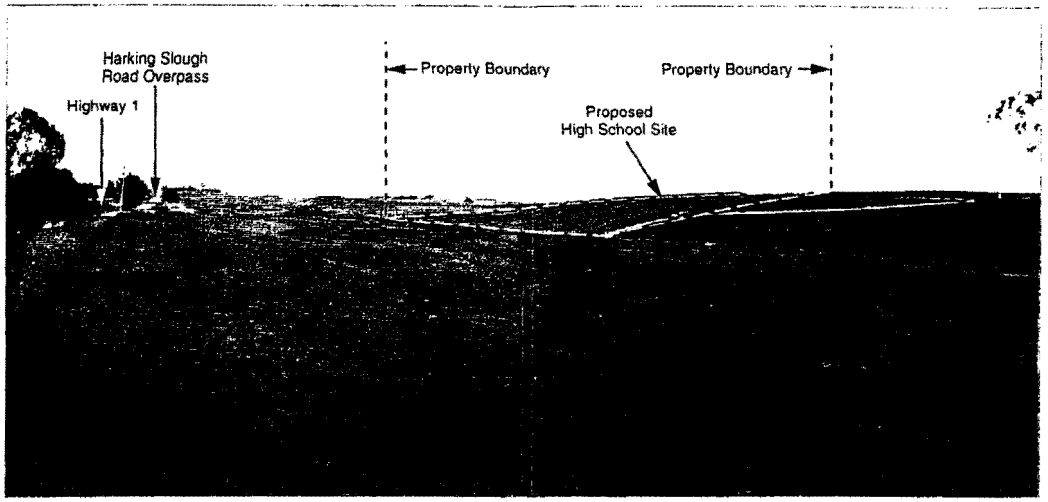

PVUSD BOUNDARY
SANTA CRUZ COUNTY
Aptos Jr.
CITY OF WATSONVILLE
Rolling Hills
Lakeview
SITE
E.A. Hall
MONTEREY BAY
MONTEREY COUNTY
Pajaro

II

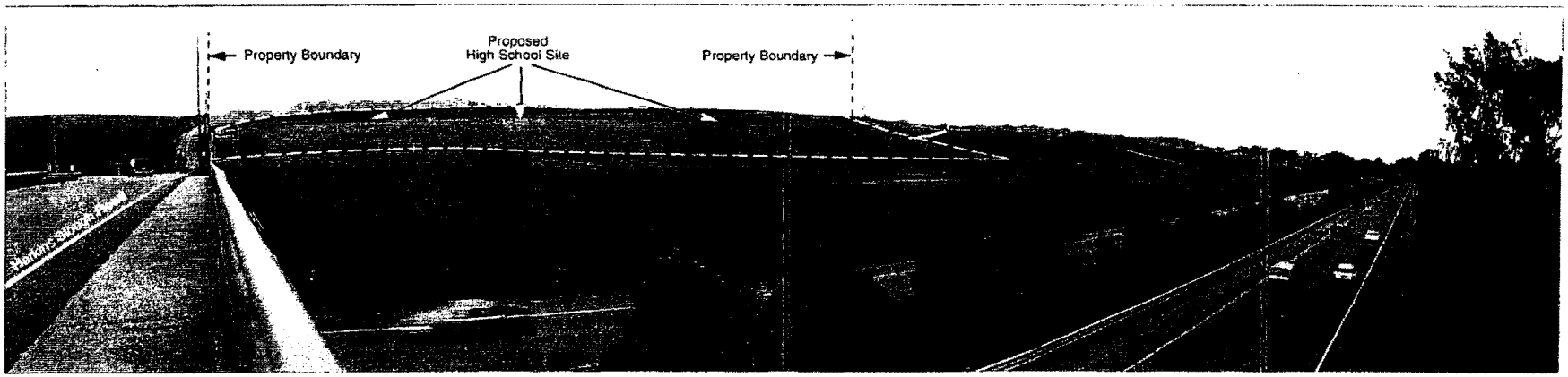
Exhibit G

Proposed PVUSD High School Grading Plan, Site Plan, Elevations, & Renderings

(7 Pages)



A. Southerly view looking "downstream" along West Branch of Struve Slough, from Main Street / Highway 1 overpass. (1,250' from northeast corner of site).



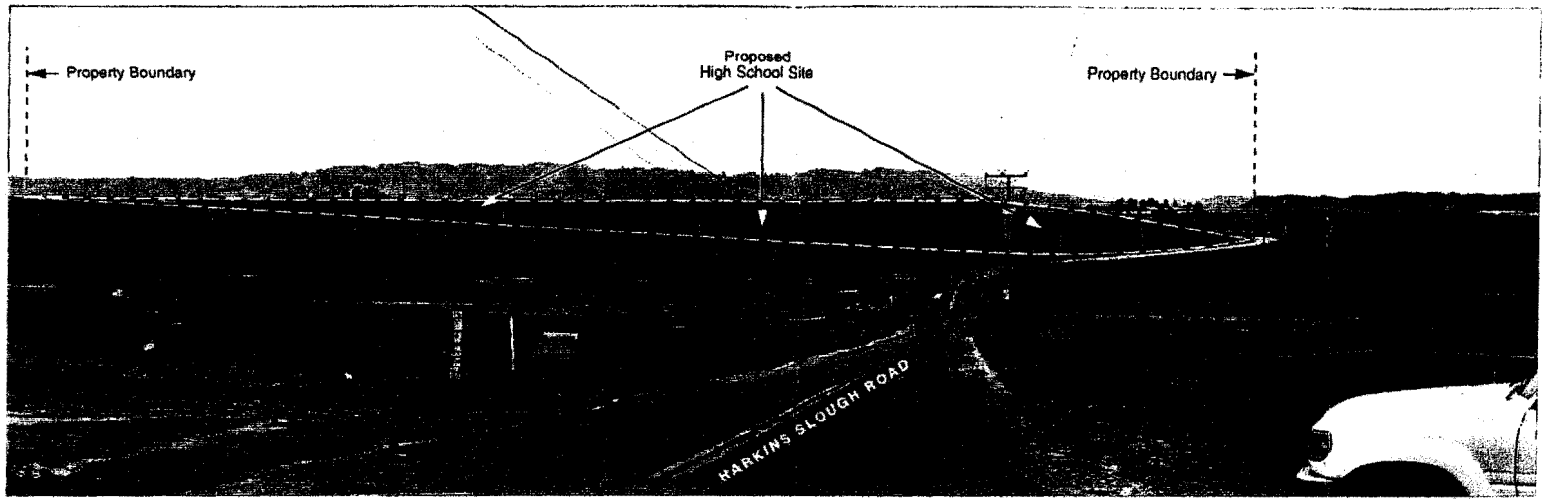
B. Westerly view toward subject property from Harkins Slough Road / Highway 1 overpass, (500' from southeast corner of the site). View overlooks West Branch of Struve Slough, grassy slopes, and cultivated agricultural lands.

ENVICOM CORPORATION

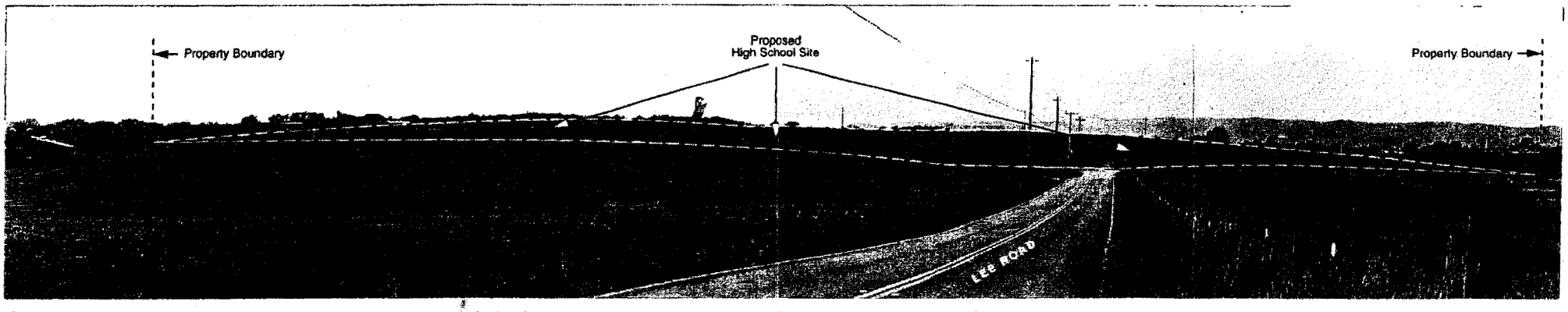
Photoviews of Project Site

PLATE A-1

61



A. Easterly view from Harkins Slough Road toward western half of subject property (1000' to southwest corner of the site). Cattle grazing in foreground (left side, north of road). Beginning of Hanson slough (middle photo - right and south of road).



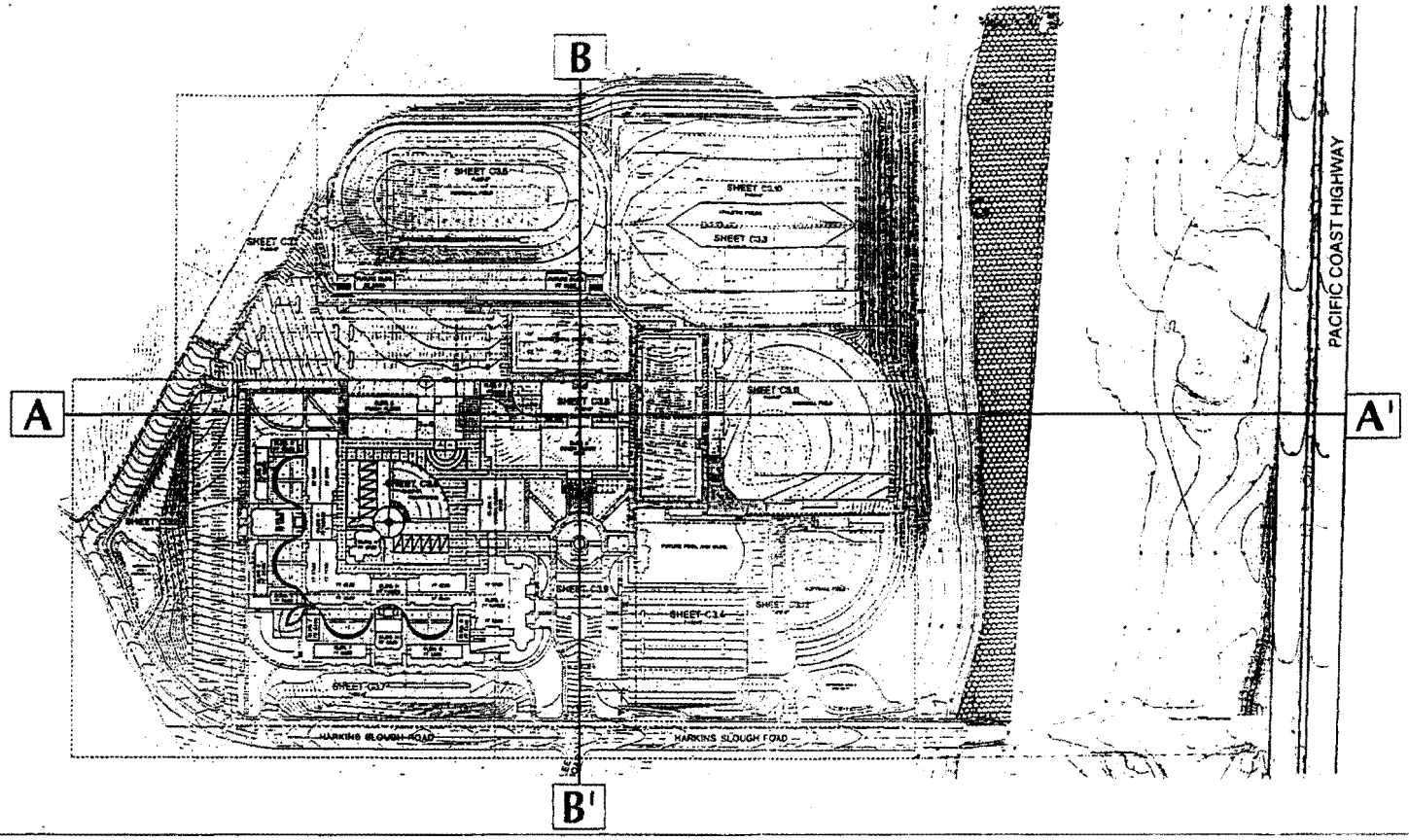
B. Northerly panoramic view of project site from a point on Lee Road (750' south of Harkins Slough Road). View is of a rural / agricultural landscape

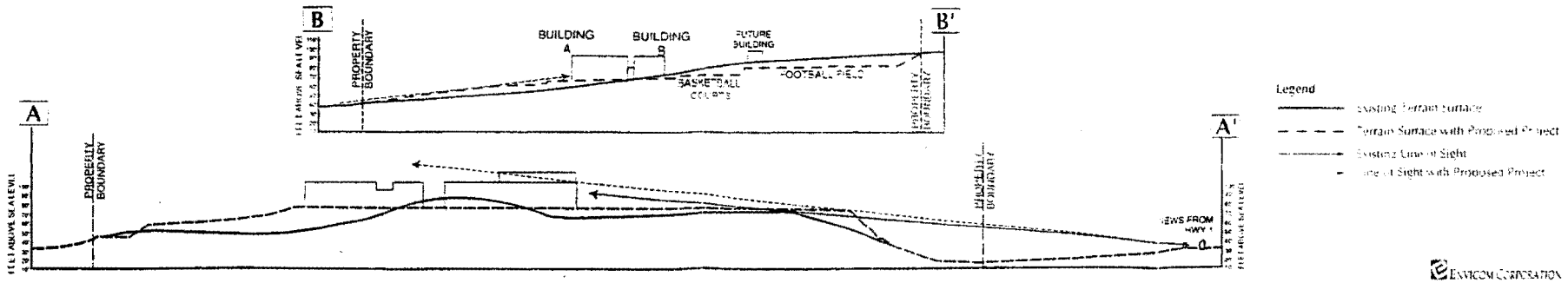
ENVICOM CORPORATION

Photoviews of Project Site

PLATE A-2

62

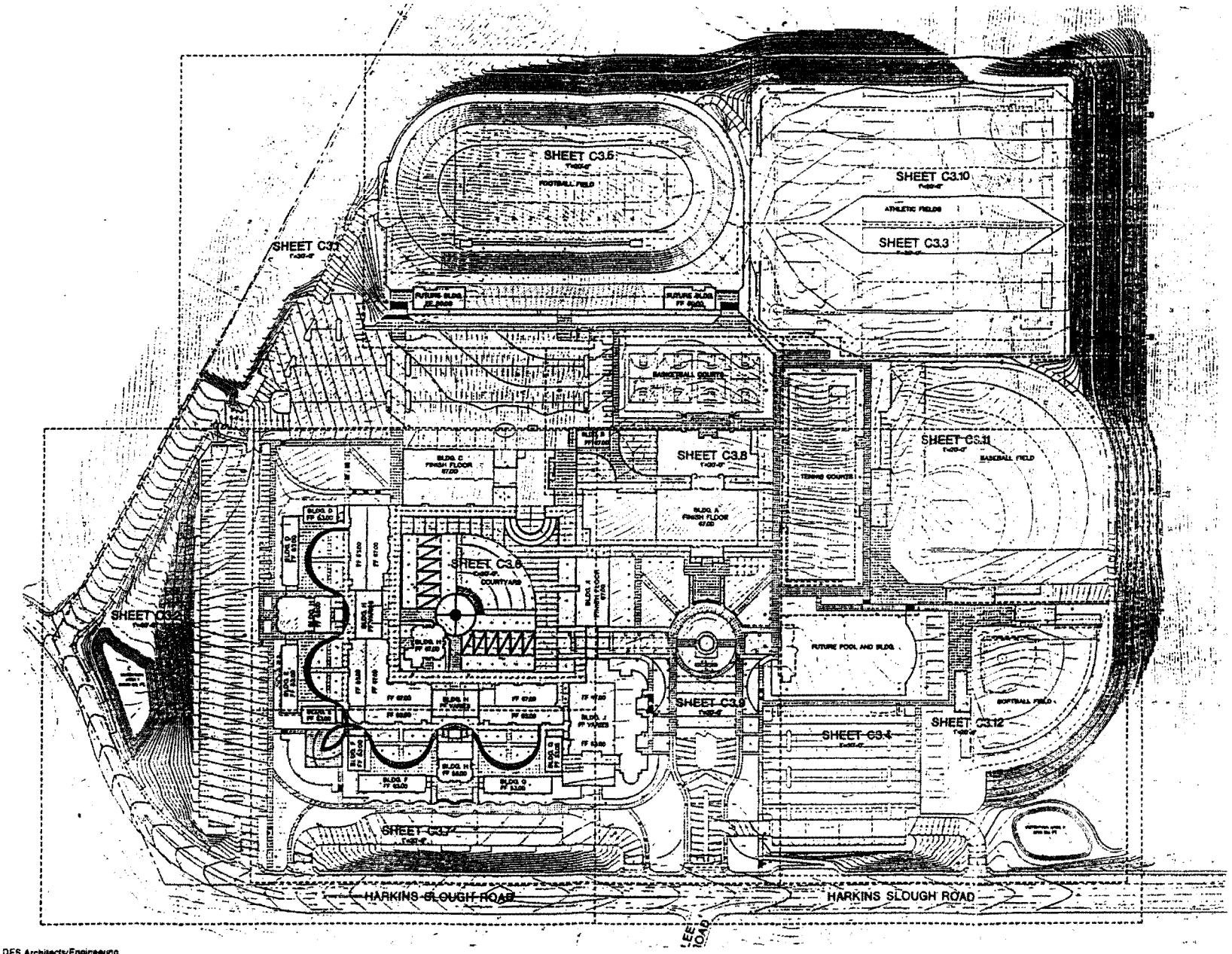




Existing and Proposed Terrain Profiles

NORTH

FIGURE A-6



Source: WLC Architects, DES Architects/Engineering

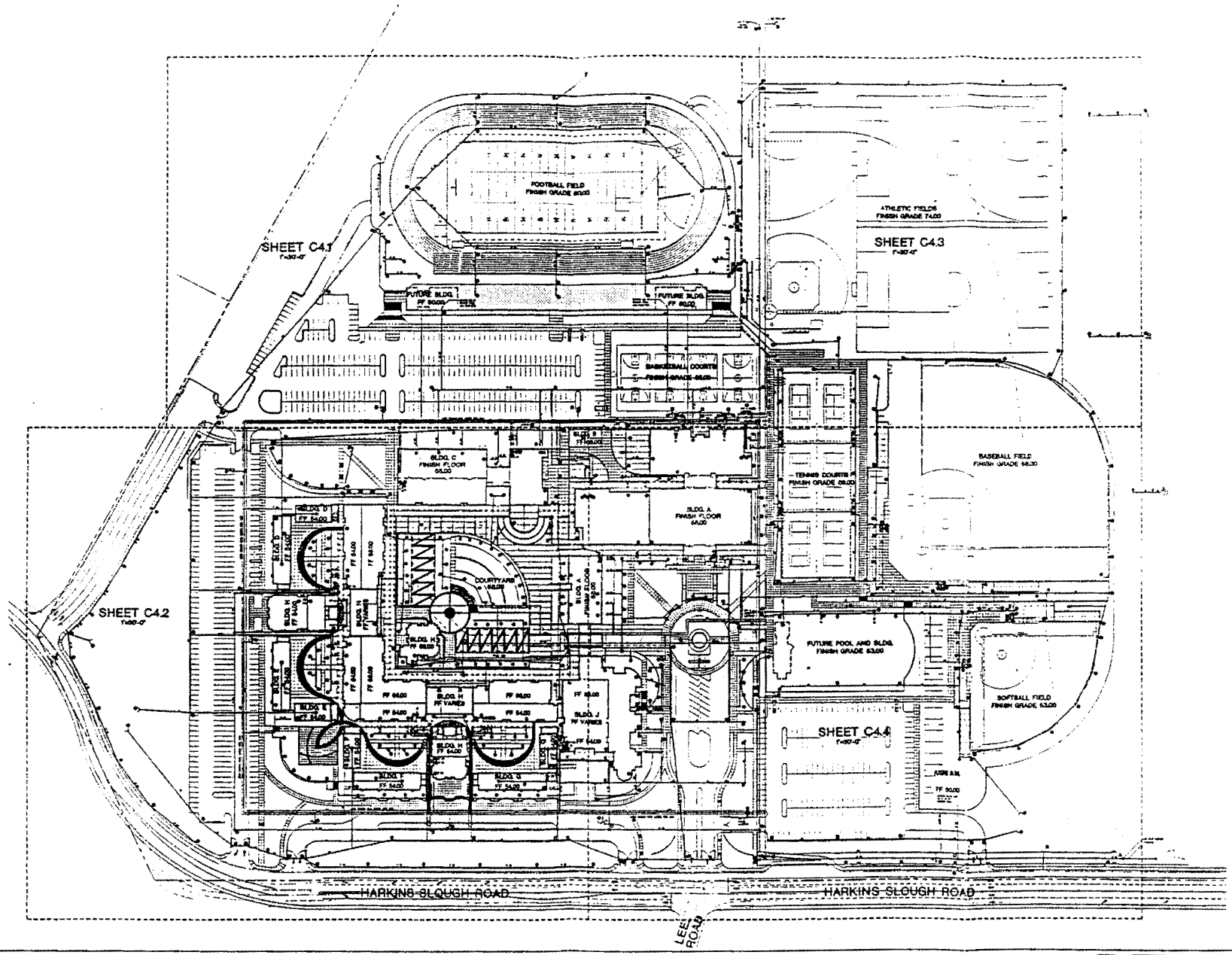
Grading Plan

ENVICOM CORPORATION

NORTH

FIGURE H-3

64



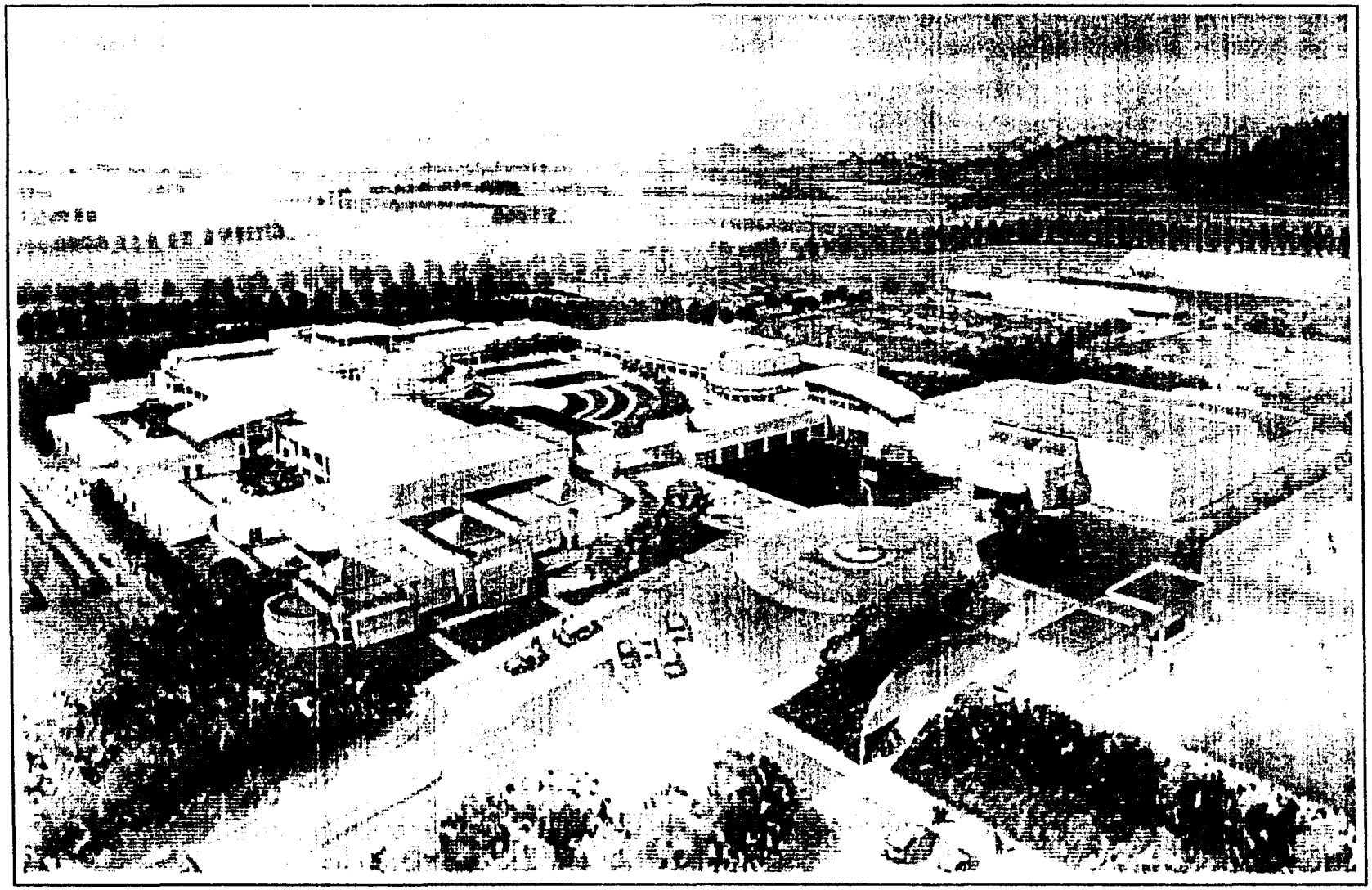
Source: WLC Architects

Drainage Plan

ENVICOM CORPORATION

FIGURE H-4

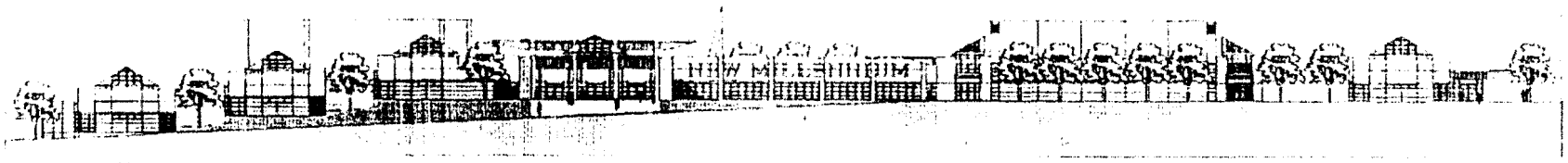
65



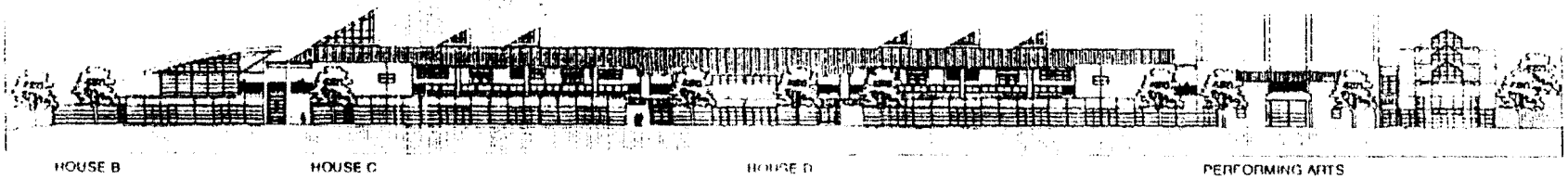
ENVIROM CORPORATION

Rendering of the Proposed High School

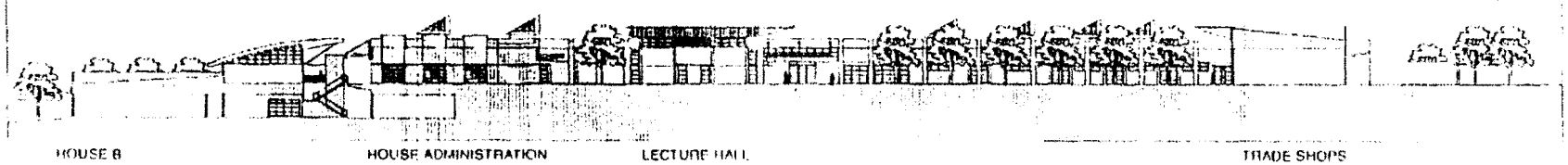
FIGURE A-8



ENTRY COURT WEST ELEVATION



STREET FRONTAGE: SOUTH ELEVATION



QUADRANGLE COURT WEST ELEVATION

Source: WLC Architects, June 1997

ENVICOM CORPORATION

Proposed Project Elevations

FEET 0 15 30 60

FIGURE A-7

Exhibit H
California Department of Education Correspondence
(3 Pages)

FILE

DELAINE EASTIN
State Superintendent of Public Instruction

CENTRAL COAST AREA

CALIFORNIA
DEPARTMENT
OF
EDUCATION

721 Capitol Mall
P. O. Box 944272
Sacramento, CA
94244-2720

October 21, 1998

PAJARO VALLEY UNIFIED
SCHOOL DISTRICT
165 Blackburn Street
Watsonville, CA 95077-5010

RE: PAJARO VALLEY UNIFIED SCHOOL DISTRICT
Santa Cruz County

New Millennium High School
Area: 219,149 Sq. Ft.

Application No. 22/69799-00-11

29 Classrooms, 24 Relocatable Classrooms, 3 Art/Arts & Crafts, 5 Computer, 2 Homemaking/Consumer Ed., 1 Photography & Darkroom, 10 Science Lab, 4 Special Education, Administration, Gym, Library/Media Center, 2 RSP, Multi-P/Kit., Performing Arts Facility, Shower/Locker, Teacher Workroom, Jan./Stor./Mech., Toilets, Open Corridor/Closed Corridor

Final approval by the California Department of Education has been given for your plans received **August 6, 1998**, for the above-referenced project.

The district is advised that the submitted plan may not meet the toilet requirements specified in Title 5 14030 (n). It is the responsibility of the district to ensure compliance with the requirements of Title 5.

If a construction contract is not let for the above-referenced facilities within one calendar year subsequent to this date, these plans must be resubmitted for review and approval.

THESE PLANS ARE APPROVED FOR STATE AID CONSTRUCTION UNDER CHAPTER 12, PART 10 DIVISION 1 OF EDUCATION CODE, SECTION 17000, ET SEQ.

Sincerely,

James F. Bush, Assistant Director
School Facilities Planning Division
(916) 322-1461

Fred Yeager, Consultant
School Facilities Planning Division
(916) 327-7148

FY:dk

cc: WLC Architects
Office of Public School Construction

H1

DELAINE EASTIN
State Superintendent of Public Instruction

FILE

THIS LETTER SUPERCEDES THE PRELIMINARY LETTER DATED OCTOBER 21, 1999

October 26, 1999

PAJARO VALLEY UNIFIED SCHOOL DISTRICT
165 Blackburn Street
Watsonville, CA 95077-5010

RE: **New Millennium High School**
Acres: **70.78**
County : **Santa Cruz**
Application No.: 22/69799-00-11

Subject: Site Approval (SFPD Form 4.09)

Dear Superintendent:

The California Department of Education approves the acquisition, for school purposes, by your district of the parcel of property described on the attachment. This site meets the California Department of Education's standards for safety and educational adequacy (California Code of Regulations, Title 5, Section 14001 et seq. and Education Code 17251 (a), (b)). Please note the local governing board's responsibilities under Education Code Section 17212 and Public Resources Code Sections 21151.2.

The property approved for acquisition is 70.78 gross acres of which 55 are usable for school purposes. The usable school site for this project is 118% of the recommended size as contained in the California Department of Education's "Guide to School Site Analysis and Development" (1966).

As required by Education Code 17072.12 (b) and SAB Regulation 1859.75.1(b), for districts requesting state aid in site acquisition, the California Department of Education has certified that there are no district owned sites that are usable for this project.

The Department of Toxic Substance Control has reviewed the clean up proposal prepared for this site and has determined that the plan, when implemented, will adequately remediate the diesel and motor oil contamination.

Prior to the commencement of construction of a school on this site, the District must obtain approval from the Santa Cruz County Environmental Health Department and the Department of Toxic Substance Control that the remediation plan was properly followed and the site is suitable for school use.

The district is encouraged to provide access to the site via a road that is not in the 100-year flood zone.

This site approval is valid for a maximum of five (5) years from the date of this approval letter. However, if (1) construction has not been initiated within this five year period, or (2) prior to construction being initiated, changes take place within this five year period which would affect or alter the Department of Education's original approval, including but not limited, changes in surrounding land uses, the master plan capacity of the site and changes in code and/or regulations, the site may be subject to reevaluation using current standards in effect at the time of reevaluation.

H2

October 27, 1999
New Millennium High School
Page 2

Sincerely,

James F. Bush, Assistant Director
School Facilities Planning Division
(916) 322-1461

Fred Yeager, Consultant
School Facilities Planning Division
(916) 327-7148

FY: gb

cc: Office of Public School Construction

H3

Exhibit I

CEQA Lawsuit Correspondence

(11 Pages)

LOZANO SMITH

ATTORNEYS AT LAW
A Professional Corporation

Louis T. Lozano
Diana Smith McDonough
Michael E. Smith
Thomas J. Riggs
Jerome M. Behrens
Christine A. Goodrich
Ellen M. Jahn
Peter K. Fagen
Judd L. Jordan
Harold M. Freiman
Howard Friedman
Bobbie F. Albanese
Jan E. Tomsky

David J. Wolfe

Eileen M. O'Hare
Christopher D. Keeler
Trevin E. Sims
[illegible]th E. Mendyk
[illegible]chard B. Galtman
James B. Fernow
Kristina A. Markey
Michael J. Whilden
Gregory A. Floyd
Fernando Acosta
Mara Woodworth Elliott
Deborah R.G. Cesario
Kimberly Borah Schulist
Jonathan P. Read
Howard J. Fulfrost
Thomas E. Gauthier
Sarah Levitan Kaatz
Elaine M. Yama
Robert V. Piacente
Christopher J. Fernandes
Daniel A. Osher

OF COUNSEL
Paul R. De Lay
Patricia Andreen

February 28, 2000

RECEIVED
FEB 29 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

REPLY TO:
Monterey

E-MAIL:
hfreiman@lozanosmith.com

By U.S. Mail and Fax: 831-427-4877

Diane Landry, Esq.
California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 93080

Re: Proposed City of Watsonville Local Coastal Program (LCP) Amendment 1-99
(Pajaro Valley Unified School District's Third High School)

Dear Ms. Landry:

In our telephone conversation on February 25, 2000, you invited me to provide you with information regarding the prime agriculture issue in regard to the above referenced matter. Enclosed, please find some information that you may have already seen, but that we feel should be useful for your analysis.

While we have not yet seen staff's findings, you have represented that the proposed third high school site meets various criteria for prime agriculture status under the Coastal Act. We stress again that this conclusion is contrary to that of the School District, the expert that prepared the District's agricultural viability study (which study was prepared at the Coastal Commission staff's recommendation), the Santa Cruz County Agricultural Commissioner, the Santa Cruz County Farm Bureau, the Santa Cruz County Superior Court, and the existing Local Coastal Plan, which was previously certified by the Coastal Commission.

The first document consists of excerpts from the discovery responses provided by the property owner in the pending eminent domain action regarding the third high school site. As you will see from the marked responses, the property owner admits that no rent has been paid on the property since October 1997, although the owner now claims that the tenant has been refusing to pay for the past 28 months because of damages supposedly caused by the District's consultants in 1997. The District's Agricultural Viability Study, dated August 1997, found based on interviews with the tenant and owner that rent and water bills had not been paid previous to August 1997. Based on these facts, it is readily apparent that the property has not "normally returned" a profit of more than $200 per acre, and thus does not meet the criteria of Government Code

section 51202, subdivision (c)(4). It also appears to be beyond debate that the property does not meet the criteria of subdivisions (c)(1) through (c)(3), or any other criteria for that matter, for prime agricultural land.

I have also enclosed a copy of the judge's decision that specifically found that "substantial evidence in the administrative record supports the conclusions contained in the [Third High School's EIR] and the findings made by Respondents pursuant to [CEQA] in relation thereto, including but not limited to the conclusion that the proposed third high school project site is not situated on prime agricultural land." While you suggested in our telephone conversation that the trial court did not consider the standards of the Coastal Act, that is precisely what standards were applied. To assist you in this regard, I have enclosed the relevant portions of the School District's trial court brief. I also refer you to the EIR itself, which clearly applies the standards of the Coastal Act regarding the prime agriculture issue.

You emphasized the point that the trial court's decision also included the qualifier that "[t]he above referenced findings do not purport to bind the California Coastal Commission in its determinations regarding the third high school project." This language was added to the court's order at the request of the plaintiff's attorney, who has been working closely with the Coastal Commission's local staff. The School District did not object to this language, since it means no more than what it says. With or without the trial court's decision, the Coastal Commission will make a decision regarding the LCP amendment. Nevertheless, the specific issue of whether sufficient evidence exists to conclude that the property is not prime agricultural land within the meaning of the Coastal Act has been litigated, and the court's finding in this regard serves as *stare decisis*.

We trust that you will find these materials of assistance.

Sincerely,

LOZANO SMITH

Harold Freiman / KEK

Harold M. Freiman

Encls.: As referenced above

cc: (w/encl.)

John Doughty, City of Watsonville
Alan Smith, Esq., City Attorney, City of Watsonville
Dr. John Casey, Superintendent, Pajaro Valley Unified School District
Senator Bruce McPherson
Assemblyman Fred Keeley
Assemblyman Peter Frusetta
Retired Senator Henry Mello

F:\WP51\PAJARO\landry2-28-00.ltr.wpd
(00360-48)

I3

Jonathan Wittwer
William P. Parkin
Tina Wallis
Christiane Sinclair

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

RECEIVED
JAN 2 8 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

January 28, 2000

Dr. Charles Lester
California Coastal Commission
Central Coast District
725 Front Street, Suite 300
Santa Cruz, CA 95060

Re: Local Coastal Program Amendments for New Millennium High School Site: Status of Lawsuit against PVUSD

Dear Dr. Lester:

I am submitting, for the record, the following procedural summary of litigation against the Pajaro Valley Unified School District ("PVUSD" or "District") concerning the above referenced LCP Amendments to clarify any possible inaccuracies or misconceptions about the litigation against the District.

In May 1997, the PVUSD Board of Trustees certified an EIR for the selection of the site for the third high school. In June 1997, the Watsonville Wetlands Watch and others (hereinafter "Petitioners") filed a Petition for Writ of Mandamus in Santa Cruz Superior Court (Case # 133018) alleging several violations of the California Environmental Quality Act ("CEQA") and seeking to overturn the decision of the PVUSD to certify the EIR for the high school. The alleged violations of CEQA, included, but were not limited to, the PVUSD's failure to: (1) adequately analyze impacts to environmentally sensitive habits, water quality, and prime agricultural lands; (2) identify and mitigate growth inducing impacts, (3) identify cumulative environmental impacts; (4) include an adequate alternatives analysis; (5) choose an environmentally superior alternative; and (6) mitigate environmental impacts. In response to this lawsuit, the PVUSD, while not admitting any wrongdoing, rescinded the EIR. As a result of the PVUSD's recission of the Project approval and the EIR, Petitioners agreed to dismiss their lawsuit if the District agreed to pay Petitioners' attorneys fees and costs.

In June 1998, the District issued a Revised Draft EIR which included improvements to the previously issued EIR, including a more thorough analysis of the cumulative impacts of development west of Highway One. (This should not be construed to mean, however, that the Petitioners necessarily agree with all of the conclusions of the EIR.) A Revised Final EIR was subsequently issued and certified on September 9, 1998 after a public hearing.

Many of these changes in the Revised Final EIR were a direct response to the allegations

I4

in the lawsuit filed in 1997. However, the Petitioners believe that the District still failed to comply with CEQA and filed another Petition for Writ of Mandamus against the PVUSD in Santa Cruz Superior Court (Case # 134587) with respect to two issues: (1) the District's failure to acknowledge that the site is located on prime agricultural land; and, (2) the District's failure to adequately mitigate or change the Project as a result of its inconsistencies with the Watsonville LCP and the California Coastal Act. This latter Petition was filed on October 13, 1998 and attacks the Project on a more limited basis than the Petition filed in 1997. As eluded to above, the more limited basis for seeking a Petition for Writ of Mandate should not be construed to mean that the Petitioners agree with all of the conclusions in the EIR.[1]

The Court held a hearing on the matter on April 23, 1999. The Court ruled in favor of the PVUSD as to the two issues raised in the lawsuit. The order was signed on May 14, 1999.

On July 19, 1999, the Wetlands Watch appealed the decision of the Superior Court judge with respect to the EIR's conclusions that the site does not contain prime agricultural land. In the meantime, the parties have completed briefing of the matter. Appellate Briefing on a peripheral issue related to the PVUSD's recovery of costs is ongoing. The matter has not yet been set for oral argument.

I would like to point out that the PVUSD's representations regarding the Petitioners' concerns vis-a-vis the lawsuit are inaccurate. In the minutes of the PVUSD/Local Coastal Commission Staff Meeting on June 21, 1999, John Casey, PVUSD Superintendent, and Harold Freiman, PVUSD attorney, imply that the Petitioners do not have any concerns regarding biological impacts. They state as follows:

> John Casey: Harold please talk to us about the lawsuits. We went through the same thing about the site selection and when we got down to the final lawsuit there really weren't biological concerns were there?
>
> Harold Freiman: There was no indication in the law suit (sic) that biological effects were their major reasons. One of the reasons the District revised the EIR was because of the Tai property issue. The Second EIR was more detailed and longer and a lawsuit was filed again and the issues were prime agricultural land and that by amending the Local Coastal Plan we were violating the Local Coastal Plan. The judge looked mainly at those two issues and agreed that the land was not prime agricultural land. The issue was not pushed that there was a certain endangered species.

---

[1] Indeed, Petitioners are of the opinion that the ***direct*** environmental impacts to environmentally sensitive habitat areas were not adequately analyzed in the Revised EIR. However, the Petitioners do agree with the EIR's conclusion that the project will cause ***indirect*** biological impacts that cannot be mitigated.

These statements are patently false. Indeed, it is the position of the Petitioners that biological, cumulative and growth inducing impacts will be severe. Further, the judge did not make a determination that the land did not contain prime agricultural land. He merely found that the PVUSD's position in its EIR that the land did not contain prime agricultural land was based on substantial evidence in the record before the PVUSD for purposes of CEQA. **But, the judge explicitly declined to impose the same findings on the Coastal Commission.** A copy of this order is attached hereto for your convenience. Moreover, the decision does not preclude Petitioners from raising the same argument before the Commission based on new or additional evidence.

If you need additional information or have any questions concerning the procedural aspects of the above referenced litigation, please feel free to call me.

Very truly yours,

William Parkin

WPP/ds
enclosure

cc: Watsonville Wetlands Watch
Sierra Club
Alliance for Resource Conservation

I6

Harold M. Freiman, # 148099
LOZANO SMITH SMITH
WOLIVER & BEHRENS
20 Ragsdale Drive, Suite 201
Monterey, CA 93940-5758
TEL 831-646-1501
FAX 831-646-1801

Attorneys for Respondents
Pajaro Valley Unified
School District and Board
of Trustees of the Pajaro
Valley Unified School District

RECEIVED
JAN 28 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

FILED
MAY 17 1999
CHRISTINE PATTON CLERK
BY CAROLYN SILVA
DEPUTY, SANTA CRUZ COUNTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SANTA CRUZ

WATSONVILLE WETLANDS WATCH, an unincorporated association; and CALIFORNIA ALLIANCE FOR RESOURCE CONSERVATION, an unincorporated association Petitioners, v. PAJARO VALLEY UNIFIED SCHOOL DISTRICT; BOARD OF TRUSTEES OF THE PAJARO VALLEY UNIFIED SCHOOL DISTRICT; and, DOES 1 through 15, Respondents.	CASE NO. 134587 **ORDER AND JUDGMENT DENYING PETITION FOR WRIT OF MANDAMUS**

Petitioners' Petition for Writ of Mandamus came on regularly for hearing before this Court on April 23, 1999, in Department 8, before the Honorable Richard McAdams, presiding. Respondents appeared through Harold Freiman of Lozano Smith Smith Woliver & Behrens, their counsel of record. Petitioners appeared through William Parkin of Wittwer & Parkin, LLP, their counsel of record.

LOZANO SMITH SMITH WOLIVER & BEHRENS
20 RAGSDALE DRIVE, SUITE 201, MONTEREY, CA 93940-5758
TEL 831-646-1501 FAX 831-646-1801

This cause having been argued and submitted for decision, the Court having reviewed the administrative record herein and the papers filed in support of and in opposition to Petitioners' Petition for Writ of Mandate, the arguments of counsel appearing at the hearing thereon, the Court being fully advised, and good cause appearing in that, among other issues:

1. Respondents' certification of the Revised Final Environmental Impact Report ("RFEIR") for the Proposed Third High School Site at Harkins Slough Road did not constitute a prejudicial abuse of discretion;

2. Substantial evidence in the administrative record supports the conclusions contained in the RFEIR and the findings made by Respondents pursuant to the California Environmental Quality Act in relation thereto, including but not limited to the conclusion that the proposed third high school project site is not situated on prime agricultural land;

3. The RFEIR sufficiently identified impacts and mitigation measures relative to the proposed local coastal plan amendment described therein and thereby complied with the requirements of the California Environmental Quality Act; and

4. The above referenced findings do not purport to bind the California Coastal Commission in its determinations regarding the third high school project.

therefore, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That Petitioners' Petition for Writ of Mandamus and all relief requested therein is denied;

2. That judgment is entered in favor of Respondents and against Petitioners; and

LOZANO SMITH SMITH WOLIVER & BEHRENS
20 RAGSDALE DRIVE, SUITE 201, MONTEREY, CA 93940-5758
TEL 831-646-1501 FAX 831-646-1801

3. That Respondents are to recover costs of suit from Petitioners to the extent allowed by law, in an amount to be established.

Dated: MAY 14 1999

Richard McAdams

Honorable Richard McAdams
Judge of the Superior Court

Approved as to form for Petitioners:

WITTWER & PARKIN, LLP

Dated: _____

William Parkin
Attorney for Petitioners Watsonville Wetlands Watch and California Alliance for Resource Conservation

F:\WP51\PAJARO\WWW\PLEADING\ORDER.pld

19

3. That Respondents ~~have and~~ are to recover costs of suit from Petitioners to the extent allowed by law, in an amount to be established.

Dated: _____

Honorable Richard McAdams
Judge of the Superior Court

Approved as to form for Petitioners:

WITTWER & PARKIN LLP

Dated: 5/10/99

William Parkin
Attorney for Petitioners Watsonville Wetlands Watch and California Alliance for Resource Conservation

F:\WP51\PAJARO\WWW\PLEADING\ORDER.pld

LOZANO SMITH SMITH WOLIVER & BEHRENS
20 RAGSDALE DRIVE, SUITE 201, MONTEREY, CA 93940-5758
TEL 831-646-1501 FAX 831-646-1801

I10

PROOF OF SERVICE

[C.C.P. 1013a, 2015.5]

I declare that I am employed in the County of Monterey, California. I am over the age of eighteen years and not a party to this action. My business address is 20 Ragsdale Drive, Suite 201, Monterey, California 93940.

On May 19, 1999, I served the within:

NOTICE OF ENTRY OF JUDGMENT

on the interested party in said cause as indicated below:

[ ] **(BY PERSONAL SERVICE)** I served a copy of said document(s) by hand delivery to the interested parties at:

[✓] **(BY FACSIMILE)** I served a copy of said document(s) via facsimile transmission to the interested parties at:

William Parkin 831-429-4057

[ ] **(BY OVERNIGHT DELIVERY SERVICE)** I served a copy of said document(s) to be sent via overnight delivery service to the interested parties listed below:

[✓] **(BY REGULAR MAIL)** I served a copy of said document(s) to be placed in a United States mail depository, in a sealed envelope with postage fully prepaid, to the below addressee:

William P. Parkin
Wittwer & Parkin, LLP
147 South River Street, Suite 221
Santa Cruz, CA 95060

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on May 19, 1999 at Monterey, California.

Marci Bauer

I11

Exhibit J

California Department of Transportation, Aeronautics Program Correspondence

(14 Pages)

DEPARTMENT OF TRANSPORTATION
AERONAUTICS PROGRAM M.S. #40
1120 N STREET - ROOM 3300
P.O. BOX 942874
ACRAMENTO, CA 94274-0001
16) 654-4959
FAX (916) 653-9531

RECEIVED
FEB 0 7 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

February 3, 2000

Mr. Charles Lester
District Manager
California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 95060

Dear Mr. Lester:

In response to your letter dated January 24, 2000, the following answers your directed questions are provided:

1. **Question:** Is Area C (see map enclosed), or any portion of it, a suitable location for a public school under the applicable law?

   Area C as depicted on your map shows a considerable larger area than the site we evaluated in 1992 and 1997. Attached is a map of the site we evaluated. Any siting of school facilities outside of the areas depicted on the map originally submitted by the Pajaro Valley Unified School District in 1992 would invalidate our evaluations and another school site evaluation may be required.

2. **Question:** What accounts for the change in determination on the Harkins Slough Road Site change from 'incompatible with school development' in 1987 to 'suitable for a school' in 1992? What were the "safety and noise concerns" observed by your office regarding the Harkins Slough Road site in 1992?

   This site has always been a fence sitter. A subtle change in the conditions of the airport's operating environment would tip scales one way or the other. During the early and mid 1990s general aviation activity was at an all time low and predictions in the industry forecasted grim prospects for a recovery. Those numbers were brought down the estimated and projected activity counts for the Watsonville Municipal Airport. This change was in large part the reason we favored the school site. Additionally the site we evaluated in 1992 had different boundaries than the one we evaluated in 1987.

3. **Question:** The January 21, 1992, letter said your office's determination that the Harkins Slough Road site was suitable for a school would expire January 31, 1997. Has a new determination or an extension of this determination been granted? If so, can you please provide us with a copy? If not, will one be necessary?

We reviewed the 1992 evaluation, verified any change to the airport operating environment and considered the factors we researched, came to the same conclusion of the 1992 evaluation and issued an extension.

4. **Question:** Did (or will) your site suitability-analysis focus on existing flight patterns and numbers of flights at the Watsonville Airport, or is it based upon expected future flight patterns and numbers of flights (for example, flight patterns and numbers of flights that may be expected under the airport master plan?) Has there been a change in flight patterns and or number of flights since 1992 such that your office's determination of suitability for the Harkins Slough Road site would likewise change?

   Our evaluation weighted both the current operations and the projected operations at about the same. We take into account flight patterns, number of operations, operating altitudes, expected aircraft maneuvers and type of aircraft expected to operate over the site. We glean our information from the master plan, airport manager interviews, various government documents and from direct observations. Over the past couple of years, we have noticed an increase in operations at the Watsonville Municipal Airport. It is difficult to predict whether a favorable site recommendation would occur if the site were reevaluated today, since many factors must be considered before we come to a conclusion. Department of Transportation (Caltrans) will not speculate at this point short of the formal evaluation process. The process is initiated at the behest of the school district as stipulated in the education code. Caltrans will respond, after the request is sent through the Department of Education.

5. **Question:** It is our understanding that the applicable state requirements for public school sighting near airports were revised in 1993; please confirm whether this is or is not the case. What is the currently applicable law governing siting of public schools near airports?

   The criteria we use for sighting of schools really have not changed over the years, however, we have formalize our procedures in 1998 to standardize the way we evaluate sites and to provide better record keeping. In 1993, Caltrans published the Airport Land Use Planning Handbook and the information contained within is now considered in the evaluations we conduct. The current applicable law for sighting a school in the vicinity of an airport is Education Code 17215.

If you have any further questions or if we may be of assistance, please let us know.

Sincerely,

DANIEL R. GARGAS
Aviation Safety Officer

Enclosure

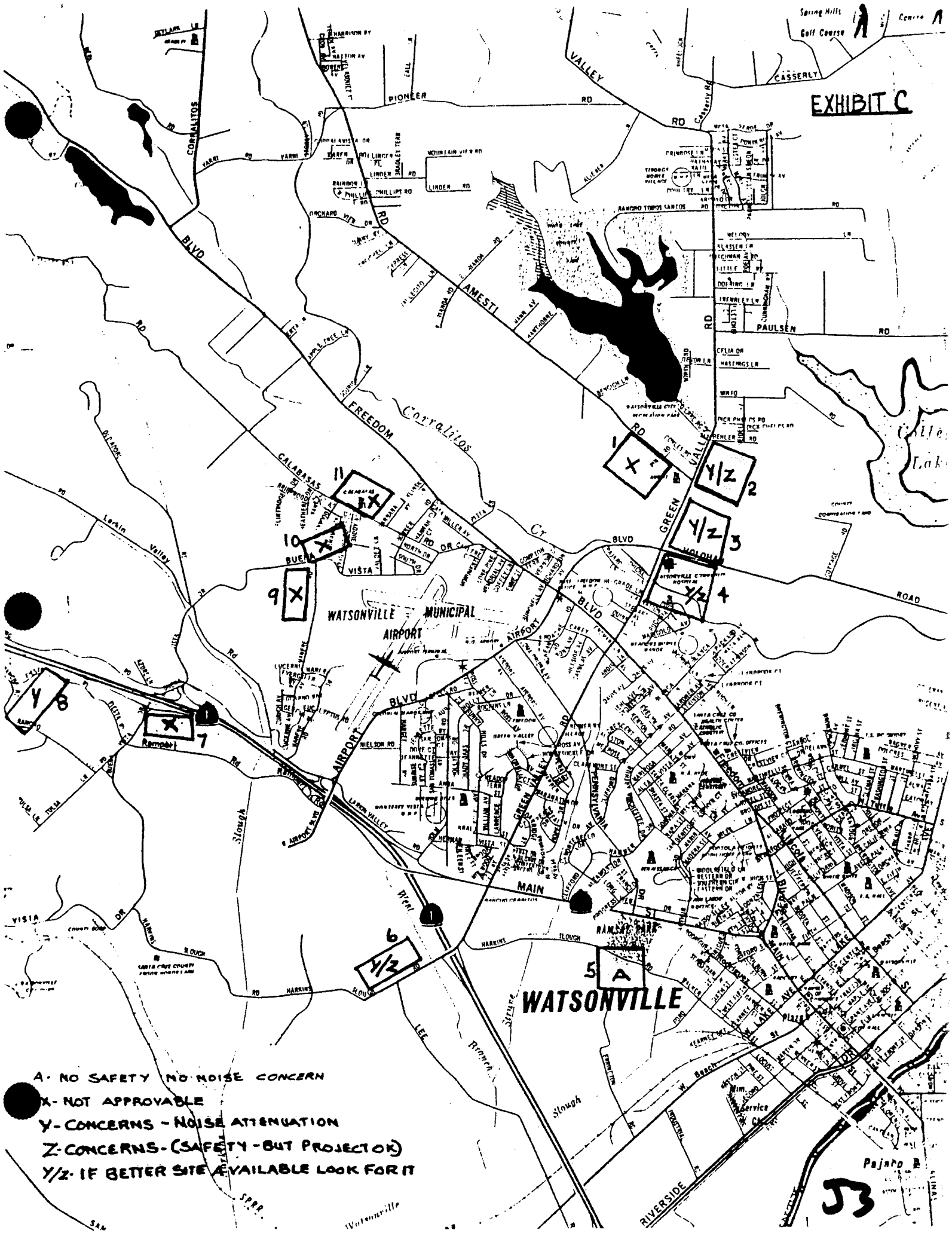


EXHIBIT C
WATSONVILLE MUNICIPAL AIRPORT
WATSONVILLE
A - NO SAFETY NO NOISE CONCERN
X - NOT APPROVABLE
Y - CONCERNS - NOISE ATTENUATION
Z - CONCERNS - (SAFETY - BUT PROJECT OK)
Y/Z - IF BETTER SITE AVAILABLE LOOK FOR IT
J3

DEPARTMENT OF TRANSPORTATION
AERONAUTICS PROGRAM M.S. #40
1120 N STREET - ROOM 3300
P.O. BOX 942873
SACRAMENTO, CA 94273-0001
(916) 654-4959
FAX (916) 653-9531

Watsonville Airport
Santa Cruz County School File
Santa Cruz County

June 10, 1997

RECEIVED
FEB 09 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Mr. Richard S. Meyer
Pajaro Valley Unified School District
P.O. box 50010
Watsonville, CA 95077-5010

Dear Mr. Meyer:

In response to your request of June 2, 1997, we are extending the effective date of our January 21, 1992 school site evaluation. However, if a site is not acquired by June 9, 2002, another site evaluation by our Department is required.

Sincerely,

Original Signed by

DANIEL R. GARGAS
Aviation Consultant

bcc: DReynolds - District 04
DRG:jef

u:\\Gargas\Pajaro.doc

54

State of California Business, Transportation and Housing Agency

Memorandum

To: MR. STAN ROSE
School Facilities Planning Division
Department of Education
721 Capitol Mall
Sacramento, CA 95814

Date: January 21, 1992

File:

From: **DEPARTMENT OF TRANSPORTATION**
DIVISION OF AERONAUTICS

Subject: Proposed School Site - Pajaro Valley Unified School District, Santa Cruz County

In response to your request of December 19, 1991 and Section 39006 of the Education Code, the California Department of Transportation, Division of Aeronautics, has analyzed eleven school sites proposed by the Pajaro Valley Unified School District. The proposed sites are located at various locations around the Watsonville Municipal Airport, see attached map.

Our analysis consisted of a thorough review of our files concerning the Watsonville Municipal Airport, including layout plans and vicinity maps depicting the relationship of the airport traffic patterns to the proposed sites. In addition, a fly over was conducted to further evaluate the sites. The Airport Manager, Ms. Kim Wirht, was offered the opportunity to respond. Her comments were considered.

Our evaluation revealed that Sites #1, 7, 9, 10 and 11 were undesirable sites because they are under the flight tracks of aircraft performing critical flight maneuver at low altitudes for approaches and departures into and out of the Watsonville Municipal Airport.

We have some reservations regarding Site #2, 3, 4 and 6 because of some safety and noise concerns. We recommend that the school district explore all alternative sites before selecting any of these sites. If Site #2, 3, 4 or 6 is selected, we recommend that mitigation be taken to minimize outside noise impacts to within 45 decibels inside the classroom.

We have only some noise concerns for Site #8 and recommend the same noise mitigation procedures be taken as described above.

We have no safety or noise concern for Site #5.

J5

Mr. Stan Rose
January 21, 1992
Page 2

The Department cannot guarantee the safety of any of the sites above. However, based upon our evaluation of existing conditions and planed development, Site #2, 3, 4, 5, 6 and 8 are considered to provide the level of safety suitable for a school. We, therefore, do not object to the acquisition of these proposed school sites. However, if a site is not acquired by January 31, 1997 another site evaluation will be required.

DANIEL R. GARGAS
Aviation Consultant

Enclosures

cc: Kim Wirht - Watsonville Municipal Airport

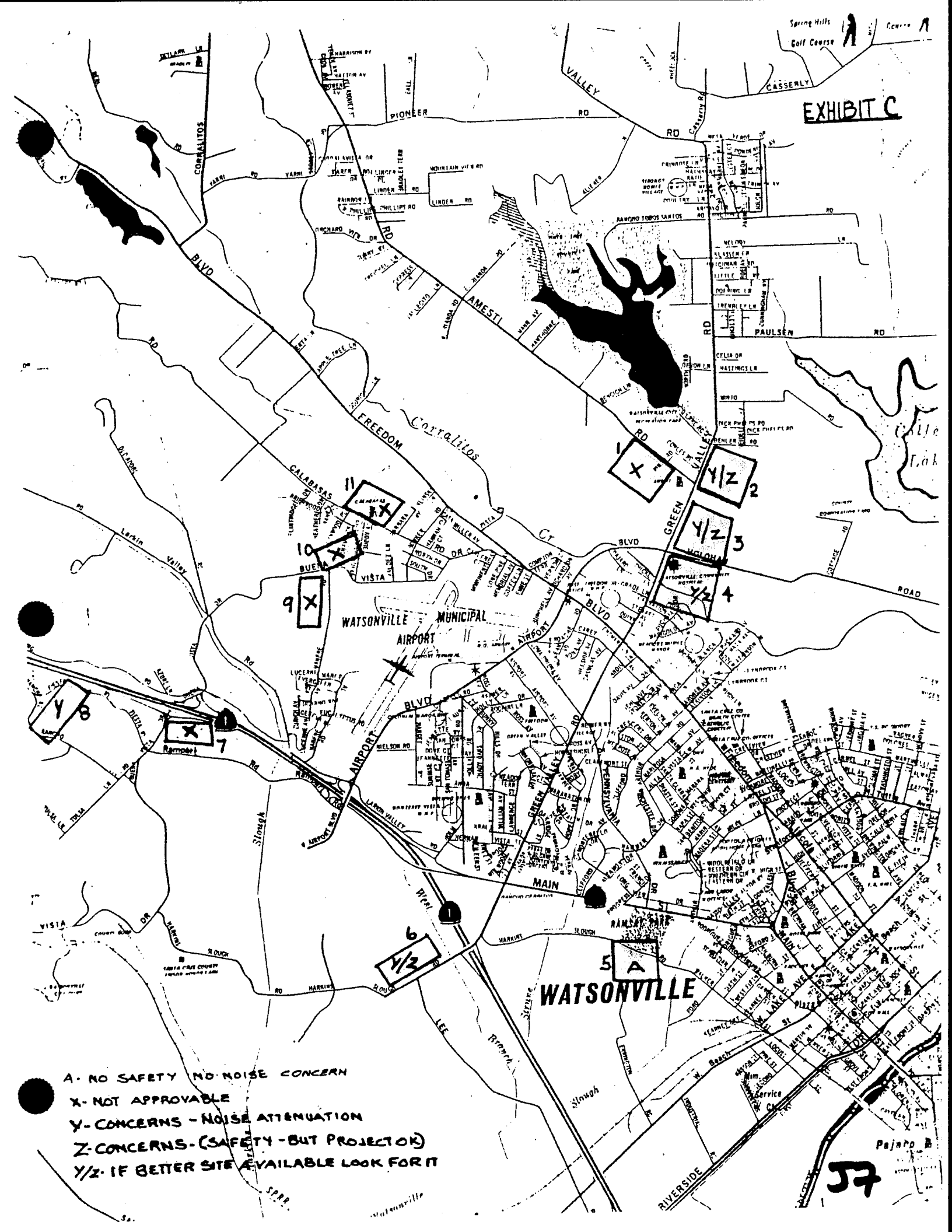


EXHIBIT C
Spring Hills Golf Course
CASSERLY
VALLEY RD
PIONEER RD
CORRALITOS
BLVD
AMESTI RD
FREEDOM BLVD
Corralitos Cr
CALABASAS RD
GREEN VALLEY RD
PAULSEN RD
WATSONVILLE MUNICIPAL AIRPORT
AIRPORT BLVD
Ramsay Park
MAIN ST
WATSONVILLE
Slough
Pajaro
RIVERSIDE
1 X
2 Y/Z
3 Y/Z
4 Y/Z
5 A
6 Y/Z
7 X
8 Y
9 X
10 X
11 X
A- NO SAFETY NO NOISE CONCERN
X- NOT APPROVABLE
Y- CONCERNS - NOISE ATTENUATION
Z- CONCERNS - (SAFETY - BUT PROJECTOR)
Y/Z- IF BETTER SITE AVAILABLE LOOK FOR IT
J7

State of California

Business, Transportation and Housing Agency

Memorandum

To: Robert D. Williams
School Facilities Planning Division
Department of Education
721 Capitol Mall
Sacramento, CA

Date: Dec. 23, 1987

File:

From: **DEPARTMENT OF TRANSPORTATION**
DIVISION OF AERONAUTICS

Subject: Proposed Alternate School Sites, Pajaro Valley Unified School District, Santa Cruz County

In response to your request of November 17 and 19, 1987, and Section 39006 of the Education Code, the California Department of Transportation, Division of Aeronautics, has evaluated the school sites proposed by the Pajaro Valley Unified School District, Santa Cruz County.

The sites, listed as A, B, C, D, E and F (corrected) are located around the Watsonville Airport and within 1000 feet (0.19 miles) to 7500 feet (1.42 miles), also site D is located 800 feet north of the Watsonville Community Hospital Heliport.

The analysis consisted of a thorough review of our files concerning the subject airport and heliport, including the facilities records and topographical maps of the area. Watsonville Airport is a very active public owned public-use airport with approximately 400 based aircraft and has 160,000 to 180,000 aircraft operations per year. The airport manager, the Watsonville city manager, and the assistant administrator of Watsonville Community Hospital were given an opportunity to respond, and their comments were considered.

Our evaluation of the six proposed school sites revealed that three of the sites, A, D and E, are located within the airport traffic area and considerable overflights would occur and possible overflights during operations involving instrument weather conditions. This potential of overflight with respect to noise and safety would not be compatible with school development. Sites B, C and F are located, with respect to distance and direction, such that the potential for random overflights would be low and should not present an unduly hazardous situation.

The Department cannot guarantee the safety of B, C, or F (or any) site. Based upon our evaluation of existing conditions and planned development, site B, C, or F is considered to provide the level of safety suitable for a school. Barring acquisition of

J8

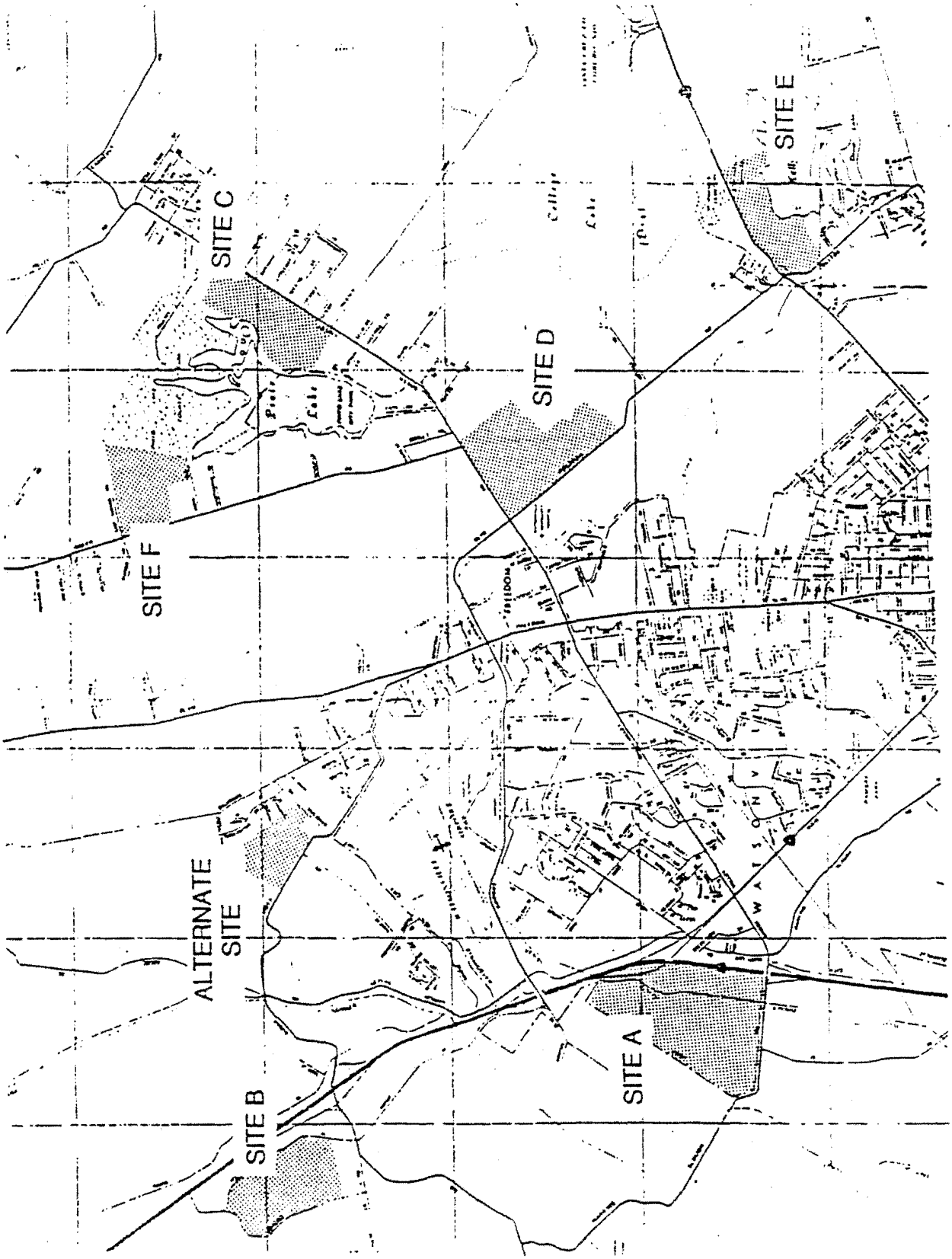
these or other more suitable locations, we do not object to proposed site B C or F. The Department does object to purchase of site A D and E for school purposes.

Sincerely,

JACK D. KEMMERLY, Chief
Division of Aeronautics

Carl E. Smith

Carl E. Smith
Aviation Consultant



JOHN GILCHRIST AND ASSOCIATES		FIGURE 1: SITE LOCATIONS	

RECEIVED
DEC 10 1987
Caltrans Division
of Aeronautics

CITY OF WATSONVILLE

Mayor &
City Council
728-6006
250 Main

Administration
Offices
215 Union

City Manager
728-6011

City Attorney
728-6013

Personnel
728-6012

City Offices
250 Main

City Clerk
728-6005

Building Insp.
728-6017

Finance
728-6031

Planning
728-6020

Public Works
728-6049

Fire
728-6060
115 Second

Library
728-6040
310 Union

Purchasing
728-6029
231 Union

Recreation
728-6081
20 Maple

Rehab. Housing
728-6022
231 Union

December 7, 1987

RECEIVED
FEB 09 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Mr. Carl E. Smith
Department of Transportation
Division of Aeronautics
P.O. Bos 1499
Sacramento, CA 95807

Dear Mr. Smith:

Re: School Sites - City of Watsonville

In reference to your letter of November 24, 1987, concerning school sites and the response from the City of Watsonville Airport Manager, I would like to add the following comments:

> I concur with the Airport Manager's comments regarding the sites listed with the exception of Sites C and F. Due to the flight pattern for the approaches to the airport and the future increases in air traffic, it seems as though there could be a problem with Site C and F during times of dense heavy fog. Aircraft could mistake the school site for the airport.

Thank you for your consideration of the comments from the City of Watsonville regarding these proposed school sites.

Sincerely,

John Radin

John Radin
City Manager

JR:lh

J11

City Hall, P.O. Box 430, Watsonville, CA 95077

CITY OF WATSONVILLE

City Offices
250 Main

Mayor &
City Council
728-6006

City Manager
728-6011

City Attorney
728-6013

City Clerk
728-6005

Building Insp
728-6017

Finance
728-6031

Personnel
728-6012

Planning
728-6020

Public Works
728-6049

Fire
728-6060
115 Second

Housing Rehab
728-6022
231 Union

Library
728-6040
310 Union

Purchasing
728-6029
231 Union

Recreation
728-6081
20 Maple

December 2, 1987

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DEC 04 1987
Caltrans Division
of Aeronautics

RECEIVED
FEB 09 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Mr. Carl E. Smith
Dept. of Transportation
Division of Aeronautics
1130 K Street - 4th Floor
P.O. Box 1499
Sacramento, CA 95807

Dear Mr. Smith:

In reference to you letter of November 24, 1987 concerning school sites near Watsonville Airport, I would like to make the following comments.

Almost 400 aircraft are based at Watsonville and at least 150 aircraft (visitors) arrive every week.

1. SITE A:

   This location is incompatible. Runway 19 is used 85% of the time for take off and landing. Aircraft would be at full take off power close to the school. The traffic pattern passes over Site A. As does the circling approach from Localizer/NDB approach.

2. SITE B:

   No problem here.

3. SITE C:

   No problem here.

4. SITE D:

   Located directly under the turn from downwind to base leg to Runway 19. The most used runway.

5. SITE E:

   Along side of final to Runway 8 used 7% of year, however during the summer as the fog rolls in we are forced to use Runway 26 with temporary right traffic to avoid fog. This would place aircraft on take off over the site at full power.

City Hall, P.O. Box 430, Watsonville, CA 95077

J12

6. SITE F: Changed / would be a fin. [illegible]

Aircraft making straight in approaches to the main Runway 19 would fly directly over this site but should be high enough to make this compatible.

Our traffic is increasing regularily. We are the only airport serving all of Santa Cruz County and Northern Monterey County. I urge you to consider my recommendations.

Thank you,

Vernon L. Ackerman

Vernon L. Ackerman
Airport Manager
City Of Watsonville

VLA:eg

cc: Bud Carney-Planning Dir.

JB

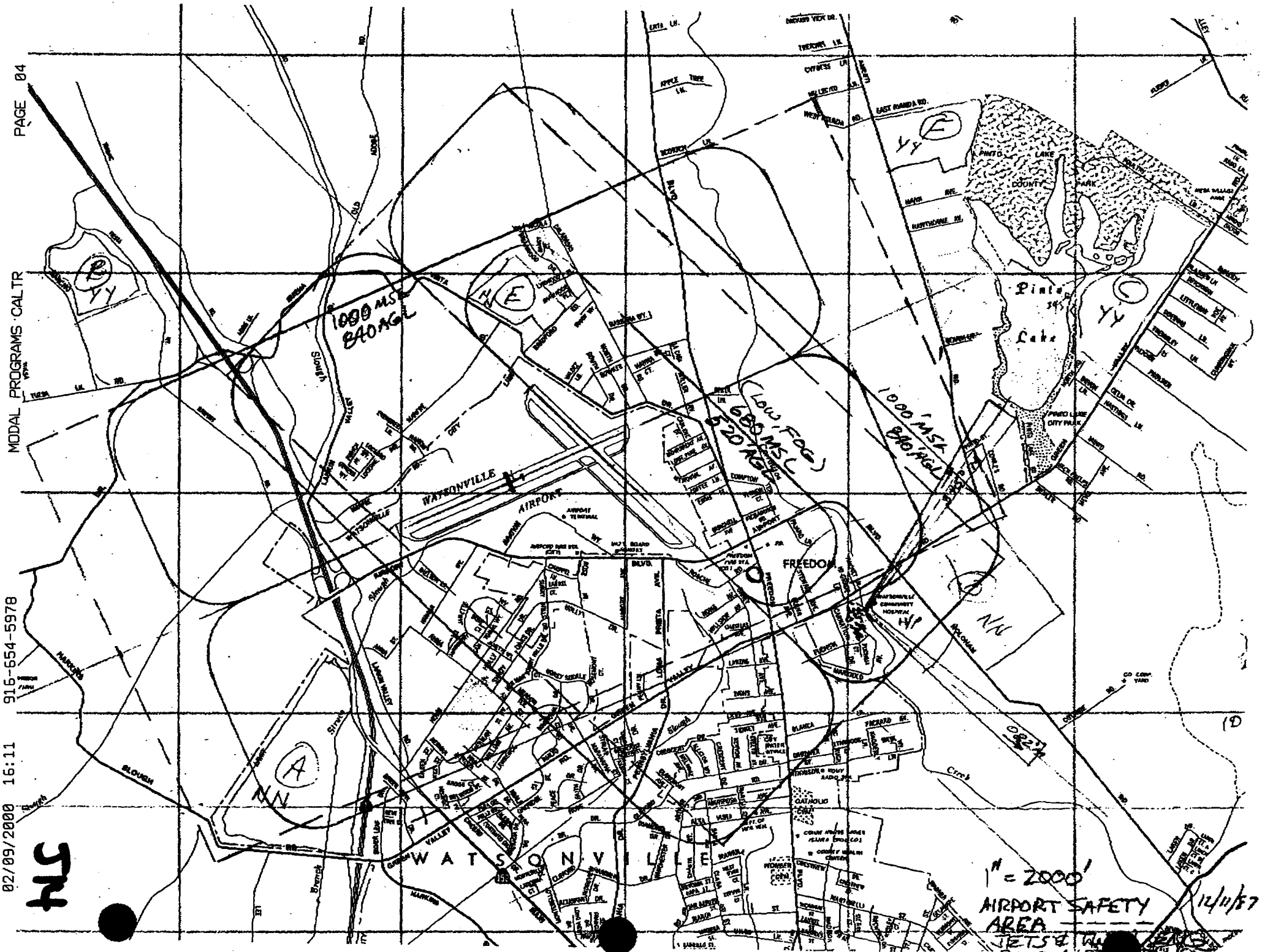
WATSONVILLE
AIRPORT
FREEDOM
WATSONVILLE
Pinto Lake
1000 MSL
840 AGL
(LOW FOG)
680 MSL
520 AGL
1000 MSL
840 AGL
1" = 2000'
AIRPORT SAFETY
AREA
12/11/87

Exhibit K

California Department of Fish & Game Correspondence

(16 Pages)

State of California | The Resources Agency

Memorandum

To : Mr. Charles Lester, District Manager
Central Coast District Office
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, California 95060

Date: February 15, 2000

RECEIVED
FEB 16 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

From : Department of Fish and Game - Post Office Box 47, Yountville, California 94599

Subject : City of Watsonville's proposal to amend their Local Coastal Plan (LCP)

Department of Fish and Game personnel have reviewed your January 19, 2000 letter requesting formal opinions on several questions relating to potential environmental impacts and mitigation associated with the City of Watsonville's proposal to amend their LCP. The proposed LCP amendment would allow for the construction of a high school at Harkins Slough and Lee roads in the city of Watsonville. In addition to responding to your specific questions, we have included a general discussion of our view of the impacts of the proposed LCP amendment and suggested approaches for mitigating potential impacts.

IMPACTS AND MITIGATION (GENERAL)

The Commission has been presented with a proposal to make major changes in Watsonville's Local Coastal Plan (LCP) to accommodate the construction of a high school at the Harkins Slough Road site. It is our understanding that the high school site is roughly one-half of LCP Area "C" (which totals about 125 acres) and the City proposes to designate the high school site portion of Area "C" as Area "F", amending the LCP site limitations in Area "F" to allow for the high school development. Under the proposed amendment, the remainder of Area "C" will retain the current set of LCP development constraints. Through several types of constraints the current LCP limits development in Area "C" to roughly 10-15 acres total, while the proposed amendment will allow development on roughly 50 of the 125 acres, including 4-5 acres on the portion of Area "C" not assigned to the new Area "F". The landowner and the City have both argued that the current Area "C" is not prime farmland.

We believe the LCP, in its current form provides substantial long-term protection for wetlands and associated upland areas in Area "C". We recognize that current land uses at the site are far from optimal in terms of providing and protecting wildlife habitat. However, in our judgment, the unamended LCP would have eventually lead to a development scenario for the site that would combine a few acres of intense development with some form of conservation

for remaining sensitive areas (slopes, wetlands, etc.). We have concluded that, in the long-term, the proposed amendment will result in net future loss of open space acreage potentially useable by wildlife. This loss will contribute significantly to a steady cumulative loss of upland and wetland habitat values associated with the Watsonville slough system which has occurred as the City has developed. In addition to the obvious cumulative direct losses of habitat, we are concerned about cumulative impacts on slough system hydrology and water quality. It is important that any amendments to LCP for Area "C" minimize cumulative impacts to the slough system.

If the Commission should decide to amend the LCP to allow development of a high school at the site, it should include reasonable requirements to offset the potential loss of open space/habitat. We suggest the following requirements.

1. All areas within Area "C" site not needed for construction of school facilities should be acquired and set aside as open space/wildlife areas.

2. School facilities should be arranged in the expanded site so they are as far from wetlands areas as practical, maximizing the area of protected uplands adjacent to the sloughs.

3. Roughly 30 acres of wetland/upland land in the Watsonville area, preferably in proximity to the project, should be acquired or otherwise permanently protected to compensate for the increased developed area resulting from the proposed amendment.

4. Management plans should be developed for all conserved areas, including appropriate levels of restoration.

5. Runoff detention areas are proposed to also serve as mitigation for wetland impacts. In such a case, they should be designed so that disturbance of mitigation wetlands does not occur during maintenance.

6. Arrange school facilities to provide restored upland habitat corridors between wetland areas.

7. Provide for an appropriate level of restoration and management in the existing, adjacent Ecological Reserve to compensate for the intrusive effects referred to in our response to Question "4" (below).

RESPONSES TO SPECIFIC QUESTIONS

Question 1: Wetland Delineation

The Department has not made an independent, detailed assessment of the extent of Environmentally Sensitive Habitat Areas (ESHA) on the site. Based on our brief site visits it appears that wetland areas wetland-upland transition areas have generally been accurately defined. We view the sloughs and adjacent upland areas as forming a single ecosystem. Many wetland species require upland areas for portions of their life cycle. For example, amphibian species may aestivate in or migrate through upland areas. Upland species (raptors, small carnivores, song birds, deer, etc.) benefit from the production of food (vegetation, insects, rodents, etc.) and cover associated with wetlands. In our judgment, the entire area in question is small enough that development anywhere on the site will, to some extent degrade the value of the site for wildlife. The Commission should consider whether the entire site meets its definition of ESHA (Coastal Act Section 30107.5) based on the rare slough/upland habitat combination existing there. It seems to us that it does.

The reduction in designated wetland area, since the LCP was written (reported by Huffman and Associates), may be due to grading and other activities associated with current farming operations.

Question 2: ESHAs other than Wetland

Based on recent surveys by Dana Bland, it appears that West Struve Slough areas adjacent to the proposed school site are inhabited by red-legged frog, but not Santa Cruz long-toed salamander or tiger salamander. This result is not surprising given the degraded nature of upland habitats (intense farming, freeway, non-native vegetation, etc.). The two salamander species are known to occur locally and there are substantial opportunities for restoration in Area "C". These species should continue to be addressed by avoidance and mitigation efforts associated with the LCP amendment and freeway off-ramp construction. It is our understanding that the recent surveys were conducted for a relatively short period of time and were restricted to the eastern portion area. The salamander species may occur in the slough in numbers too low for the surveys to detect given the survey design.

K3

Question 3: ESHA Buffers

The current LCP requirement for a 100-foot setback from wetland and wetland transition zones provides significant protection for the wetlands and wetland species. However, these 100-foot buffers do not provide protection for broader wildlife needs. For example, this would a very limited space for raptor foraging. Narrow parallel buffers also do not provide safe and effective migration corridors between sloughs. Again, to minimize the potential loss of habitat values associated with this proposed change in the LCP, we believe much more of Area "C" should be acquired, the school facilities planned further away from the sloughs, and remaining area lands conserved. Buffers should extend beyond the break in slope above the sloughs to reduce to buffer the effects on slough habitats from the effects of erosion from adjacent land uses.

Question 4: Department's Ecological Reserve

Department ecological reserves are acquired and managed principally to protect special habitats and the rare species that depend on them. Limited public uses of the reserves are allowed under specific management plans when these uses are compatible with reserve management goals. Due to staff and funding limitations, the Department has not developed a specific management plan for the reserve, or attempted substantial restoration or interpretive projects. In the absence of appropriate infrastructure, we currently restrict use of site to organized groups and individuals familiar with the site on a case-by-case basis. Our general concern about the development of the high school adjacent to the reserve is that the intense public activity associated with the school will lead to increased use of the reserve that would have been far less likely with the limited development allowed by the current LCP. Specifically, we are concerned about the increased potential for such things as littering, fires, and illegal vehicle traffic. In addition to their effects on the ecological values of the reserve, these intrusions will also likely lead to increased demands on our very limited enforcement staff. Security patrols, good fences, regular litter clean-up efforts, and lighting constraints will be needed to minimize the impacts of siting the school adjacent to the reserve. Because the reserve is downstream from the

K4

proposed high school site, it could be subjected to water quality, sedimentation, or hydrological effects from high school construction and operation.

Question 5: Development Modifications

Please see our responses under the heading "Impacts and Mitigation (general)," above.

Question 6: Streambed Alteration Agreement ("1601 Permit")

The Department has not received an application for a 1601 permit for any aspect of the project. All parties should note that we are now (as of May 1, 1999) required to comply with the California Environmental Quality Act (CEQA) in issuing these permits. If the applicant has previously prepared and circulated adequate CEQA documents prior to the time of their 1601 permit application, this process is generally quick and straight forward. On the other hand, if activity applied for has not been adequately described in earlier CEQA documents or if proposed avoidance and mitigation are inadequate, it will be necessary to develop and circulate new CEQA documents, which can take several months.

Question 7: Harkins Slough Road Widening

From the perspective of protecting slough ecological functions, a bridge is the preferable method for a road crossing. A bridge would have less effect on the downstream transport of water and sediments and provide some form of wetland habitat under its foot print. However, the Department does not have the authority or the compelling evidence of significant impacts to require construction of a bridge, rather than a culvert/fill crossing. The key mitigation and avoidance measures we will be seeking during development of a streambed alteration permit for the crossing will include adequate sizing of the culverts to ensure unimpeded water and sediment flow, placing the bottom of culverts well below grade to provide a near-natural substrate inside the culverts, and 3:1 replacement of any wetlands lost through road widening.

Question 8: Educational Component

In addition to our adjacent Watsonville Slough Ecological Reserve, the Department has three other wetland-oriented reserves in the central Monterey Bay area that could be made

KS

available for educational, interpretive and restoration programs. These include the Santa Cruz long-toed salamander reserve near La Selva Beach, Elkhorn Slough reserve near Moss Landing, and the Moro Cojo reserve near Castroville. In addition there are numerous State Parks in the area with wetland components that may be available for environmental education activities. We have not developed specific educational or interpretive materials for the Struve Slough area. Our interpretive center at Elkhorn Slough Reserve has developed educational materials and programs related to that estuary and associated uplands. We would welcome the opportunity to work with the Pajaro Valley Unified School District (PVUSD) on wetland-related educational materials and programs for any fish or wildlife resource area adjacent to a school or not.

Question 9: Other Department Recommendations:

Please see our responses under the heading "Impacts and Mitigation (general)," above.

Your January 19 letter concludes with a suggestion that representatives of the Department attend the Commission's mid-March hearing in Carmel on the proposed LCP amendment to clarify our positions and respond to any related Commissioner questions. Mr. Patrick Coulston, Senior Biologist in the Central Coast Region's Monterey Office, is scheduled to attend the meeting. You may also reach Mr. Coulston at (831) 649-2882.

Brian Hunter
Regional Manager
Central Coast Region

cc: See Next Page

K6

cc: Mr. John Casey, Superintendent
Pajaro Unified School District
165 Blackburn Street
Watsonville, California 95076

Mr. John Doughty, Director
Community Development
City of Watsonville
250 Main Street
Watsonville, California 95076

Mr. Henry Mello
32 White Road
Watsonville, California 95076

K7

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DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
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(707) 944-5500

Pete Wilson, Governor

RH
DC
LC

July 12, 1999

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CENTRAL COAST AREA

Mr. John Chase, Superintendent
Pajaro Valley Unified School District
165 Blackburn Street
Watsonville, California 95076

Mr. Martin Carver, Senior Planner
City of Watsonville
250 Main Street
Watsonville, California 95076

Messrs. Chase and Carver:

Proposed Pajaro Valley Unified School District (District)
Millenium High School Site, Watsonville, Santa Cruz County

In recent meetings, conversations, and letters between personnel of the Department of Fish and Game and the staff and consultants of the City of Watsonville (City) and the District, we have been asked to clarify our concerns about the choice of the subject proposed site and commit to working with the City and the District to mitigate the impacts associated with constructing and operating a high school at this location.

The Final Environmental Impact Report for the project acknowledges that the proposed site is relatively biologically sensitive and that some of the project's biological impacts will be difficult or impossible to mitigate. Our May 19, 1999 letter advised that an alternative site be chosen for the high school to avoid these impacts. It is our understanding that biological criteria played a relatively minor role in the site selection process so it is not surprising that the proposed site presents challenging mitigation obligations. From our perspective, there are five major types of impacts that biological mitigation efforts should focus on. They are:

1) Loss of upland habitats adjacent to the slough potentially used for nesting, foraging, and refuge by species associated with the sloughs.

2) Potential public disturbance of the area's sensitive animals and habitats (including the State's adjacent ecological reserve) through lighting, trespass, vandalism, and litter.

3) Loss of connectivity between the wetland habitats on either side of the proposed site.

K-8

cc: Ms. Maureen Owens Hill
18813 Aspesi Dr.
Saratoga, CA 95070

Mr. Gary Deghi
Huffman & Associates, Inc.
700 Larkspur Landing Circle, Suite 100
Larkspur, CA 94939

Mr. Charles Lester
California Coastal Commission
725 Front Street, 3rd Floor
Santa Cruz, CA 95060-4508

K9

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YOUNTVILLE, CALIFORNIA 94599
(707) 944-5500

May 19, 1999

RECEIVED

Mr. Richard Meyer
Pajaro Valley Unified School District
165 Blackburn Street
Watsonville, California 95076

Dear Mr. Meyers:

Revised Final Environmental Impact Report (EIR)
Proposed Third High School Site, Santa Cruz County

Department of Fish and Game personnel have reviewed the Revised Final Draft EIR for the proposed construction of a high school at Harkins Slough Road. We also provided comments on the Notice of Preparation and the Revised Draft EIR. The proposed school site is located within the Watsonville slough system west of Highway 1, one of the most productive environments in the Watsonville area in terms of wildlife habitat and agriculture. The sloughs are the only remaining significant natural areas left in the City's expanding urban influence.

Sloughs provide flood water storage, water pollution reduction through cleansing action of vegetation, waterfowl and wildlife habitat, and aesthetic relief from urbanization. Therefore, these sloughs are important elements of Watsonville's infrastructure, as well as important public trust resources. Proper functioning of these wetland areas require adequate buffers between the wetland and urban development. This project significantly disturbs the buffer area (transitional wetland and upland habitat) resulting in a loss of many lost values such as migratory corridors, water quality, and isolation from public intrusion.

We have concluded that it will be very difficult if not impossible to mitigate the project impacts on the proper functioning of the slough system because of the close proximity of the school to the wetland area. After careful review of the Revised Final EIR, and in consideration of the high value of the biotic resources located in the project area, we believe that the acknowledged unmitigated significant impacts justify relocating this project.

Our conclusion is based on the following points of concern:

1. **Unmitigated impacts.** The proposed site is located within the south County slough system, an area of significant biological significance because of the high diversity of habitat types (e.g., freshwater marsh, riparian scrub and woodland, coastal sage scrub, and grassland) and high diversity of species (e.g., raptors, mammals, amphibians) which utilize these areas.

There are significant **direct impacts** from the loss of upland habitat (migration corridors), and **indirect long-term impacts** (continual degradation due to public intrusion) to the habitat value of the slough. Upland habitat impacts (5.38 acres) and wetland habitat impacts (0.14 acres) remain unmitigated, although the Revised Final EIR states that a minimum 5:1 replacement ratio be used to replace upland and wetland habitat. The local plan requirement of a 150-foot buffer area adjacent to the wetland area is located in the wetland transitional area. We do not consider mitigation for loss of upland habitat. The detention basin which requires maintenance, does not replace wetland values and, thus, is not considered mitigation for wetland impacts. An ecological program at the school is encouraged but not at the high cost of fragmenting the slough habitat.

The biological value of the Department's Ecological Reserve would also be degraded by the proposed school project. Currently, there are water quality problems in the slough from storm runoff. A school may further degrade water quality (vandalism, garbage from people in the area, fertilizers, pesticides, herbicides) despite best management practices. Additional significant impacts include lighting of the playing fields which disturbs animal behavior, increased foot and vehicle traffic which increases wildlife mortality, and construction and maintenance of infrastructure for sewer, water, and access which further fragments habitat.

2. **Lack of surveys.** The Revised Final EIR describes the potential presence of many species of special status, including Santa Cruz tar plant, tri-colored blackbird, Santa Cruz long-toed salamander, California tiger salamander, and red-legged frog. Surveys have only been conducted for Santa Cruz tar plant. Special status species were considered present for purposes of preparing the Revised Draft EIR, but were not surveyed for

K11

presence. The Revised Final EIR included a statement of overriding considerations regarding the significant impacts, however, this does not negate the need to mitigate for significant biological impacts. Fish and Game Code 5050 (enclosed) describes fully protected reptiles and amphibians. The Santa Cruz long-toed salamendar is a fully protected amphibian, and any take of this species would violate Section 5050. Therefore, surveys must be conducted to determine whether this species is present.

3. **Cumulative and unidentified impacts.** There are other direct cumulative impacts which were not adequately addressed by the Final Revised EIR. Of most concern are impacts associated with the proposed road construction by Caltrans in the Harkins Slough Road area, increases in amphibian road mortality from traffic increases, and encouragement of more development on the ocean side on Highway One, further fragmenting this unique slough system.

4. **Streambed Alteration Agreement.** The Revised Final EIR states that all mitigation required by the U. S. Army Corps of Engineers, Regional Water Quality Control Board, and Department of Fish and Game shall be implemented. This project will require a streambed alteration agreement because of the location of the slough causing a substantial change to the banks of the slough in addition to significant direct and indirect impacts. Department review finds that the Revised Final EIR does not adequately address many direct and indirect significant impacts. The Department will propose for the streambed application agreement modification to the project to protect fish and wildlife resources affected by the project. The Department does not believe the project's adverse impacts on these resources can be mitigated on site and may have to recommend major project modifications to make on-site mitigation possible.

There should be a more careful review and weighing of biological impacts in the alternatives analysis. Alternative sites and mitigation areas do exist, which already have most of the required infrastructure in place. This project should also be evaluated in terms of overall cumulative impacts to the Watsonville slough systems. Furthermore, the Department has been working with the City of Watsonville to assure CEQA compliance on several other projects. Past performance by the City has the Department concerned about its ability to obtain compliance on this highly sensitive project. Placement of the school next to

K12

the Department's Ecological Reserve would result in immediate, significant degradation of the habitat and a continual decline in habitat value. The Department finds the Final Revised EIR unacceptable and strongly advises the applicant to seek an alternative site.

If you have any questions or require further clarification, please call Ms. Patricia Anderson, Associate Fishery Biologist, at(831) 724-7130; or Mr. Carl Wilcox, Environmental Services Supervisor, at (707) 944-5525.

Sincerely,

Brian Hunter
Regional Manager
Central Coast Region

Enclosure

cc: Mr. Martin Carver
Senior Planner
City of Watsonville
250 Main Street
Watsonville, CA 95076

Mr. Tom Kukol
Regional Water Quality Control Board
81 Higuera Street, Suite 200
San Luis Obispo, CA 94960

Mr. Dan Karl
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

Mr. Ed Wiley
U. S. Army Corps of Engineers
333 Market Street, 8th Floor
San Francisco, CA 94105-2197

Mr. James Van Houten
Watsonville Wetlands
28 Arbolado Drive
La Selva Beach, CA 95076

K13

bighorn sheep. The department shall maintain internal accountability necessary to ensure that all restrictions on the expenditure of these funds are met.

(Amended by Statutes 1991 Chap. 371)

4904. Annual Report; Content

(a) The department shall annually report the following to the Legislature:

(1) The management units for which plans have been developed pursuant to Section 4901.

(2) A summary of the data from the annual count conducted by the department for the purposes of subdivision (b) of Section 4902.

(3) The number of license tags issued in the preceding season, and the number of mature Nelson bighorn rams taken under valid license tags in the preceding season.

(4) Any instance known to the department of the unlawful or unlicensed taking of a bighorn sheep in the state and the disposition of any prosecution therefor.

(5) The number of bighorn sheep relocated during the previous year, the area where reintroduced, a statement on the success of the reintroduction, and a brief description of any reintroduction planned for the following year.

(b) The report which is due in 1991 shall be presented to the Legislature on or before July 1, 1991, and shall consist of a compilation of the results of the ongoing study conducted pursuant to this section each year since the enactment of this chapter and an assessment of the environmental impact of the hunting of Nelson bighorn sheep on the herds.

(Amended by Statutes 1990 Chap. 1620)

DIVISION 5. PROTECTED REPTILES AND AMPHIBIANS

CHAPTER 1. TURTLES

Article 1. Desert Tortoises

5000. Sell, Purchase, Harm, Take, Possess, or Transport; Exception

It is unlawful to sell, purchase, harm, take, possess, or transport any tortoise (Gopherus) or parts thereof, or to shoot any projectile at a tortoise (Gopherus). This section does not apply to the taking of any tortoise when authorized by the department.

(Amended by Statutes 1977 Chap. 1208)

5001. Possession; Exception to Section 5000

The provisions of Section 5000 do not prohibit the possession of any tortoise (Gopherus) when the owner can demonstrate that such tortoise was legally acquired and possessed before the effective date of this section. The owner of a tortoise which may be possessed under this section shall mark or otherwise identify such tortoise to the satisfaction of the department, and shall not transfer such tortoise to any other person without prior approval of the department.

(Added by Statutes 1972 Chap. 301)

5002. Permits Authorizing Possession by Institution or Public Zoological Garden

The department may issue permits, subject to such terms and conditions as the commission may prescribe, authorizing the possession of any tortoise (Gopherus) or any part or product thereof by an educational or scientific institution or a public zoological garden.

(Added by Statutes 1972 Chap. 301)

Article 2. Terrapin

5020. Taking

It is unlawful to take diamond-back terrapin (Malaclemys) at any time.

(Added by Statutes 1957 Chap. 456)

CHAPTER 2. FULLY PROTECTED REPTILES AND AMPHIBIANS

5050. Take or Possess; Definitions

Fully protected reptiles and amphibians or parts thereof may not be taken or possessed at any time and no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to take any fully protected reptile or amphibian and no such permits or licenses heretofore issued shall have any force or effect for any such purpose; except that the commission may authorize the collecting of such species for necessary scientific research. Legally imported fully protected reptiles or amphibians or parts thereof may be possessed under a permit issued by the department.

The following are fully protected reptiles and amphibians:

(a) Blunt-nosed leopard lizard (Crotaphytus wislizenii silus)

(b) San Francisco garter snake (Thamnophis sirtalis tetrataenia)

(c) Santa Cruz long-toed salamander (Ambystoma macrodactylum croceum)

(d) Limestone salamander (Hydromantes brunus)

(e) Black toad (Bufo boreas exsul)

CHAPTER 3. COMMERCIAL USE OF REPTILES

5060. Native Reptiles

"Native reptiles" as used in this chapter means snakes, lizards, turtles, or any other members of the class reptilia native to California.

5061. Rules and Regulations

The commission shall establish rules and regulations for the commercial take, sale, transport, export, or import of native reptiles.

5062. Alligator or Crocodilidae Farm Permits

Notwithstanding any other provision of law, no permit shall be issued for the operation of a farm for alligators or any species of the family crocodilidae if the animals are kept for the use and sale of the meat or hides. No permit for the operation of a farm for alligators or any species of the family crocodilidae shall be renewed if the animals are kept for the use and sale of the meat or hides.

(Added by Statutes 1991 Chap. 776)

DIVISION 6. FISH

PART 1. GENERALLY

CHAPTER 1. MISCELLANEOUS

5500. Use Explosives in Waters Inhabited by Fish

It is unlawful to use explosives in the waters of this state inhabited by fish, except under a permit first obtained by the user from the department consistent with terms and conditions set by the commission, or except in case of emergency, to remove an accidental obstruction to the flow of water. Any person may appeal the department's decision to grant or deny a permit to the commission.

(Amended by Statutes 1985 Chap. 121)

5501. Taking of Harmful Fish; Permit

The department may take any fish which, in its opinion, is unduly preying upon any bird, mammal, or fish. The commission may prescribe the terms of a permit to take any fish which, in the opinion of the department, is harmful to other species of fish and which should be reduced in numbers.

5502. Take Fish; Restrictions - Fishway, Dam, Fish Screen

It is unlawful to take any fish within 250 feet of any fishway, within 150 feet of the lower side of any dam, or within 150 feet of the upper side of any fish screen.

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CONSTRUCTION/PLANNING
'98 JUL 28 PM 1 16

July 24, 1998

Mr. Richard S. Meyer
Pajaro Valley Unified School District
165 Blackburn Street
Watsonville, California 95076

Dear Mr. Meyer:

Revised Draft Environmental Impact Report (EIR)
Proposed Third High School Site
Santa Cruz County

Department of Fish and Game personnel have reviewed the Revised Draft EIR for the proposed construction of a high school at Harkins Slough Road. We offer the following comments for your consideration:

1. The Revised Draft EIR's treatment of sensitive species issues and mitigation is not adequate. The November field reconnaissance is not sufficient to detect any of the listed species potentially present on the site. In particular, it is not appropriate to conclude that Santa Cruz tarplant (*Holocarpha macradenia*) is not present without having obtained focused surveys during the flowering season by a qualified botanist familiar with the species and its phenology. Further, the Revised Draft EIR accepts the possibility that Santa Cruz long-toed salamander (*Ambystoma macrodactylum croceum*), California tiger salamander (*A. californiense*), California red-legged frog (*Rana aurora drytonii*), and western pond turtle (*Clemmys marmorata*) occur on the project site. Unless field studies following accepted protocols contradict this, the proponent must assume that these species are present and provide mitigation accordingly. The two salamander species and the pond turtle all travel considerable distances upland for estivation, and also migrate across upland areas in search of breeding habitat. The project would, therefore, result in a direct loss of habitat. This is a significant impact, yet no mitigation for this is provided. D1

Conserving California's Wildlife Since 1870.

K15

2. The discussion of wetland impacts and mitigation is too vague. The Revised Draft EIR needs to present more specific proposals for replacement of lost habitat. The District should be aware that conversion of one wetland type to another is not acceptable mitigation as it does not avoid loss of wetlands. This limits the potential for on-site mitigation. In view of the difficulty of finding suitable off-site mitigation areas, we cannot consider this feasible unless the District can identify suitable and available locations for potential use.

3. The Revised Draft EIR calls for the nine-acre "Biological Restoration" area to be turned over to an outside agency for management. While long-term legal protection from future development is necessary, this proposal would effectively transfer the District's mitigation responsibility to a third party without compensation. The District must provide funding for management activities needed to mitigate the impacts of their project.

In summary, the Department believes that the proposed project would result in significant adverse impacts to biological resources including State- and Federally-listed species. Unless adequate mitigation can be provided, adoption of this project would require a finding of overriding considerations. In view of the existence of other feasible sites, this would appear to be unjustified.

Thank you for the opportunity to review and comment on this project. If you have any questions regarding these comments, please contact Ms. Jeannine M. DeWald, Associate Wildlife Biologist, at (408) 429-9252; or Mr. Carl Wilcox, Environmental Services Supervisor, at (707) 944-5525.

Sincerely,

Ken Olsen
for

Brian Hunter
Regional Manager
Region 3

Exhibit L
United States Fish & Wildlife Service Correspondence
(4 Pages)

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003

March 2, 2000

Charles Lester
District Manager
Central Coast District Office
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, California 95060

Subject: Proposed High School at Harkins Slough and Lee Roads in the City of Watsonville, Santa Cruz County

This letter is in response to your request, dated January 20, 2000, and received by us on January 24, 2000, for our opinion on several habitat issues related to the subject project. The proposed project involves the development of a high school on approximately 50 acres of a 115-acre parcel located in the City of Watsonville, Santa Cruz County. The Final Environmental Impact Report for this project has been approved by the City of Watsonville (City). The project site is located within the coastal zone and the City of Watsonville's current Local Coastal Plan must be amended to allow for this project. The California Coastal Commission (Commission) is preparing for a hearing in March to review the zoning amendment requested by the City. The zoning amendment, among other things, would reduce the area mapped in the Local Coastal Plan as an environmentally sensitive habitat area (ESHA).

Although your questions revolve around six specific issues, we would like to preface our responses with a broader assessment of the habitat value of the site. The project site is located within the Watsonville Slough system and is bounded on the east by the West Branch of Struve Slough and on the west by Hanson Slough. Sloughs are important public resources in that they provide flood water storage and natural filtration of water. In addition, they support sensitive biological communities and habitat for fish, wildlife and plants. The proposed project site and the surrounding Watsonville Slough system are included in the South County Slough system, which has been recognized as an area of significant biological importance by the California Department of Fish and Game.

The Watsonville Slough system is especially important as a refuge, feeding and resting area for migratory, winter and resident waterfowl. In addition this slough system is reported to support the largest concentration of migrant and wintering raptors in Santa Cruz County. The sloughs

adjacent to the proposed project site provide actual habitat for the federally threatened California red-legged frog (*Rana aurora draytonii*) and potential habitat for the federally endangered Santa Cruz long-toed salamander (*Ambystoma macrodactylum croceum*), the California tiger salamander (*Ambystoma californiense*), a federal candidate for listing, and the Santa Cruz tarplant (*Holocarpha macradenia*), a species proposed for listing as federally threatened. The project site is adjacent to a state wildlife area, managed by the California Department of Fish and Game.

Considering the multiple resource values the Watsonville Slough system supports and the existence of a wildlife area adjacent to the proposed project site, we believe that the proposed project would result in significant degradation of the natural resources at the site, and should be re-located to an alternative site. We would prefer that the City and the Commission seek to minimize further alteration and destruction of habitat in this area, and create opportunities to restore upland habitat that had previously been converted to agriculture. The lack of other more severe forms of habitat alteration makes the proposed project site one to consider for restoration. We would be happy to discuss with you possible ways in which this might be accomplished.

The responsibilities of the U. S. Fish and Wildlife Service (Service) include administering the Endangered Species Act of 1973 (Act), as amended. Section 9 of the Act prohibits the taking of any federally listed endangered or threatened species. Section 3(18) of the Act defines "take" to mean "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Service regulations (50 CFR 17.3) define "harm" to include significant habitat modification or degradation which actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering. "Harassment" is defined by the Service as an intentional or negligent action that creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding, or sheltering. The Act provides for civil and criminal penalties for the unlawful taking of listed species. Exemptions to the prohibitions against take may be obtained through coordination with the Service in two ways: through interagency consultation for projects with federal involvement pursuant to section 7 or through the issuance of an incidental take permit under section 10(a)(1)(B) of the Act.

If the proposed project proceeds as proposed at the current location, take of California red-legged frogs in both the sloughs and the uplands is likely. Recent surveys indicate California red-legged frogs are known to occur near the project site. In 1999, several life stages of the California red-legged frog, including adults, juveniles and tadpoles were observed in the West Branch of Struve Slough near where Harkins Slough Road crosses it. The presence of tadpoles indicates that California red-legged frogs are breeding in the West Branch of Struve Slough. In addition, recent research indicates that California red-legged frogs can forage in upland habitat and can migrate across upland habitat for long distances. Given all of the above, we recommend that the project proponent follow the U.S. Fish and Wildlife Service's protocol to conduct a site assessment for California red-legged frogs to determine their potential use of different components of the area, including upland habitats such as the proposed project site. In addition, we recommend that

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further assessments be done to determine the presence of Santa Cruz long-toed salamanders and California tiger salamanders at the project site. This information will assist the Service in determining whether take of any of these species is likely.

Your specific questions are addressed below:

Question 1: What would be the Service's interpretation of the extent of ESHA resources on the site?

In view of our comments above, we recommend taking the broadest view possible in interpreting the extent of ESHA resources on the site.

Question 2: Does the wetlands delineation as performed adequately characterize the extent of wetland resources at this site?

We do not have staff in our office with the combination of expertise in wetlands delineations and familiarity with this site to comment specifically on the delineation that was done. For issues having to do with the jurisdictional waters of the U.S. under the Clean Water Act, we typically defer to the U.S. Army Corps of Engineers (Corps). However, as stated above, our resource concerns go beyond the bounds of the wetlands at this site.

Question 3: Is a 100-foot buffer adequate to protect areas that may provide habitat for listed animal species from activities that may significantly degrade these habitats?

Based on the information that we have provided above, we conclude that a 100-foot buffer is inadequate to protect such areas. We are unable to provide a specific buffer width that we could consider more adequate at this time, especially since we have not visited the site.

Question 4: If Harkins Slough Road is widened, what project modifications and mitigations would we recommend or require?

In general, we would recommend construction of a bridge across a slough rather than a culvert crossing because a bridge would be less likely to impede natural water flows. Without having more information about the proposed road widening, it is unclear whether there would be a benefit to constructing a culvert rather than a bridge in this particular location. If the construction of the crossing is to be funded, authorized, or carried out by a federal agency and may affect a listed species, the federal agency must consult with the Service, pursuant to section 7 of the Act. If a proposed project does not involve a federal agency but may result in the take of a listed animal species, the project proponent should apply for an incidental take permit, pursuant to section 10(a)(1)(B) of the Act. Once you have determined if the proposed project will have a lead federal agency, we can provide you with more detailed information regarding the section 7 consultation or the section 10(a)(1)(B) permitting process.

Question 5: Does the Service have suggestions concerning the development of a wetland habitat education component?

The Service has developed several educational products relating to wetland habitats. You may contact Fran McTamaney with the Service's San Francisco Bay National Wildlife Refuge Complex at 408-262-5513 for further information.

Question 6: Does the Service have any other recommendations for the land use plan or zoning requirements applicable to the Harkins Slough Road site?

As stated at the outset of this letter, we believe the best use of this site is to manage it for the conservation of wildlife. This would entail minimizing further alteration and destruction of habitat, and seeking opportunities to restore upland habitat that has been converted previously to agriculture.

We are willing to meet with you, representatives of the City, and the applicant to discuss these issues further. If you have any questions, please call Connie Rutherford or Colleen Sculley of my staff at 805/644-1766.

Sincerely,

Diane K. Noda

Diane K. Noda
Field Supervisor

Exhibit M

Dr. Robert Curry Correspondence

(2 Pages)

Watershed Systems
Robert Curry, Ph.D., P.G.
Hydrology - Geology - Soil Science
P.O. Box 770, Soquel, Calif. 95073
831 426-6131; FAX 426-9604; curry@cats.ucsc.edu
ATT: 1-700-STREAMS; field: 760 932-7700

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

September 19,1999

Ross Clark
Coastal Commission
Santa Cruz, CA

Re: Pajaro Valley Unified School District/Hanson Slough

Dear Mr. Clark,

The purpose of this letter is to briefly comment on the resource values associated with the upper finger of Hanson Slough north of Harkins Slough Road on Area C within the City of Watsonville. It is my understanding that the City of Watsonville has submitted a plan amendment request to define this portion of Hanson Slough as other than statutory wetland. It is my further understanding that the Pajaro Valley Unified School District intends to fill this area to allow school buildings and a parking lot to be developed there. I urge the Commission to reject any request to lessen protection for this portion of Hanson Slough.

I am a wetland scientist, employed through my University of California faculty position, to aid the Regional Water Quality Control Boards in defining and protecting wetlands. I am very familiar with this section of the Watsonville Slough System, having been involved at different times in a monitoring the restoration project for the State directly downstream. The finger of Hanson Slough in question on Area C has clearly been modified over time by agricultural operations. However, notwithstanding the presence of row-crop agriculture and its attendant irrigation, this area has the hydrologic characteristics of a seasonally saturated wetland. Because of the perched groundwater table here induced by the high-clay content of the upper terrace surface soils, hydric soils have developed along the side slopes. Because of the surrounding sloping topography, I would expect this hydrologic regime to continue were agricultural operations to cease. The generalized NRCS/SCS soil maps do not accurately define these perched water table conditions.

In fact, if agriculture were to cease in this area of Hanson Slough, and it were to be left alone, it would be expected that hydrophytic plants would reestablish in the base of the slough with moisture-tolerant grassland species extending up the slopes. In fact, even with the current unnatural cultivation of strawberries, hydrophytic weedy vegetation

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is already common in this area. If left alone, I would expect other wetland species to reestablish themselves. Of course, this process could be accelerated if limited wetland restoration of this area were to occur.

Finally, the Commission should note that Hanson Slough is part of the larger Watsonville Slough System, probably the most significant freshwater wetland system on the California coast. Even with the significant agricultural operations west of the Highway, much of this Watsonville System remains in a relatively natural state. This is precisely the type of resource protected by the Coastal Act. In fact, the school project, one that would flatten much of the site, including completely filling the finger of Hanson Slough and filling much of the upland habitat slope of the West Branch of Struve Slough, is precisely the type of development that led to the citizen-inititated passage of Proposition 20 and the subsequent Coastal Act. **I urge you to reject both the amendment and the school project.**

It is critically important that the functional integrity of this system be maintained. The upland school site is the source of precipitation recharge that maintains these wetland systems. The only way to accommodate development on the upland site would be to confine it to the upper terrace area above both Hanson and West Branch Struve Sloughs. Any schoolyard development and roof areas should be developed with porous pavement and dry-wells to insure continued infiltration and recharge. No grassed playing fields should be allowed because these are among the very most damaging to adjacent recharge-dependent wetlands. No development of any kind should be allowed to extend over the break in slope above these resources. Since this break in slope is fairly clearly defined (by the existing farm road adjacent to West Branch Slough and by the steep bowl surrounding Hanson Slough), this setback should be easy to identify. In fact, these upland slope areas support a habitat that should be considered environmentally sensitive in its own right. If ANY activity is to take place in these areas, it should be limited to the control of non-native species and replanting with native trees, shrubs and grasses – nothing more.

In closing, I again urge you to deny this entire package. Even if development is confined to the plateau area, there would be significant and unmitigatable impacts on the sloughs. Further, development of the site would commit it to urban use; from which it would be difficult – if not impossible – to return to open space and conservation uses. The highest best use of this area west of Highway 1 is to allow future generations and Monterey Bay to enjoy improved water quality and esthetics of the most important freshwater slough habitat on the central coast. It is not to allow such rare habitat to be graded, filled, and covered with an urban use.

Respectfully,

Robert R. Curry
Registered Professional Geologist
(California)

W7

Exhibit N
City and School District
ESHA Correspondence
(19 Pages)

HUFFMAN & ASSOCIATES, INC.
Wetland Regulatory Consultants

700 Larkspur Landing Circle, Suite 100, Larkspur, CA 94939 • (415) 925-2000 • Fax (415) 925-2006
Other offices located in Reno, Nevada

February 3, 2000

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CALIFORNIA
COASTAL COMM
CENTRAL COAS

Mr. Charles Lester
District Manager
Central Coast District Office
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

Subject: Proposed Third High School in the City of Watsonville

Dear Mr. Lester:

Huffman & Associates, Inc. (H&A, Inc.) is representing the Pajaro Valley Unified School District (PVUSD) on matters related to biological issues for the proposed new Third High School in Watsonville, California. We have received a copy of your January 19, 2000 letter to Mr. Brian Hunter of the California Department of Fish and Game (CDFG) requesting their input with respect to a number of biological issues associated with the project proposal on Harkins Slough Road and in the vicinity of the West Branch of Struve Slough. The purpose of this letter is to provide responses to your apparent concerns on behalf of the applicant and update you on the status of work being conducted by H&A, Inc. with respect to environmental permitting for the project. The following provides information pertaining to the nine issues/questions in your letter to CDFG.

1) Wetland Delineation

In June 1998, Huffman & Associates, Inc. (H&A, Inc.) prepared a report entitled "Investigation of the Presence of Waters of the United States, New Millennium High School Site, Watsonville, California," documenting results of an analysis to determine boundaries of wetlands and waters of the U.S. at the proposed site for the new high school. The wetland boundaries were determined based on methodology using the 1987 Corps Wetland Delineation Manual, the methodology currently used for such evaluations nationwide by the U.S. Army Corps of Engineers. Under Corps delineation criteria wetlands are present when all three wetland indicators are present (wetland hydrology, hydric soils, and wetland vegetation).

H&A, Inc. has reviewed how the wetland boundary defined by H&A, Inc. according to Corps methodology relates to establishment of an Environmentally Sensitive Habitat Area (ESHA) according to requirements of the City of Watsonville's Local Coastal Program (LCP) Land Use

Plan. According to the City's LCP, the ESHA would be defined as the area of the wetland or transitional zone. In determining whether the wetland areas defined in the field by H&A, Inc. include the area defined as the transition zone in the LCP, it is important to consider the LCP definition of the wetland-upland transition compared to the wetland criteria of the 1987 Corps Wetland Delineation Manual. According to the LCP, the "wetland-upland transition is defined as a type of wetland occurring along the seasonally inundated margins of a slough." In employing the Corps methodology, wetlands mapped in the H&A, Inc. study include all areas where inundation or even saturation occurs for a period of at least 18 consecutive days during the growing season. As agreed between the District and CDFG at a May 21, 1999 meeting, the transition zone is determined to be coincident with the wetland boundary defined in the June 1998 wetland delineation report prepared by H&A, Inc. The wetland map prepared by H&A, Inc. includes all seasonal wetlands at the slough margins, including wetlands defined by the LCP as wetland-upland transition, and all wetlands that would be defined using the more expansive wetland definition used by the Coastal Commission and CDFG based on the presence of one or more of the three criteria.

2) ESHAs Other Than Wetland

Coastal Act Section 30107.5 defines environmentally sensitive areas as any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or their role in an ecosystem, and which could be easily disturbed or degraded by human activities and developments. The Coastal Commission has requested information whether ESHAs are present based on the presence of habitat for listed species that would extend beyond wetland ESHAs as discussed in #1.

The City of Watsonville commissioned a study to survey for the presence of special status species in the West Branch of Struve Slough related to a Caltrans/City proposal to add exit and entry ramps to the north side of the current Harkins Slough Road/Highway 1 interchange, along with the widening of Harkins Slough Road west of Highway 1 and across the West Branch of Struve Slough from two to four lanes. The survey was conducted by Dana Bland and Associates and was intended to determine the presence/absence of the Santa Cruz long-toed salamander (*Ambystoma macrodactylum croceum*), a species both state and federally listed as endangered, and California tiger salamander (*Ambystoma californiense*), a federal candidate for listing as endangered and a state species of special concern. The August 1999 report documenting the results of surveys to determine if these salamanders are present in this portion of West Branch Struve Slough has been made available to you by the City.

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Although no Santa Cruz long-toed salamanders or California tiger salamanders were found in the West Branch of Struve Slough at Harkins Slough Road, another federally listed species, the California red-legged frog (*Rana aurora draytonii*) was observed living and breeding in this portion of the slough. All areas that would be considered as an ESHA due to the presence of this species would be included within the ESHA defined as wetlands according to the H&A, Inc. delineation. Mitigation measures were recommended as part of the survey report to avoid, minimize and mitigate impacts to California red-legged frogs during the construction of the proposed Highway 1 ramp project and the associated widening of Harkins Slough Road from two lanes to four lanes. PVUSD will participate in the implementation of these measures to mitigate impacts resulting from the Third High School project.

3) ESHA Buffers

The location of the buffer zone has been established at a distance of 150 feet from the edge of the wetland upland transition zone defined in the City's LCP. As agreed between the District and CDFG at a May 21, 1999 meeting, the transition zone is determined to be coincident with the wetland boundary defined in the June 1998 wetland delineation report prepared by H&A, Inc. The site plan includes a 150-foot buffer zone within the grassland adjacent to and extending landward from the mapped wetlands. The 150-foot buffer zone requirement, which was established in the EIR in recognition of the biological sensitivity of the slough, and incorporated into the project design, is well in excess of the 100-foot requirement stipulated in the City's LCP. This 150-foot buffer zone can be provided while maintaining the integrity of the applicant's site plan (the minimum allowable design) only through use of a retaining wall at the edge of proposed ball fields. The retaining wall would be located nearly 50 feet beyond the edge of the 150-foot buffer zone, with the intervening area disturbed only by a fill slope. A setback area from the wetlands of nearly 200 feet (150-foot buffer zone plus nearly 50-foot fill slope) without structural development of any kind is actually provided.

4) CDFG's Ecological Reserve

In previous meetings regarding the Third High School project with CDFG, the following mitigation program was discussed to mitigate both on- and off-site impacts to the slough ecosystem. CDFG has not suggested mitigation measures beyond this program with specific references to the Ecoreserve. The PVUSD believes that the proposed mitigation measures constitute a substantial program dedicated to maintaining the biological integrity of the project area and mitigating the impacts of its project.

The mitigation program proposed by the District is largely based on requirements of the project's certified EIR. The first element of the mitigation program is the establishment of a 150 foot buffer zone, in excess of that required by the LCP (see #3, above). The wetlands within the West Branch of Struve Slough and the adjacent grasslands within the setback constitute the nine-acre Biological Reserve cited in the EIR. As required in EIR Mitigation B-1, this area will be dedicated in fee, or by conservation easement to an appropriate organization or agency (including possibly CDFG) for restoration, preservation and management of biological resources. This area will not be dedicated without assurance of funding by the PVUSD to the grantee for conservation purposes. A restoration plan for the grasslands adjacent to the slough has been prepared by a qualified biologist (Randy Morgan) and is currently being reviewed by your agency and CDFG. Also, as suggested by CDFG at the May 21 field review, PVUSD would consider agreeing to conduct similar restoration activities within the 200-foot agricultural setback on the north edge of the site.

Additional biological mitigation will include compensation for the loss of 0.14 acres of seasonal wetlands that have formed along the south edge of the site near Harkins Slough Road due to blockage of drainage beyond the road. These wet areas will be impacted by roadway widening and creation of a stormwater retention area. The mitigation requirements of the EIR will be satisfied through the on-site creation of seasonal wetland habitat adjacent to the proposed location of stormwater retention (southwest corner of school site), preservation (and dedication) of the entire 3.4 acres of on-site wetlands within the West Branch of Struve Slough, and enhancement of these wetland habitats through restoration of adjacent upland grassland to a native condition.

5) Development Modifications

The question from the Coastal Commission would suggest that reductions in project scale could be applied to reduce biological impacts at the site. Similarly, comments from the CDFG during field review in May 1999 seemed to suggest that the PVUSD should consider reducing the scale of the project at the proposed site to provide greater setback from biologically sensitive areas. The Final Revised EIR provides information regarding minimum site requirements for a facility of this type, and reviews the data documenting that the project proposed by PVUSD is at the minimum allowable scale.

6) CDFG Stream Alteration Agreement

PVUSD understands that the work that would take place within the streambed (i.e. the roadway, utility and culvert improvements related to the Harkins Slough Road crossing of the West Branch of Struve Slough) will require a Stream Alteration Agreement be obtained from CDFG. The project engineer is currently developing specific plans related to roadway, utility, and culvert improvements at this location. Once H&A, Inc. receives this information, we will submit the application to CDFG for the permit. At the same time application will be made to the U.S. Army Corps of Engineers for a permit pursuant to Section 404 of the Clean Water Act.

7) Harkins Slough Road Widening

As noted in #6 above, the applicant is fully aware that the Harkins Slough Road improvements at the slough crossing will require permitting from a number of regulatory agencies. With respect to a permit from the Corps, because the wetlands that would be impacted are non-tidal, not considered "adjacent," are above headwaters, and impacts are limited to under 3.0 acres, the San Francisco District of the Corps could authorize the project under Nationwide 26. However, on December 13, 1996 the Corps announced its intention to replace Nationwide 26 with activity-specific Nationwide Permits prior to the expiration date of Nationwide 26. Review of the Nationwide Permit program continues of this date.

Because Nationwide 26 has been scheduled for expiration H&A, Inc. investigated the possibility of addressing the construction using Nationwide permit options exclusive of Nationwide 26. We believe that the Corps could process wetland permits for the development in addition to culverts, bridge improvements and utility line placement across the West Branch of Struve Slough through one of the following:

a) the existing Nationwide 26 regulations;
b) a combination of Nationwide 3 (Maintenance, Repair, Rehabilitation or Replacement of Previously Authorized Fill Structures), Nationwide 12 (Utility Line Backfills and Bedding), Nationwide 14 (Road Crossings) and Nationwide 18 (Minor Discharges); or
c) one of the new Nationwide permits which are currently in public review and not finalized.

Additional permits required include the Water Quality Certification or Waiver from the Central Coast Regional Water Quality Control Board, the Stream Alteration Agreement from CDFG (see #6 above), and a Section 7 consultation with the U.S. Fish and Wildlife Service (USFWS) pursuant to the federal Endangered Species Act. The Section 401 Water Quality Certification from the Regional Board is necessary for the Corps permit to be valid. It appears as though the Section 7 consultation with the USFWS will be necessary as it pertains to potential impacts resulting from the roadway, utility and culvert work within the slough on the California red-legged frog (*Rana aurora draytonii*).

8) Educational Component

PVUSD intends to incorporate a wetland educational component focusing on the slough as part of the standard curriculum. The District welcomes input from CDFG regarding the nature or content of such an effort.

9) Other CDFG Recommendations

Comment from the applicant regarding this topic is not warranted at this time.

If you have any questions regarding the biological issues associated with the Third High School in Watsonville or the process for obtaining regulatory permits for the project, please call me at 415/925-2000.

Sincerely,

Gary Deghi
Wetland Regulatory Specialist

GD:smf

cc: Ms. Maureen Owens Hill, Owens Hill Consulting
Dr. John Casey, Superintendent PVUSD
Mr. Martin Carver, City of Watsonville
Mr. Brian Hunter, California Department of Fish and Game

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February 3, 2000

Mr. Charles Lester, District Manager
Central Coast District
California Coastal Commission
725 Front St.
Santa Cruz, CA 95060

RE: Pajaro Valley Unified School District Third High School Project

Dear Mr. Lester;

On January 19, 2000, you sent a letter to Mr. Brian Hunter, Central Coast Regional Manager of the California Department of Fish and Game, requesting a formal opinion on questions relating to the City of Watsonville's Local Coastal Program Amendment (LCPA) which is under review by your staff. As well documented in the Environmental Impact Report (EIR) and by correspondence between the City of Watsonville and the District to CDFG, there has been extensive consultation between agencies. The Pajaro Valley Unified School District wishes to briefly comment on prior consultations in order to assist you in your analysis.

The PVUSD has proposed a mitigation program based on the requirements of the certified Revised EIR which has been coordinated with the CDFG. In addition, the mitigation program is intended to meet the requirements of other permitting agencies that include the U.S. Army Corps of Engineers, Regional Water Quality Control Board and the California Coastal Commission. The basic requirements developed in the EIR for biological impacts are detailed in the letter dated June 18, 1999 to CDFG from Gary Deghi of Huffman and Associates, our consulting biologist (Attached). The letter also cites meeting dates between CDFG staff, the City of Watsonville and District representatives for consultation on the wetland delineation study (as required by the City's Local Coastal Plan) and adopted mitigation measures. CDFG staff stated on several occasions that the wetland delineation methodology and conclusions of the delineation study met CDGF criteria, as verified in a letter dated June 2, 1999 from the City of Watsonville to Patricia Anderson. (Attached) While we understand that there may be confusion between the wetland delineation and ESHA, in this case the two areas are identical.

Revised EIR mitigations establish a 9-acre biological restoration area, a 150- foot buffer zone (CDFG requested a 100 foot buffer) from the wetlands in the West Branch of Struve Slough, and mitigation for all impacted wetlands at a 5:1 ratio through "on-site and or off-site creation, enhancement or preservation and or a combination of all three methods.

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294 Green Valley Road • Watsonville, CA 95076 • (831) 728-6200/Ext. 503 • FAX (831) 761-6010

These mitigations and others adopted in the certified EIR are the Districts' recognition of the biological sensitivity of the slough. The 150-foot buffer requirement is well in excess of the 100-foot requirement stipulated in the City's LCP.

During consultation with CDFG staff on April 7, 1999 the City and the District engineers were told by CDFG staff that no grading (except for a small area along Harkins Slough Road), or any other activity (except restoration) would be permitted within the 150-foot setback area. It was explained to CDFG staff that in order to maintain the integrity of the site plan (the minimum allowable design) while avoiding grading as proposed by CDFG, a retaining wall would be required. The retaining wall will be located at the edge of the play fields and 50 feet beyond the edge of the 150-foot buffer zone; only a fill slope will disturb the intervening area. With this design, there is a setback area of 200 feet without structural development of any kind.

The wetlands within the West Branch of Struve Slough and the adjacent grasslands within the setback constitute the nine-acre Biological Reserve. At the April 9, 1999 meeting the District agreed to prepare a habitat restoration plan for the grasslands adjacent to the slough. The restoration plan preparation was confirmed at the May 7, 1999 meeting with CDFG. The local biologist, Randy Morgan, who had been recommended by CDFG staff, prepared the plan. The District is ready to implement the plan as part of the Streambed Alteration Agreement.

We note that for clarification, your letter to Mr. Hunter characterizes the requested LCP amendment request rather than stating the exact wording; for example, you write, [*"The proposed amendment would also reduce the area mapped as environmentally sensitive habitat area (ESHA), and would allow development in ESHAs less than 0.1 acres in size."*] The comparison of the map contained in the City's LCP (prepared in 1982) to the wetland survey, is problematic. The maps are not even the same scale, and the map in the City's LCP is not based on site specific detail. Nonetheless, I believe that CDFG has validated the accuracy of the ESHA survey prepared in 1998.

The second part of your sentence is also incomplete. The amendment language actually before the Coastal Commission is, *"That environmentally sensitive habitat areas less than 0.1 acre in size be developed,* ***provided such areas are replaced at a minimum of 2:1 ratio."*** *(emphasis added).* This omission is important in the context of your questions to Mr. Hunter. As stated above, the EIR mitigation measures set forth a **5:1** mitigation for this project. The project will result in a loss of 0.14 acres of seasonal wetlands along the south edge of the site near Harkins Slough Rd due to roadway widening and creation of a storm water

N8

retention area. The District's approach to drainage and storm water retention was approved by CDFG staff.

As we proposed to CDFG in the letter dated June 18, 1999, the District proposes to satisfy the mitigation requirements through the on-site creation of seasonal wetland habitat adjacent to the proposed location of storm water retention (southwest corner), preservation (and dedication) of the entire 3.34 acres on on-site wetlands within the West Branch of Struve Slough, and enhancement of these wetland habitats through restoration of adjacent upland grassland to a native condition.

We believe that the proposed mitigation measures constitute a substantial program dedicated to maintaining the biological integrity of the project area and mitigating the impacts of the high school project. The District is hopeful that CDFG's response to your questions will verify the outcome of the consultations with CDFG through the environmental review process, meetings, field visits, and correspondence, and also further verify the points made in the City's June 2, 1999 letter, which have not been refuted.

If you have any questions about this letter or our project, please call me as soon as possible. District staff and representatives are available to meet with you at your earliest convenience.

Sincerely,

John M. Casey

Dr. John Casey
Superintendent

Enclosure(s)
cc: Carlos Palacios, City Manager, City of Watsonville
Assemblyman Fred Keeley
Retired Senator Henry Mello

N9

CITY OF WATSONVILLE

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Fax 763-4015

Parks & Recreation
30 Maple Street
728-6081
Fax 763-4078

June 2, 1999

Ms. Patricia Anderson
Senior Biologist
California Department of Fish and Game
20 Lower Ragsdale Dr, Suite 100
Monterey, CA 93940

Subject: Consultation Regarding Delineation of Wetland and Wetland-Upland Transition on the Site of the Proposed Pajaro Valley Unified School District's New Millennium High School

Dear Ms. Anderson:

On April 7, 1999 and on April 21, 1999, City of Watsonville staff and representatives of the Pajaro Valley Unified School District consulted with the California Department of Fish and Game staff regarding delineation of wetland and wetland-upland transition on the site of the proposed Pajaro Valley Unified School District's New Millennium High School.

At the April 21, 1999 meeting you stated that the California Department of Fish and Game reviewed the wetland and wetland-upland transition delineation prepared by Huffman & Associates entitled: "Investigation of the Presence of Waters of the United States: New Millennium High School Site, Watsonville California, June 1998," and concurred with its findings. We accept your findings and appreciate your participation in the City of Watsonville's review of the New Millennium High School Project.

We acknowledge that the California Department of Fish and Game has concerns regarding aspects of the New Millennium High School Project unrelated to the delineation of wetland and wetland-upland transition on the project site. We encourage your participation at upcoming public hearings on the project to be held before the City of Watsonville Planning Commission and City Council on June 7 and July 27, respectively.

Sincerely,

Martin Carver
Senior Planner

c: Maureen Owens Hill

June 2, 1999 (3:19PM)
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HUFFMAN & ASSOCIATES, INC.
Wetland Regulatory Consultants

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Other offices located in Reno, Nevada

June 18, 1999

Martin Carver

RECEIVED
JUN 21 1999
CITY OF WATSONVILLE
COMM DEVELOPMENT DEPT.

Mr. Brian Hunter
California Department of Fish and Game
P.O. Box 47
Yountville, CA 94599

Subject: Response to California Department of Fish and Game Comments Regarding Pajaro Valley Unified School District Third High School Site

Dear Mr. Hunter:

The purpose of this memo is to respond to comments raised by California Department of Fish and Game (CDFG) personnel at recent meetings involving CDFG staff, representatives of the Pajaro Valley Unified School District (PVUSD) and the City of Watsonville, regarding the PVUSD's proposed third high school. These meetings were held on May 7 and May 21, 1999; the latter meeting included a field review at the site of the proposed high school at Harkins Slough Road/Lee Road. The PVUSD has acknowledged through its Revised Draft Environmental Impact Report (EIR, June 1998) and Final Revised EIR (September 1998) that the Harkins Slough Road/Lee Road site is in an area of particular environmental sensitivity, especially pertaining to the proximity of the West Branch of Struve Slough along the east edge of the site and the CDFG ecoreserve south of the site.

Comments from the CDFG during the field review seemed to suggest that the PVUSD should seek an alternative site that would not be encumbered with these constraints, or reduce the scale of the project at the proposed site to provide greater setback from biologically sensitive areas. The PVUSD has conducted an extensive evaluation of alternatives for siting a third high school in Watsonville over an 11-year period and has considered 18 separate sites in the last eight years. A summary of this process and compelling rationale for rejection of all other alternatives is contained in the Final Revised EIR for the project, of which you have a copy. The Final Revised EIR also provides information regarding minimum site requirements for a facility of this type, and reviews the data documenting that the project proposed by PVUSD is at the absolute minimum allowable scale.

Given that the site location and the scale and configuration of on-site facilities is fixed, the PVUSD has been happy to work with CDFG on finding ways to mitigate biological impacts for the project as proposed. The PVUSD has proposed a mitigation program based on the requirements of the certified Revised EIR, that has been coordinated with your agency and is intended to meet the requirements of other permitting agencies that include the U.S. Army Corps

N11

of Engineers, Regional Water Quality Control Board and California Coastal Commission. Details of this substantial program are reviewed here.

The basic requirements developed in the EIR for mitigation of biological impacts include the establishment of a nine-acre on-site Biological Restoration Site (Mitigation B-1), the establishment of a 150-foot buffer zone from the wetlands in the West Branch of Struve Slough (Mitigation B-2), and mitigation for all impacted wetlands at a 5:1 ratio through "on-site and/or off-site creation, enhancement or preservation and/or a combination of all three methods" (Mitigation B-19).

The location of the buffer zone has been established at a distance of 150 feet from the edge of the wetland upland transition zone (defined in the City's Local Coastal Program) (LCP). As we agreed at the May 21, 1999 meeting, the transition zone is determined to be coincident with the wetland boundary defined in the June 1998 wetland delineation report prepared by Huffman & Associates, Inc. (H&A, Inc.). The location of the buffer zone within the grassland adjacent to the mapped wetlands in relation to project features is illustrated in the attached plan view, which was requested by CDFG at the May 21 meeting. The figure is based on an April 21, 1998 color infra-red aerial photo taken for H&A, Inc. by Radman Aerial Surveys. Recognizing the biological sensitivity of the slough, the 150-foot buffer zone requirement established in the EIR is well in excess of the 100-foot requirement stipulated in the City's LCP. This 150-foot buffer zone can be provided while maintaining the integrity of the applicant's site plan (the minimum allowable design) only through use of a retaining wall at the edge of proposed ball fields. The retaining wall would be located nearly 50 feet beyond the edge of the 150-foot buffer zone, with the intervening area disturbed only by a fill slope. A setback area from the wetlands of nearly 200 feet (150-foot buffer zone plus nearly 50-foot fill slope) without structural development of any kind is actually provided.

The wetlands within West Branch of Struve Slough and the adjacent grasslands within the setback constitute the nine-acre Biological Reserve cited in the EIR. As required in Mitigation B-1, this area will be dedicated in fee, or by conservation easement to an appropriate organization or agency (including possibly CDFG) for restoration, preservation and management of biological resources. This area will not be dedicated without assurance of funding by the PVUSD to the grantee for conservation purposes. A restoration plan for the grasslands adjacent to the slough is currently being prepared by a qualified biologist (Randy Morgan). This plan will include the stripping of the top layer of soil to remove non-native and exotic plant species and the planting of native grassland species endemic to the immediate vicinity as requested by CDFG at the May 7 meeting. Also, as suggested by CDFG at the May 21 field review, PVUSD agrees to conduct similar restoration activities within the 200-foot agricultural setback on the north edge

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of the site.

Additional biological mitigation will include compensation for the loss of 0.14 acres of seasonal wetlands along the south edge of the site near Harkins Slough Road due to roadway widening and creation of a stormwater retention area. The mitigation requirements of the EIR will be satistied through the on-site creation of seasonal wetland habitat adjacent to the proposed location of stormwater retention (southwest corner of school site), preservation (and dedication) of the entire 3.4 acres of on-site wetlands within the West Branch of Struve Slough, and enhancement of these wetland habitats through restoration of adjacent upland grassland to a native condition.

The PVUSD believes that the proposed mitigation measures constitute a substantial program dedicated to maintaining the biological integrity of the project area and mitigating the impacts of its project. Randy Morgan is currently preparing the Habitat Restoration Plan for the nine-acre preserve and H&A, Inc. is preparing an application for a Stream Alteration Agreement from your agency related to necessary roadway, culvert and utility improvements at the Harkins Slough Road crossing of the West Branch of Struve Slough. These items will be sent to you in the coming weeks. We will also see that you receive a copy of the Corps permit application expected to be completed shortly as well.

If you have any questions regarding the above, please call me at 415/925-2000.

Sincerely,

Gary Deghi
Vice President/Wetlands Regulatory Scientist

GD/smf
Enclosure

cc: Dr. John Casey, Superintendent PVUSD (w/enclosure)
Martin Carver, City of Watsonville (w/enclosure)
Maureen Owens Hill, Owens Hill Consulting (w/enclosure

E:\Millen\PajaroValleyResponseAnderson

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February 2, 2000

Mr. Brian Hunter
Regional Manager
Central Coast Region
California Department of Fish and Game
Post Office Box 47
Yountville, California 94599
Attn: Pat Coulston

Subject: Terminology Used During Consultation with California Department of Fish and Game

Dear Mr. Hunter:

As a follow up to our January 21, 2000 letter, the City of Watsonville would like to clarify the terminology it used during the process of consulting with the California Department of Fish and Game on the delineation of environmentally sensitive habitat area (ESHA) for the Pajaro Valley Unified School District's New Millennium High School site.

The existing Watsonville Local Coastal Program (LCP) Land Use Plan delineates "environmentally sensitive habitats" for Coastal Zone areas in Figure 2 (see Attachment 1 to this letter). This delineation refers to three categories of sensitive habitat found in City of Watsonville Coastal Zone areas. These are: Freshwater Wetland, Wetland/Upland Transition, and Riparian Habitat. No other categories of environmentally sensitive habitat exist in these areas according to the 1983 LCP Land Use Plan. Two of these categories of ESHA are found on the project site – Freshwater Habitat and Wetland/Upland Transition.

In June 1998, Huffman & Associates, Inc., prepared a wetland delineation report for the proposed Pajaro Valley Unified School District New Millennium High School Site entitled: "Investigation of the Presence of Waters of the United States, New Millennium High School Site, Watsonville, California." During the course of reviewing this report, the City of Watsonville asked PVUSD and Huffman & Associates to clarify whether the above cited report delineated Wetland/Upland Transition as well as Freshwater Wetland. Huffman & Associates responded affirmatively to this query, and its response is contained in a letter dated March 4, 1999 (see Attachment 2).

N14

February 2, 2000 (1:57pm)mc
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In correspondence with CDFG and the California Coastal Commission, the City of Watsonville has used the phrase "Freshwater Wetland and Wetland/Upland Transition" interchangeably with "environmentally sensitive habitat area" or ESHA. We did this because the applicant's information regarding this topic addressed all types of ESHA originally delineated in the 1983 LCP from the PVUSD and Huffman & Associates. It was upon this basis that we proceeded with the amendment of the Watsonville LCP.

During the consultation process, we discussed both Freshwater Wetland and Wetland/Upland Transition with the California Department of Fish and Game. This, in our understanding, constituted a consultation regarding ESHA on the New Millennium High School project site for the reasons discussed above. Please see Attachment 3 for a copy of a letter dated June 2, 1999 from the City of Watsonville to CDFG regarding the consultation process.

We stand ready to meet with CDFG prior to the completion of the consultation process to answer any questions that may remain with regard to habitat issues on the project site. You may contact Martin Carver, of my office, at 831/728-6177 or Dr. John Casey, PVUSD Superintendent, at 831/728-6200, ext. 503.

Sincerely,

John Doughty
Director of Community Development

c: Dr. John Casey, Superintendent, Pajaro Valley Unified School District
Charles Lester, Coastal Commission

Attachments:
1. 1983 LCP ESHA Delineation
2. Huffman & Associates March 4, 1999 letter
3. City of Watsonville letter to CDFG dated June 2, 1999

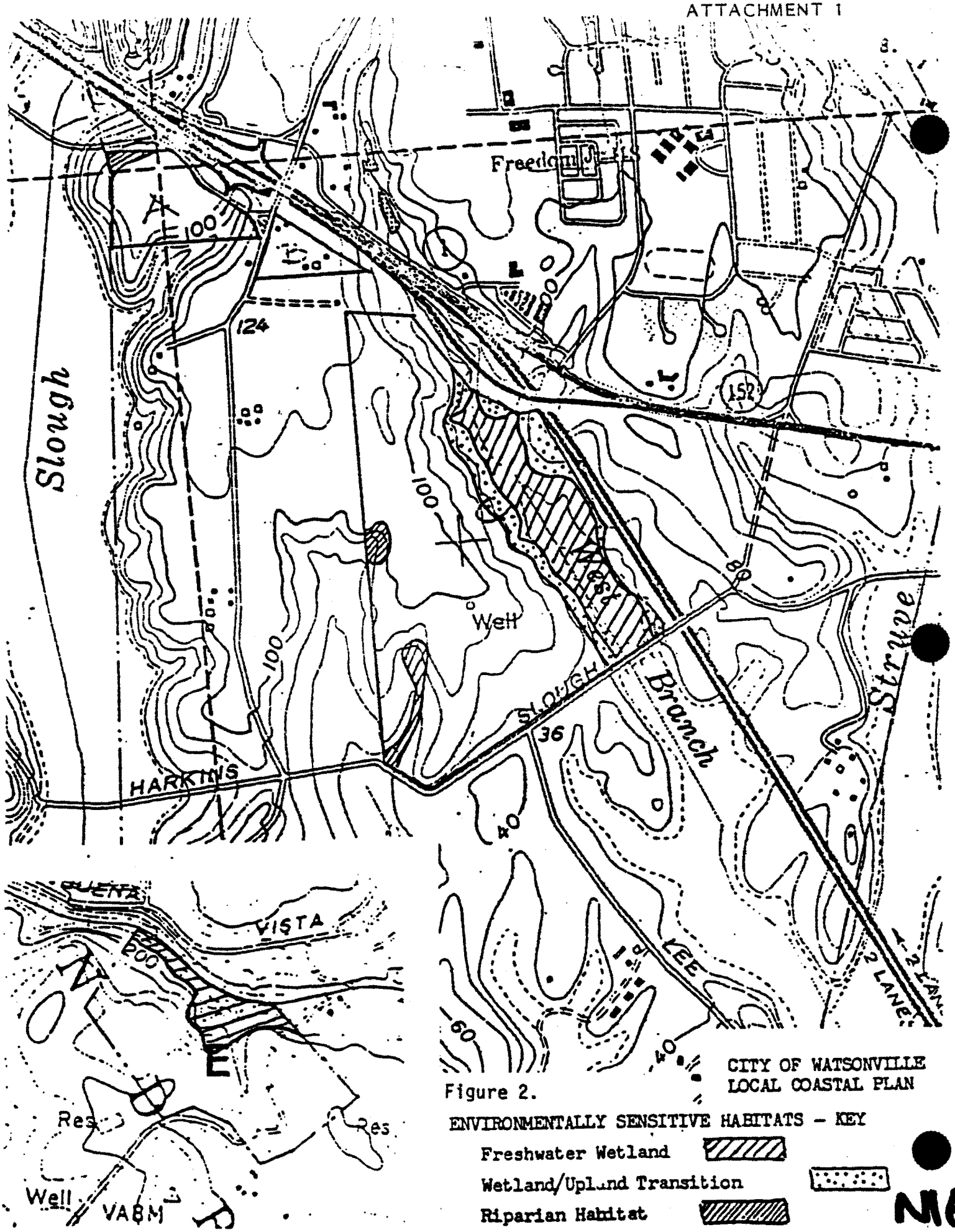

Figure 2.

CITY OF WATSONVILLE
LOCAL COASTAL PLAN

ENVIRONMENTALLY SENSITIVE HABITATS – KEY

Freshwater Wetland

Wetland/Upland Transition

Riparian Habitat

Developed from field notes taken March 1982 and aerial photos from Jan. 1977 and Feb. 1981.

N16

ATTACHMENT 2

FILE COPY

HUFFMAN & ASSOCIATES, INC.
Wetland Regulatory Consultants

700 Larkspur Landing Circle, Suite 100, Larkspur, CA 94939 • (415) 925-2000 • Fax (415) 925-2006
Other offices located in Reno, Nevada

March 4, 1999

Mr. Chris Boyle
DES Architects & Engineers
399 Bradford Street
Redwood City, CA 94063

Subject: Wetland Buffer Zones Pertaining to New Millennium High School Site, Watsonville, California

Dear Chris:

In June 1998, Huffman & Associates, Inc. (H&A, Inc.) prepared a report entitled "Investigation of the Presence of Waters of the United States, New Millennium High School Site, Watsonville, California," documenting results of an analysis to determine boundaries of wetlands and waters of the U.S. at the proposed site for a new high school in Watsonville. The wetland boundaries were determined based on methodology using the 1987 Corps Wetland Delineation Manual, the methodology currently used for such evaluations nationwide by the U.S. Army Corps of Engineers. The purpose of this memo is to clarify how the wetland boundary defined by H&A, Inc. according to Corps methodology relates to establishment of a wetland buffer zone according to requirements of the City of Watsonville's Local Coastal Program (LCP) Land Use Plan.

According to the City's LCP the buffer zone would be defined as a 100-foot wide zone extending landward of the wetland or transitional zone. In determining whether the wetland areas defined in the field by H&A, Inc. include the area defined as the transition zone, it is important to consider the LCP definition of the wetland-upland transition compared to the wetland criteria of the 1987 Corps Wetland Delineation Manual. According to the LCP, the "wetland-upland transition is defined as a type of wetland occurring along the seasonally inundated margins of a slough." In employing the Corps methodology, wetlands mapped in the H&A, Inc. study include all areas where inundation or even saturation occurs for a period of at least 18 consecutive days during the growing season. The wetland map prepared by H&A, Inc. includes all seasonal wetlands at the slough margins, including wetlands defined by the LCP as wetland-upland transition.

The establishment of a wetland buffer zone consistent with requirements of the LCP would be accomplished by defining an area extending 100 feet landward of the wetland boundary determined in the June 1998 wetland delineation report prepared by H&A, Inc.

E:\Millen\Boyle399LtrBufferZones.wpd

N17

If you have any questions regarding the above, please call me at 415/925-2000.

Sincerely,

Gary Deghi
Vice President/Wetlands Regulatory Scientist

GD/smf

E:\Millen\Boyle399LtrBufferZones.wpd

N18

CITY OF WATSONVILLE

"Opportunity through diversity; unity through cooperation"

Administration Building
215 Union Street
Second Floor
Fax (831) 761-0736
Fax (831) 728-9358
Mayor & City Council
(831) 728-6006
City Manager
728-6011
City Attorney
728-6013
City Clerk
728-6005
Personnel
728-6012

City Hall Offices
250 Main Street
Community Development
728-6018
728-6020
Fax 728-6173
Finance
728-6031
Fax 763-4066
Public Works & Utilities
728-6049
Fax 763-4065
Purchasing
728-6029
Fax 763-4066

Airport
100 Aviation Way
728-6075
Fax 763-4058

Fire
115 Second Street
728-6060
Fax 763-4054

Housing & Economic Development
231 Union Street
728-6014
Fax 763-4114

Library
310 Union Street
728-6040
Fax 763-4015

Parks & Recreation
30 Maple Street
728-6081
Fax 763-4078

June 2, 1999

Ms. Patricia Anderson
Senior Biologist
California Department of Fish and Game
20 Lower Ragsdale Dr, Suite 100
Monterey, CA 93940

Subject: Consultation Regarding Delineation of Wetland and Wetland-Upland Transition on the Site of the Proposed Pajaro Valley Unified School District's New Millennium High School

Dear Ms. Anderson:

On April 7, 1999 and on April 21, 1999, City of Watsonville staff and representatives of the Pajaro Valley Unified School District consulted with the California Department of Fish and Game staff regarding delineation of wetland and wetland-upland transition on the site of the proposed Pajaro Valley Unified School District's New Millennium High School.

At the April 21, 1999 meeting you stated that the California Department of Fish and Game reviewed the wetland and wetland-upland transition delineation prepared by Huffman & Associates entitled: "Investigation of the Presence of Waters of the United States: New Millennium High School Site, Watsonville California, June 1998," and concurred with its findings. We accept your findings and appreciate your participation in the City of Watsonville's review of the New Millennium High School Project.

We acknowledge that the California Department of Fish and Game has concerns regarding aspects of the New Millennium High School Project unrelated to the delineation of wetland and wetland-upland transition on the project site. We encourage your participation at upcoming public hearings on the project to be held before the City of Watsonville Planning Commission and City Council on June 7 and July 27, respectively.

Sincerely,

Martin Carver
Senior Planner

c: Maureen Owens Hill

June 2, 1999 (5:19pm)mc
P:\CURPLAN\COASTAL\3RDHF&C_LET2.WPD

N19

Same letter sent to all commissioners.

PAJARO VALLEY UNIFIED SCHOOL DISTRICT

OFFICE OF THE SUPERINTENDENT

Dr. John M. Casey
Superintendent

February 17, 2000

RECEIVED
FEB 23 2000
CALIFORNIA COASTAL COMMISSION

Sara Wan, Chair
22350 Carbon Mesa Rd.
Malibu, CA 90265

Dear Commissioner Wan:

On your March agenda, the Commission will be considering an amendment to the City of Watsonville's Local Coastal Program. The amendment will change the zoning and developmental standards for a 115 acre parcel. The amendment will enable the Pajaro Valley Unified School District to build a desperately needed high school. Representatives of the school district, city, and the regional office staff of the Coastal Commission have worked together well on this project. The project is well mitigated, represents an improvement over development that the current zoning allows, and will provide both short term and long term benefits to the adjacent wetland areas and the Coastal Zone.

Attached you will find: 1) an introduction and rationale for the project; 2) a document entitled "Project Statement," that outlines elements of support, and importantly, an analysis of impact on Coastal Resources; and 3) two photos of the site with the city limits of Watsonville outlined in yellow and the school site perimeter in white. The first photo is looking east from over the ocean. While adjacent to the wetlands, the shool site is within the City limits of Watsonville and 3.1 miles from the Coast. The second photograph is looking north along State Highway One. This photo shows that within the City limits of Watsonville, development already occurs west of Highway One.

Over the next couple of weeks, I will be contacting you to answer initial questions you may have regarding the project and to request that a support team of three to four representatives be allowed to meet with you in person to discuss the project.

I would like to thank you in advance for your consideration of this very important and beneficial project. I look forward to meeting with you.

Thank you,

John M. Casey, Ed.D.
Superintendent

cc: Peter Douglas, Executive Director

Board of Education

Evelyn Volpa
President

Rodney Brooks
Vice President/Clerk

Jane Barr

Roberto L. Garcia

Sharon Gray

Dan Hankemeier

Willie Yahiro

294 Green Valley Road • Watsonville, CA 95076 • (831) 728-6200/Ext. 503 • FAX (831) 761-6010

A Project Worth Supporting

The request by the City of Watsonville to amend their Local Coastal Program on a 115 acre parcel is a critical decision. The amendment, if approved, will enable the Pajaro Valley Unified School District (PVUSD) to build a comprehensive high school for 2,200 students within the city limits of Watsonville. The School District is in desperate need of a third high school, and the project provides a wonderful opportunity to promote understanding, appreciation, and commitment to the Watsonville Slough System and the Coastal Zone.

Students in Watsonville are 87% Latino. Of the District's 20,000 students, 6,000 qualify for Federal, Migrant Program assistance and nearly half of the District's students are Limited English Proficient. As the demographics of California change to a more ethnically diverse population, the State's natural resources will be well served when opportunities to connect minority populations to the environment are capitalized upon.

This project can become a model for the rest of the State. With the amendment, an educational institution can be realized that will annually graduate approximately six hundred students who will have measured, studied, painted, and appreciated the surrounding wetlands and Coastal Zone. The school will include an environmental studies curriculum and will support public access and interpretive activities.

The project is mitigated to protect the environment and includes a nine acre habitat restoration area. It is important to note that this project site can be developed now. The existing Local Coastal Program allows for large-lot (5 acre minimum) residential or light non-nuisance industrial (conditional uses).

This is a project worth supporting! A community sponsored website is available for review at www.thirdwatsonvillehs.org. Please support the City of Watsonville's amendment to their Local Coastal Program.

NEW MILLENNIUM HIGH SCHOOL PROJECT STATEMENT

PAJARO VALLEY UNIFIED SCHOOL DISTRICT
2000

INTRODUCTION

Faced with both extreme need and significant geographical constraints, the Pajaro Valley Unified School District (PVUSD) has selected as the site for its third, comprehensive high school a property that is located within California's Coastal Zone. In support of this project, the City of Watsonville, on behalf of PVUSD, has submitted an application to the Coastal Commission for an amendment to the City's Local Coastal Program (LCP) and Implementation Plan. The amendment requests a new Coastal Zone Area of approximately 71 acres and development standards for the area. The project site is currently part of a 115 acre area now designated by the City's LCP as CZ-C, it is within the Watsonville city limits (since the mid-1960's), and the city's urban limit line. The site is immediately on the West of Highway 1 and three miles from the Monterey Bay coast. The proposed amendment is necessary because the existing zoning on the site, which allows for residential and light industrial uses, does not permit public (school) uses. In addition, performance standards for development on the site currently limit lot coverage and slope.

DISTRICT PROFILE

The Pajaro Valley Unified School District serves approximately 20,000 students who attend kindergarten through high school. The District serves the southern end of Santa Cruz County and North Monterey County. While Santa Cruz County is among one of the State's most affluent counties, the communities served by the District are predominately a Latino population that is immigrant, very low-income, under-educated and Spanish speaking. According to the 1990 Census, the annual per capita income for Latinos in Watsonville is less than 60% of the County's annual per capita income, $10,422 and $17,347, respectively. Moreover, the Watsonville community has a more youthful population. The 1990 Census reveals that 34% of the population is less than 20 years old compared to the overall County rate of 27%, and Latinos in Watsonville comprise 77% of all county youth less than 20 years of age. In addition, 46% of Watsonville residents lack a high school education, compared to 18% for the County and 24% for the State. Disproportionately, 71% of Latinos in Watsonville do not have a high school education. Therefore, lacking the income and educational skills to enroll in private schools, students must rely on excellent public schools for their education.

Approximately 72%, or 14,400 of the District's students, are Latino. More than 48% of these students are limited English proficient and nearly 6,000 qualify for Federal, Migrant Education services.

BACKGROUND

PVUSD is in desperate need of a third high school. This project will provide a comprehensive high school built to a capacity of 2,200 students. The district currently has two comprehensive high schools with a total capacity of 3,200 students. **These two schools are currently housing 5, 190 students.** The process for selecting a new high school site began in the late 1980's. The latest attempt at site selection included the formation of a broad based, site selection committee in 1991. The committee was comprised of representatives from the City of Watsonville, Santa Cruz County, LAFCO, the Farm Bureau, a local citizens action group, the environmental community, and the District. Of the comprehensive list of sites considered, two reflected the delicate balance between the interests of agriculture, the environment, the City, and the many State requirements for public school sites. The site identified as the Harkins Slough/Lee Road site received the most votes from the diverse selection panel and was forwarded as a consensus opinion to the Board of Education as one of the two most suitable sites. The Board of Education approved the Harkins Slough/Lee Road site in 1997. The only other site forwarded by the Site Selection Committee, the "Console" site, has since been developed and is no longer available.

Upon acceptance of the Harkins Slough/Lee Road site by the District's Board of Education, design of the new school was initiated with District staff meeting with local coastal staff in Santa Cruz. Preliminary drawings of the conceptual development were reviewed by the local, Coastal Commission staff as a testament to the District's commitment to address environmental and coastal concerns. The ultimate design of the campus and the requirement that the school's course of study include an innovative, environmental study program reflect the direction provided by local Coastal Commission staff.

In 1996, the Environmental Impact Report (EIR) was initiated; the Board adopted it in July 1997. However, due to environmental issues raised by the local coastal staff and others and because more detailed information became available related to grading, agricultural viability, water quality, and wetlands, a Revised EIR (REIR) was prepared. The Board certified the REIR in September 1998 and local environmental groups challenged the adequacy of the REIR in court. In April 1999, the Superior Court of the County of Santa Cruz ruled in favor of the District and confirmed the adequacy of the environmental review for the project.

IMPACT ON COASTAL RESOURCES

The REIR addresses all potential impacts to the environment including impacts to coastal resources. Five elements the District believes may be of particular concern to the Coastal Commission are highlighted below.

Agriculture/Prime Agriculture

This project is not on prime agricultural land. The project site does not meet the definitions of "prime agricultural" land under the standards of either the City of Watsonville or the County of Santa Cruz. The Santa Cruz Superior Court confirmed this conclusion. A 1998 agricultural

viability study of the site confirmed that the soil is of marginal quality and unlikely to sustain any farming in the long term. Both the Santa Cruz County Agricultural Commissioner and the Santa Cruz County Farm Bureau confirmed the conclusion that the site is not prime agricultural property. Indeed, both of these agencies stressed that building the high school on the proposed site would serve to preserve prime agricultural land elsewhere in the Watsonville area. Finally, the existing Local Coastal Program, which was certified by the Coastal Commission in 1983, also concluded that there is no prime agricultural land located within the coastal zone of the City of Watsonville, which includes this site.

Growth Inducement

The site is located within the city limits of Watsonville and development is already permitted under the existing LCP. Any development of the site will result in the extension of utilities (sewer, water, electrical) from the east side of Highway 1. However, to limit growth inducing potential for this project, the capacity of the utilities is expressly limited to serve only the needs of the high school campus. A legally binding document is being developed to prevent any extension of these utilities to support other projects, and a one fact, non-access "curtain" will surround the property to not allow any extension of utilities from the site. In addition, the school will be at capacity shortly after its opening, and therefore will not rely on new or unplanned development to reach design capacity. The project site runs to the outward limit of the City's existing boundary, and areas beyond the site and to the coast are within the jurisdiction of the County of Santa Cruz. Growth in the County is already limited by decisions of the County Board of Supervisors, LAFCO, and Measure J, a growth limiting measure passed by the voters of Santa Cruz in 1978, and the California Coastal Commission.

View Shed/Aesthetics

The site is 3 miles from the coast of Monterey Bay. The project will not obstruct coastal views or have any effect on access to the coast, and due to design and existing topography, the school will be viewed only by northbound vehicles and only for a short distance. The most prominent features of the school which will be seen from Highway 1 are landscaping and grass play fields.

Biological Resources

Of the more than sixty mitigation measures contained in the REIR, more than a third directly reduce biological impacts including indirect impacts to nearby plants and wildlife. The District has committed itself to a project that enhances biological and environmental resources. In conjunction with the preparation of the REIR, a wetland delineation was performed to clearly define environmentally sensitive areas. In addition, and as witness to the District's dedication to protecting the environment, while the Department of Fish and Game and the LCP recommended a 100-foot setback from the edge of the slough, the District adopted a larger, 150-foot setback to further ensure no encroachment by grading or development within the environmentally sensitive areas. Additionally, the District is establishing a 9-acre biological reserve that can be dedicated to either the Department of Fish and Game or a conservation organization and a 10 acre agricultural buffer. The reserve will be planted with locally occurring native plants, grasses, and trees according to a carefully developed, habitat restoration plan.

Water quality of the slough will definitely be enhanced with the development of the school and the cessation of agricultural activities on the area. The current cultivation of strawberries on the site results in water and soil run-off, containing agricultural chemicals and pesticides, directly into the adjacent slough. Required mitigations ensure that post development run off rates will not increase, that water will be detained on-site, and that toxins and pollutants will be removed before water is released into the slough. Also, the District is committed to maintain landscape and play fields without the use of harmful fertilizers or chemicals.

Rather than creating negative environmental impact, the high school, as designed, will provide an environmental benefit to a significantly degraded coastal resource. The Local Coastal Program amendment to permit the 71 acres for public school use along with the performance (development) standards proposed for the area will improve the condition of wetlands in the area.

Urban/Rural Boundary

The project site is within the city limits and the urban limit line of the City of Watsonville. Development has been planned for the site in the City's General Plan, Zoning Ordinance, and the Local Coastal Program. The current zoning for the site conditionally allows for residential and light non-nuisance industry. Consequently, the City of Watsonville is allowed to approve the following uses subject to performance standards found within the Local Coastal Program for the City of Watsonville: wholesale and retail vehicles and equipment, wholesale food distributors, wholesale machinery equipment and supplies, welding shops, automobile parking facilities, and furniture repair and refinishing establishments. This site can be developed now for any of these uses and a long list of others found within the Watsonville Municipal Code.

Additionally, urban development exists and additional development is proposed and or approved on the west side of Highway 1 within the vicinity of the site. Examples of current uses west of Highway 1 include a 100 room motel, a beverage distributorship, an auto wrecking yard, a cold storage facility, the City wastewater treatment facility, a City landfill, and the County landfill. The City has approved a Coastal Use Permit for another motel/conference facility on a nearby site, which would require a separate extension of water and sewer to the west of Highway 1.

This project does not result in expansion of development into rural areas that might destabilize the urban/rural boundary. Santa Cruz County, the City of Watsonville, and Monterey County have not adopted Highway 1 as an urban line; the project is within the context of urban uses.

COMMUNITY SUPPORT

Community support for a new, comprehensive high school is widespread and well documented. When the Watsonville City Council considered the high school at its August 1999 meeting, thirty-six people, many as representatives of organizations, spoke in favor of the project at the Harkins Slough/Lee Road site. Three individuals spoke against the project, and the city council voted unanimously to endorse the project. A Citizens Advisory Committee formed to support the high school project consists of diverse representatives from the community, City, and

County, and underscores the widespread concern that PVUSD students have access to appropriate educational opportunities and facilities.

Finally, many noted individuals fully support the construction of this comprehensive high school on this site. A partial list of dignitaries reflecting the strong and broad community support for the project, include: Henry Mello, Retired State Senator; Fred Keeley, State Assemblyman, 27th Assembly District, Democratic; Bruce McPherson, State Senator, 15th Senate District, and Peter Frusetta, State Assemblyman, 28th Assembly District.

WHAT'S AT STAKE

Construction of a new high school on the site in the immediate future will ensure the following:

- Preservation of approximately forty-nine million dollars ($49 million) of state funding which may be lost if the project does not soon commence on this site.
- Relief from the severe overcrowding now being felt by every high school student in the District.
- Avoiding a loss of time through a six to ten year delay in providing necessary facilities and a loss of critical public financial resources.
- An environmental kiosk on the site to support interpretive activities for students and the community.
- Preservation of a school site that represents a delicate and thoughtfully conceived balance between the interests of agriculture, the Department of Aeronautics, the State Department of Education, the City of Watsonville, and the environment.
- The opportunity that future generation of students will be aware and sensitive to environmental issues.
- That the currently permitted and potentially harmful uses will be replaced by the best "neighbor" the environmentally sensitive sloughs and coastal zone can have.
- The opportunity to create an environmental studies program stressing proper and responsible environmental sustainability and stewardship of important on-site habitat and water related environments.

This project represents a rare opportunity to take an action that will benefit simultaneously the environment, the communities found within the PVUSD, and the 20,000 students of the District. It is a project worth supporting!

STATE OF CALIFORNIA - THE RESOURCES AGENCY

GRAY DAVIS, Governor

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863

Th 9a

March 1, 2000

TO: Commissioners and Interested Parties

FROM: Central Coast District Office C.T.L.

RE: Correspondence concerning City of Watsonville LCP Amendment 1-99 (Pajaro Valley Unified School District)

Please find attached general correspondence received as of the mailing date for the staff report for the above item.

	Page
Governmental Agencies	1
Non-Governmental Organizations	4
General Correspondence	34

UNIVERSITY OF CALIFORNIA, SANTA CRUZ

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OFFICE OF THE CHANCELLOR

296 McHenry Library, Santa Cruz, CA 95064-1078
Phone (831) 459-2058 • FAX (831) 459-2760

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COASTAL COMMISSION
CENTRAL COAST AREA

February 3, 2000

RECEIVED
FEB 14 2000
CALIFORNIA
COASTAL COMMISSION

Peter Douglas, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Dear Mr. Douglas:

I am writing to support the development of the new, comprehensive high school that will provide much-needed capacity for the Pajaro Valley Unified School District (PVUSD). The community need for an additional school is abundantly clear. We need to increase educational access for our diverse regional population. The high school project addresses this urgent need, and coupled with the unique opportunity to introduce an environmentally oriented curriculum, the project also anticipates future needs for a sensitive and responsible citizenry.

UC Santa Cruz expects to be involved with the new school from the beginning. We will extend our educational partnerships with the district, and will develop new ones in the critical areas of teacher training and retention. In addition, we look forward to engaging its students in UCSC summer programs and other college-going programs intended to increase the college eligibility, admission and attendance of students from this community.

I believe that careful consideration of the environmental issues associated with this, and every development project, is important. At the same time, the need for this school is compelling, today and for the future. I join many others throughout the county in encouraging the California Coastal Commission to keep in mind the impact and importance of education while evaluating the school site proposal.

Sincerely,

Mike Greenwood

M.R.C. Greenwood
Chancellor

CALIFORNIA DEPARTMENT OF EDUCATION
721 Capitol Mall
Sacramento
CA 95814
Phone: (916) 657-4766
Fax: (916) 657-4975

DELAINE EASTIN

State Superintendent of Public Instruction

Santa Cruz

RECEIVED
DEC 21 1999
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

RECEIVED
DEC - 1 1999
CALIFORNIA
COASTAL COMMISSION

November 19, 1999

Sara Wan, Chair
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Dear Ms. Wan:

The purpose of this letter is to urge your support for the New Millenium High School Project in the Pajaro Valley Unified School District. This project has been extensively reviewed and refined to be sensitive to the needs of the community and the environment. Numerous accommodations have been made to ensure that the site will be unobtrusive and that environmental quality is not only maintained, but also enhanced. The proposed use for this parcel is an excellent example of sound and balanced development. Although the area is zoned for light industrial and residential use, the proposed use is more compatible. It will have the synergistic effect of teaching students to be stewards of the environment while affording them a long overdue and needed new facility with significant agricultural and biological reserves and buffers. I have reviewed the project's supporting materials and strongly encourage your support of this public use.

Thank you for your consideration. I consider myself an ardent environmentalist and I would not recommend this project if it were not in the best interests of children and sound environmental planning. I visited the site in person and consider this application to be of the greatest merit.

Sincerely,

Delaine Eastin

DELAINE EASTIN
State Superintendent of Public Instruction

DE:rf
cc: Dan Carl, Planner, California Coastal Commission
725 Front St., 3rd Floor
Santa Cruz, CA95060-4508

County of Santa Cruz

SHERIFF - CORONER

701 OCEAN STREET, SUITE 340, SANTA CRUZ, CA 95060

(831) 454-2985 FAX: (831) 454-2353

MARK TRACY
SHERIFF - CORONER

RECEIVED

DEC 16 1999

CALIFORNIA
COASTAL COMMISSION

December 9, 1999

Peter Douglas, Executive Director
Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

RE: Proposed High School, Pajaro Valley Unified School District

Dear Mr. Douglas:

I am writing to support the construction of a new high school for the Pajaro Valley Unified School District. The two current high schools are over crowded and the need for a third facility is without question.

I understand one of the key underlying issues of concern is allowing sewer and water hook ups to cross Highway One to Harkins Slough Road, possibly encouraging further development in the coastal zone area. The high school plan calls for utility service to the site that will only manage the capacity of the high school.

In the early 1990's as a Sheriff's Lieutenant, I was assigned as the department's project manager for a new jail, which was cited for Harkins Slough Road, not far from the proposed high school site. I recall working closely with the Coastal Commission staff to overcome the numerous issues that had to be answered prior to a permit being approved and the facility being constructed.

I feel confident that the Coastal Commission and the Pajaro Valley Unified School District will work together to reach an amicable agreement for the construction of the new high school.

Sincerely,

MARK TRACY
SHERIFF-CORONER

RECEIVED

DEC 16 1999

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

MT:lm

Watsonville Wetlands Watch
1243 Diana Drive
Santa Cruz, CA 95062-2913
(408) 464-3237

RECEIVED
MAR 0 1 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

MEMORANDUM

TO: **California Coastal Commission**
FROM: **Jerry Busch, President, Watsonville Wetlands Watch**
DATE: **March 1, 2000**

RE: **Watsonville LCP Amendments/New Millennium High School**

The environmental concerns of the Watsonville Wetlands Watch (WWW) over the proposed amendments to the Watsonville LCP and the construction of New Millennium High School are currently the subject of negotiations between WWW and the City of Watsonville, the County of Santa Cruz, Coastal Commission staff, the Pajaro Valley Unified School District and the Community Alliance of Family Farmers. The negotiations have the potential, if fully realized and implemented, of adequately addressing all of the environmental concerns described below.

Our concerns regarding amending the Watsonville LCP to facilitate construction of the new high school on Area C of the LCP break into two components:

1) Impacts to Area C related to construction
2) Impacts outside Area C related to indirect impacts, including growth-inducement and feral predation

1) Impacts on-site related to construction

The primary impact of concern is replacement of soils on natural hillslope areas with engineered fill. The hillslope areas are populated by brush rabbits and jackrabbits, **rodent species** including Beechy ground squirrel, California vole, pocket gopher, harvest mouse, deer mouse and possibly Hispid cotton rat. Most of these species also utilize adjacent wetland areas during all or part of their life cycles, so the "functional capacity" of the wetland is dependent on the continuance of the these wildlife populations.

The rodent populations provide a prey base to a diverse and productive array of **raptors**, including such Bird Species of Special Concern listed by the California Department of Fish and Game (CDFG) as golden eagle, burrowing owl (a former "candidate" species for federal endangered status, and still under consideration; also a first priority BSSC species that breeds in the vicinity), loggerhead shrike (also first priority) marsh hawk, short-eared owl, merlin, sharp-shinned hawk and Cooper's hawk. Area C may be an important element of the rearing/foraging habitat for Golden eagle juveniles from breeding pair(s) in

the area that are frequently observed hunting in the slough/grassland complex. The endangered Peregrine falcon utilizes the Watsonville Slough complex as wintering habitat, including Area C.

Burrowing owls are barely retaining residency in the slough system, one of their last two locations in Santa Cruz County. Their continued existence probably will require maintenance of ground squirrel colonies such as the important one existing on Area C. An assortment of sites is probably necessary to insure the continued existence of this species, which was relatively common in the vicinity until the 70s and 80s, when the removal of cattle grazing and encroachment of urban uses and row crops began to reduce available habitat.

Short-eared owl and marsh harrier are coursing raptors that have declined significantly in the slough system as former grazing lands are converted to urban uses and row crops. These species are also dual users of marsh and grassland, and frequently found in such ecotone areas. The hillslopes in Area C are contiguous to the marsh and grassland habitats now used by these species in the Watsonville Slough Ecological Reserve next door to Area C, and therefore a significant part of the territories utilized by them. Both species historically breed in the slough system, and cannot afford incremental declines in a foraging habitat that has already fragmented significantly. Filled slopes and impermeable surfaces would substantially decrease or remove the prey base for these species, as well as the future potential to restore these prey populations.

Red-legged frog, a federally threatened species, were observed in 1999 in the state ecological reserve adjacent to Area C. They probably exist *on* Area C. This species uses rodent burrows and cracks in the clay of the terrace slopes for cover during the upland segments of their life histories – cover that would be eliminated by engineered slopes. Red-legged frogs exist tenuously in the slough/grassland complex; elimination of any subpopulation of these amphibians could jeopardize their continued existence in the slough system.

Replacement of natural grassland upland habitat with fill would also remove habitat potentially important to **Western pond turtle**, which has declined in the slough system and throughout Santa Cruz County. Pond turtles utilize upland grassland savannah to bury nests and reproduce, functions that would be impaired if any individuals of this species remain on site or could be reintroduced.

The hillslopes are **geologically unsuitable** for support of building foundations because they are riddled with seeps and springs that can disappear and re-emerge from site-to-site across the hillside. Attempts to establish housing and roads on seep-riddled hillsides along sloughs within other areas of Watsonville have produced disastrous results, including numerous failing home foundations and streets in the Green Valley Road area and failing retaining walls on the Target development on Main Street. Attempts to collect into drainage systems the water emerging from such springs often fail; the proper solution is to avoid such unstable slopes for construction.

Perhaps the single most damaging environmental impact currently plaguing the Watsonville wetlands is **sedimentation** from soils exposed during construction activities. Sediment deposits from the Target and Horizon Hills projects in East Struve Slough (one slough to the east of the West Branch), have converted acres of plant habitats populated by native sedges, buckwheats, rush and bulrush species (including several locally-unique species) to weeds. Weed patches, particularly the pernicious cocklebur (*Xanthium strumarium),* not only eliminate **native plant populations** but also affect all of the other wildlife species dependent on healthy marsh habitat, particularly migratory waterfowl whose pre-breeding nutritive build-up is undermined by lack of forage. Any construction of the high school site should be limited to non-rainy periods and attended by carefully specified state-of-the-art erosion control.

Fertilizers applied to playing fields can adversely affect wetlands by fostering algal blooms, cattail growth, odor problems and oxygen depletion in stillwater areas. Drought tolerant turf should be required, and strict controls on water application, nozzle maintenance and irrigation patterns to prevent entrainment of nutrient-rich runoff to wetlands, particularly in winter. Sediment catch basins can help reduce sediment and nutrient runoff, but other BMPs are also essential.

By altering the plant species composition of West Struve Slough downstream of the high school site, sedimentation and nutrient flows could also extirpate the **purplish copper** butterfly (*Lycaena helloides),* a species associated with fat hen (*Atriplex patula hastata),* a host plant species that appears to be declining in West Struve Slough. The West Struve wetland currently supports the only known population of this marsh-dependent butterfly in Santa Cruz Co.

The removal of agricultural land and its replacement by urban-intensity uses also permanently converts land that could have otherwise been returned to wildlife habitat or agricultural uses, such as grazing, compatible with wildlife habitat. The lands surrounding the high school site are prime candidates for **acquisition** as wildlife areas, is Area C itself. Area C should never have been annexed to Watsonville; its development will create an island of urban use surrounded by a sea of wildlife protection and agricultural activity. Conflicts can be reduced through the planting of buffer areas.

The **visual impact** of the high school on scenic Highway 1 will be profound. Visual impacts also detract from the recreational atmosphere of adjoining open space conserves, where people retreat to enjoy natural environments and students visit to observe and study nature. The current grading plan is architecturally unimaginative, physically intrusive, incompatible with the site and inconsistent with general plan policy 12.C.5., "The city shall require that soil grading blend with natural topography and that final cut slopes shall be no greater than ... 33 percent." The high school buildings must be redesigned to blend with the natural contours of the land and disappear behind landscaping and one another. The LCP amendment should define the building envelope to keep buildings away from the slopes facing West Struve Slough.

Grading within the acceptable envelope delineated above has the potential to divert subterranean water away from seeps on the Rocha property adjacent to the Edwards property. These seeps are probably the geologic originators of Hansen Slough and continue to provide significant upland wetland habitat dominated by spring-fed willows. To mitigate this impact, the High School should perform trace the sources of these springs and avoid them in construction. Failure to do this could not only interrupt the geologic evolution of Hansen Slough, but jeopardize the structures on Area C into which the underground water channels were diverted.

To reduce the likelihood of additional intensive growth on Area C fostered by the high school, the Coastal Commission should require the city to protect an area of grasslands, wetlands and agricultural lands at least equal in area to the area potentially affected by this project. The district should also be required to acquire and protect the **balance of the Edwards property** to compensate for its high intensity use, and to prevent further development of Area C.

Another very damaging potential impact of amending the Watsovnille LCP is the fostering of artificially elevated population levels of small predatory animals, such as feral cats, rats, red foxes, weasels, raccoons, opossums and skunks. These "**mezzo-predators**" proliferate around the urban fringe, exploiting farm residue and household refuse in areas where larger predators, such as coyotes, eagles and great-horned owls, are scarce. Marsh bird populations, which include many ground-nesting birds such as mallard, gadwall, cinnamon teal, short-eared owls, burrowing owls and rails, are severely affected by this predation, as evidenced by destroyed nests in the slough system as well as systematic ecological studies. The new high school has the potential to exacerbate this ecological imbalance by providing new foraging opportunities for these species. The new school should have animal-proof refuse containers and collection areas, daily litter abatement programs and education programs.

The high school would probably reduce access to the sloughs by coyotes, a keystone predator that aids survival of bird life by helping to control the mezzo predators. Coyotes have recently been seen using the **West Struve wildlife corridor** where it crosses Area C, but may not choose to navigate so closely to a human use as intense as a high school. The mitigation set for the high school should also include measures to enhance the value of West Struve Slough as a wildlife corridor, and to enhance the cover available for wildlife using the western edge of Area C.

2) Impacts outside Area C related to indirect impacts.

The same impacts enumerated above for Area C and many more besides would apply to hundreds of acres of wetlands and grasslands in the Watsonville Slough complex if the high school opened the door to **future growth** on neighboring lands west of Highway 1. Although Coastal Act policies would preclude development of the lowland wetlands themselves, development of the upland terraces between the slough branches would

decimate the populations of wetland associated wildlife that depend on upland habitat to survive winter inundation -- or summer dry down.

A person questioning the adverse effects of slough-side development need look no further than the wetlands already engulfed by the city of Watsonville, where a lack of the most rudimentary habitat management, coupled with conversion of most of the uplands to urban uses, has all but eliminated most raptor populations, reduced waterfowl use and left nothing for upland habitat but narrow "buffers" between homes and marshes. Such **narrow strips** rapidly degrade to overgrown extended backyards, full of weedy hemlock and Himalaya berry plants and lacking in any upland habitat worthy of the name.

Development of upland habitat west of Highway 1 would convert to urban uses hundreds of acres of present and former grassland habitat that could otherwise be managed for the recovery of native coastal prairie grassland habitat, raptor habitat and hillsides of which the climax sere may actually be a type of coastal scrub: oak trees, California rose, and poison oak.

The loss of **agricultural lands** and activities in this area would also be significant, both on the existing Area C and in lands adjacent where growth could be induced.

The value of Watsonville Slough and the surrounding upland complex is recognized by a broad spectrum of federal, state, regional and local agencies. There are few freshwater palustrine marshes of this size left in the California Coastal zone, and perhaps none with the unique geologic and ecological attributes of this one. Development of this system would represent a tragic loss to the natural resources of the California Coastal Zone. It could never be replaced, and its loss would be accompanied by the extirpation of numerous plant and wildlife species from Santa Cruz.

To forestall potential growth inducement by amendment of the Watsonville LCP, the Coastal Commission should consider the following options:

1. If the mitigation measures associated with the proposal are inadequate to insure that subsequent development will not be induced by construction of the high school, the Coastal Commission should reject the proposal.
2. The Coastal Commission should carefully evaluate the options presented by the group working with Assemblyman Fred Keeley to establish and enforce a stable urban/rural boundary approximately coterminous with the Coastal Zone boundary on the west side of Watsonville. It these are adequate to relieve the concern over growth inducement, then these should be adopted as conditions of the LCP amendment. To insure the LCP amendment wouldn't induce additional development, the Coastal Commission must condition the LCP Amendment to require the city to establish an urban buffer zone along its entire west side, beyond which water, sewer and other city services could not be extended.

Summary of recommendations

The following mitigation measures should be adopted as permit conditions consistent with the principles of agreement between the parties participating in discussions over the new Watsonville high school facilitated by Assemblyman Fred Keeley.

1. Any construction of the high school site should be limited to non-rainy periods and guarded by carefully specified state-of-the-art erosion control.
2. Drought-tolerant turf should be required, and strict controls on water application, nozzle maintenance and irrigation patterns to prevent entrainment of nutrient-rich runoff to wetlands, particularly in winter. Sediment catch basins must be required to help reduce sediment and nutrient runoff, but other BMPs are also essential.
3. Planting of buffer areas should be required to minimize conflicts between agricultural, wildlife and urban uses.
4. The high school grading plan must be redesigned to blend with the natural contours of the land.
5. The LCP amendment must establish a building envelope with a boundary to keep buildings away from the slopes facing West Struve Slough.
6. The Coastal Commission should require the city to protect an area of grasslands, wetlands and agricultural lands at least equal in area to the area potentially affected by this project.
7. The district should also be required to acquire and protect the **balance of the Edwards property** to compensate for high intensity uses and to prevent additional future development of Area C.
8. Commissioners should require the city to establish an urban buffer zone along its entire west side, beyond which water, sewer and other city services could not be extended.
9. Any development allowed on Area C must have animal-proof refuse containers and collection areas, litter abatement programs and education programs.
10. The mitigation set for the high school must also include measures to enhance the value of West Struve Slough as a wildlife corridor, and to enhance the cover available for wildlife using the western edge of Area C.
11. To mitigate its onsite effects, the city should establish an LCP policy that requires any development allowed on the site to manage the grassland habitats with mowing or grazing to foster recolonization by native perennial grasses and forbs and to maintain the ground squirrel colony on the site. At minimum, require mowing of grassland slopes twice each spring and once each fall.
12. Trace the sources of Hansen Slough springs and, during construction, avoid disturbing the underground channels feeding them.

Juanita H. Wulff
154 Toro Canyon Road
Carpinteria, CA 93013
February 27, 2000

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Ms. Sara Wan, Chair
c/o Mr. Charles Lester, District Manager
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

Re: Proposed Amendments to the Watsonville Local Coastal Program

Dear Chairman Wan and Commissioners:

As a member of "Friends of Toro Canyon", I appreciate this opportunity to comment on the above-referenced proposal. By way of background, "Friends of Toro Canyon" is an unincorporated association, consisting of over 175 individuals who reside in the Toro Canyon area of Santa Barbara County. Toro Canyon is located within the Coastal Zone, is subject to the provisions of the California Coastal Act, and is subject to decisions by the California Coastal Commission.

Since July 1995, "Friends of Toro Canyon" has been engaged in the vigorous opposition to a proposal by the Carpinteria Unified School District to build an elementary school on 9 acres of prime agricultural property on Toro Canyon Road. In spite of an inconsistency ruling by the Santa Barbara County Planning Commission, in June 1996, the school district purchased the Toro Canyon property without even so much as an Environmental Impact Report. Since that date, the school district has focused on the following: 1) Obtaining funding through the State Department of Education; 2) Insisting the district needs 9 acres for a 250-student school when, in fact, Department of Education guidelines indicate only 5.4 acres are required to house 250 elementary students; 3) Dismissing all viable alternative sites and/or programs; 4) Dismissing as irrelevant the fact California Department of Education policies and Code of Regulations §14010(c)(1) prohibit building a school on the Toro Canyon site; 5) Dismissing the fact the project will render adjacent agriculture unfeasible due to conflicts between pesticides and school siting; 6) Dismissing the fact the project will impact the environmentally sensitive habitat along the adjacent Toro Canyon Creek; 7) Dismissing the fact the property is located in a flood zone; 8) Dismissing the fact the project will result in increased impervious surfaces and negatively affect run-off into Toro Canyon Creek and negatively affect groundwater quality; 9) Dismissing the fact Toro Canyon Creek and, ultimately, the Pacific Ocean will be negatively affected by the introduction of contaminants; 10) Dismissing the fact the development will negatively affect a public viewshed; 11) Dismissing the fact required infrastructure improvements are growth-inducing; 12) Dismissing the fact the project in and of itself will result in additional conversions of agricultural property; and, 13) Touting the fact the proposed school will have "the first ever" environmental classes within the Carpinteria Unified School District.

The ecological impacts between the Toro Canyon project and Pajaro Valley Unified School District's proposal are strikingly similar. It is for this reason "Friends of Toro Canyon" takes a very strong interest in the City of Watsonville's proposed Local Coastal Program amendments.

PAJARO VALLEY UNIFIED SCHOOL DISTRICT'S PROJECT

Under the auspices of the City of Watsonville, the Pajaro Valley Unified School District is proposing to build a 2,200 student (plus faculty and staff) high school on 70.78 acres of a 115-acre parcel. The school, as proposed, will consist of ten one-and two-story buildings, covering approximately 213,000 square feet, along with outdoor sports facilities. Although the submittal I reviewed does not indicate the amount of square footage proposed for parking, driveways and sidewalks, such would obviously increase the site's impervious surface ratio.

Under the present certified Local Coastal Plan, the proposed site is **principally** designated as passive recreation, agriculture or aquaculture, with **conditional** uses of 5-acre minimum residential or light non-nuisance industrial. I note, in the submittal documents, the City of Watsonville continually indicates the site is zoned for industrial uses. Inasmuch as "light non-nuisance industrial" is a **conditional** use, it would appear the City of Watsonville is erroneously placing great weight on a **conditional** use when, in fact, the **principal** uses should be given higher priority.

Additionally, under the present certified Local Coastal Plan, impervious coverage is limited to a maximum of 10%, and development is limited to areas of less than 15% slope. The property has historically and is presently in cultivated agriculture. The site is bounded by the following: Highway 1 to the north and east; the West Branch of Struve Slough to the east; Harkins Slough Road, the Watsonville Wildlife Area and existing apple orchards to the south; and, Hanson Slough to the west.

Of interest, the site is less than one mile from the Watsonville Airport. The California Department of Education, by its own standards, requires specific findings for school sites within two miles of an airport runway. It would appear, if for no other reason than student, staff and public safety, the proposed site is questionable.

The submittal package documents the following environmental concerns: Development adjacent to sensitive wetlands habitat; degradation of biological resources through increased light, glare, visual disturbance, human activity, noise and traffic; extension of public services and infrastructure; growth inducement; conversion of agriculture; conflicts with adjacent agriculture; impacts to public viewsheds; impaired water quality; land instability due to settlement, seismic activity, and liquefaction; soil contamination; growth inducement; and, destabilization of the urban-rural boundary.

INCONSISTENCIES WITH THE PUBLIC RESOURCES CODE/CALIFORNIA COASTAL ACT

From my review, it would appear the proposed project is inconsistent with the following sections of the Public Resources Code/California Coastal Act:

Section 30222.5 – "Ocean front land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses."

Section 30231 – In pertinent part: "The biological productivity and quality of coastal waters, streams, wetlands, estuaries...appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through...minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams."

Section 30233 – In pertinent part: "The diking, filling, or dredging of...wetlands...shall be permitted...where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects..."

Section 30240 – "(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. (b) Development in areas adjacent to environmentally sensitive habitat areas...shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas."

Section 30250 – In pertinent part: "(a) New residential, commercial, or industrial development,...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."

Section 30251 – "The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas..."

Section 30252 – In pertinent part: "The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service...(4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses..."

Section 30253 – "New development shall: (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area... (4) Minimize energy consumption and vehicle miles traveled. ..."

Although I was not privy to the agriculture "viability" study prepared by the City of Watsonville, the City indicates its study resulted in a finding the project site is not viable for continued agriculture. I would request the Coastal Commission obtain an impartial "viability" study in order to verify or refute the City of Watsonville's findings. Additionally, even if the proposed site is not considered "prime" agriculture, the provisions of Public Resources Code §§ 30241, 30241.5, and 30242 must be considered in this Commission's deliberations regarding the proposed LCP amendments.

While deliberating the merits of the proposed Local Coastal Plan amendments, I would request Commissioners keep the following in mind:

Public Resources Code §3007.5, which states in pertinent part: "The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources."

Public Resources Code §21080.5(d)(2), which states in pertinent part: "The rules and regulations adopted by the administering agency for the regulatory program do all of the following: (A) Require that an activity will not be approved or adopted as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. ..."

California Code of Regulations, Title 14, §13540, which states in pertinent part: "Certification of the land use plan...by the Commission shall be based on specific written findings adopted by majority vote of members prevailing on the motion that the proposed land use plan...is in conformity with the provisions of the California Coastal Act of 1976, including specific factual findings supporting the following legal conclusions: ...(f) for land use plans, the land use plan meets the requirements of Section 21080.5(d)(2)(I) of the Public Resources Code, which requires that an activity will not be approved or adopted as proposed if there are feasible alternative or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment."

DISCUSSION

Review of the City of Watsonville's submittal documents and local newspaper articles give a rather interesting background to the proposed project. Newspaper articles document a history of dissention within the Pajaro Valley Unified School District, with a strong secession movement to create a second school district within Pajaro Valley. Of interest, the secession appears to be entirely dependent upon building a third high school within the present Pajaro Valley Unified School District. From this standpoint, it would appear project support might be driven by not only an overcrowding issue, but also other social issues.

Of further interest is Pajaro Valley Unified School District being awarded $40 million in hardship funds, through the California Department of Education, in order to build the proposed school. These funds, however, according to a December 1, 1999 article in the "Santa Cruz Sentinel", *are dependent upon the school district purchasing a site of at least 50 acres.* According to the California Department of Education's School Site Analysis and Development guidelines, which were originally published in 1966 and most recently revised in 1987, 44.6 useable acres are required to accommodate a 2200-student high school. The State requirement for purchase of 50+ acres would appear to be the most significant factor in the school district's rejection of the proposed alternative sites.

(I note, on July 20, 1999, Pajaro Valley Unified School District's consultant indicated the School Facilities Planning Division of the State Department of Education had increased required student/acreage ratios, such resulting in the need for 52.7 acres of property for 2400 students. This Commission should be made aware, on January 18, 2000, the California Office of Administrative Law denied the Department of Education's request for increased student/acreage ratios.)

The submittal package contains no documentation Pajaro Valley Unified School District has considered a bond proposal to finance this project. Use of bond funds would most certainly provide greater flexibility in site selection by eliminating the State requirement of purchasing 50+ acres in exchange for hardship funding.

The City of Watsonville's submittal packet documents the existence of viable alternative sites and/or projects. Destruction of protected coastal resources must not be permitted if viable alternative sites or viable alternative projects exist.

An October 31, 1999 article in the "Santa Cruz Sentinel" reveals deterioration of Pajaro Valley Unified School District's facilities occurred "during the district's financial crisis of the early 1990s". If the school district has previously experienced financial difficulties, one cannot help but question whether the school district is, at present, fiscally sound. Does the school district have the financial resources to maintain this school once it is built?

Although Pajaro Valley Unified School District officials maintain schools are a reaction to growth and not growth inducing, siting of a school can, without doubt, result in growth adjacent to the school. Inasmuch as the proposed site allows 5-acre residential housing as a conditional usage, it is only logical adjacent property will be developed into housing. What could be more convenient that a school in close proximity?

Additionally, further conversion of the subject property is evidenced in correspondence dated June 29, 1999 from counsel for the property owners, Mr. and Mrs. Edwards, which includes: "As Ralph and Kathleen presented their position to the Planning Commission, please do not forget their situation *should they come back to the City of Watsonville to change the land use descriptions on land where the beneficial uses may be taken in their entirety by the joint actions of the City and the School District.*"

The mitigations applied to the proposed project by the City of Watsonville are extensive, long-term and costly. Concern regarding the City's "past performance" and "its ability to obtain compliance on this highly sensitive project" is registered in California Department of Fish and Game correspondence dated May 19, 1999.

Additionally, feasibility of the mitigation measures should be addressed. For example, is it feasible that post-development runoff will equal pre-development runoff? I respectfully question whether the school district will comply with the requirement outdoor athletic fields and the stadium not be equipped with night lighting. I find it very difficult to believe a high school will forego night football games.

One of the concerning aspects of the proposed project is the mitigation for development of a natural science study center. As in the Toro Canyon proposal, proponents of the Pajaro Valley Unified School District's project are of the opinion conversion of protected coastal resources is outweighed by classes in environmental studies. From a realistic standpoint, it would appear protection of our coastal resources, rather than destruction of resources under the guise of environmental studies classes, would be a far better service to the public.

Finally, the highly intensive use of the proposed site must be considered. The submittal package that I reviewed does not contain a discussion regarding the environmental effects of 35 residences (1 home/5 acres on 70 acres) in comparison to a 2200-student (plus faculty and staff) high school.

PRECEDENT SETTING NATURE OF PROPOSED AMENDMENT

"Friends of Toro Canyon" is extremely concerned about the precedent setting nature of the City of Watsonville's proposed amendments to its Local Coastal Plan. Conversion of agriculture, destruction of wetlands, and negative impacts upon our coastal resources is not limited to Watsonville. These are issues that affect every Local Coastal Zone in the state of California. School districts purchase agricultural property for development because, for the most part, it is flat and cheap. Submittal documents for Pajaro Valley Unified School District's proposed project reflect economics have played a major role in site selection.

As I have previously indicated, the Carpinteria Unified School District is proposing conversion of agriculture for a school. This Commission previously denied a request by the University of California at Santa Barbara to build student housing in an area of wetlands. In Ventura County, school officials have already converted agricultural property outside the Coastal Zone and most certainly have their eyes on converting additional agriculture within the Coastal Zone. The City of Watsonville's proposal is just the tip of the iceberg on proposed conversions of agriculture. "Friends of Toro Canyon" respectfully requests the Coastal Commission seriously weigh the precedent setting nature of this decision.

On behalf of "Friends of Toro Canyon", I thank you for considering these comments in your deliberations.

Very truly yours,

Juanita H. Wulff

Juanita H. Wulff

California Native Plant Society

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

February 29, 2000

Mr. Charles Lester, District Manager
Central Coast District Office
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

Dear Commissioners and Staff:

On behalf of the 300 member so the Santa Cruz County Chapter of the California Native Plant Society (CNPS), I am writing to express our concerns about the City of Watsonville's proposal to amend their local Coastal Plan (LCP). The proposed amendment would allow for construction of a high school at the Harkins Slough and Lee Road site, known as Area "C".

CNPS is in agreement with the statement made by Department of Fish and Game (DFG) in their memorandum dated February 15, 2000 that "...the LCP, in its current form provides substantial long term protection for wetlands and associated upland areas in Area "C".

The proposed amendment to the current LCP will significantly impact rare upland/wetland habitat. We are particularly concerned about the following:

1. The proposed change in allowable impervious surface from 10% to 50% will result in changes in hydrology and increase polluting runoff that will impact plant and animal communities downslope of the site.
2. The increase in the maximum slope allowable for development from 15% to 25% will cause higher rates of erosion and sedimentation of wetlands.
3. The change to allowing development in Environmentally Sensitive Habitat Areas (ESHA) less than 0.1 acre in size will result in loss of potential habitat for rare California flora.
4. The proposed reduction in the area mapped in the LCP as environmentally sensitive habitat is not supported in the site visits by DFG and others. CNPS concurs with DFG that the upland/wetland habitat comprise a single ecosystem. It is the position of CNPS that this rare habitat be expanded rather than reduced in size as being proposed.

CNPS agrees with DFG that "...in the long term, the proposed amendment will result in net future loss of open space acreage. This loss will contribute significantly to a steady cumulative loss of upland and wetland habitat." From our perspective as an organization dedicated to the preservation of native California flora, to lose such rare habitat and its potential equally rare flora is unacceptable.

CNPS supports DFG's analysis that "The Commission should consider whether that the entire site meets its definition of ESHA (Coastal Act Section 30107.5) based on the rare slough/upland habitat combination existing there. It seems to us that it does".

Based on the information supplied by the regulatory agency (DGF) and local botanists, CNPS recommends that the Coastal Commission not amend the LCP.

Sincerely,

Vince Cheap

Vince Cheap
Vice President/Conservation Committee Member
California Native Plant Society, Santa Cruz County Chapter
1109 N. Branciforte Ave
Santa Cruz, CA 95062

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February 18, 2000

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CALIFORNIA
COASTAL COMMISSION

Dear Coastal Commissioners,

This letter is concerning the proposed amendment to the Coastal Plan that will come before you in March 2000. You are being asked to change the zoning from residential/light industrial to permit a public high school.

The Board of Directors of the Aptos Chamber of Commerce have discussed this issue and unanimously agreed to make this appeal to you for approval of the amendment.

Building this school is important to our community. Building a school that will include program and study of the environment and wetlands is important to preserve the natural habitats found in our county. Our area depends on tourism, which will thrive when people learn to protect the environment. We live on Monterey Bay, a marine sanctuary with prime farmland in the Pajaro Valley. Students attending this school will learn how to balance these issues for the future of society.

We respectfully thank you for your consideration.

Sincerely,

Jeff Eckles
President

cc: Peter Douglas, Executive Director
Coastal Commission
John Casey, PVUSD

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FEB 24 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

RIO DEL MAR IMPROVEMENT ASSOCIATION

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FEB 17 2000
CALIFORNIA COASTAL COMMISSION

RECEIVED
FEB 18 2000
CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

15 February 2000

Subject: Amendment to allow site for new high school.

Dear Commissioner:

We first wish to introduce you to the Rio Del Mar Improvement Association. We are an organization of 377 members of Rio Del Mar. Our purpose is to maintain and improve the quality of life in the Rio Del Mar community and Santa Cruz County -- especially the public school system.

The students of our community attend the public schools in the Pajaro Valley Unified School District, along with half the children in the Santa Cruz County. Currently, there is severe overcrowding in the two existing high schools. The district plans to build a new high school as soon as the site is resolved.

We urge your approval of the Proposed Amendment to the Local Coastal Plan and Implementation Plan for the property west of Highway 1, near Lee and Harkins Slough Roads. Your approval of this property, for use for the new high school, would allow construction to proceed.

A careful study has been made of all possible sites. This property was identified as the best situation and location for the new high school considering all factors, including travel of the students.

Our Association recognizes the Coastal Commission's responsibility to protect the environment. To aid in environmental protection of this area, the school district will designate a 9-acre site for wetland restoration, and will also agree to a list of extensive mitigations. By comparison, a developer building a light industrial building, in compliance with current zoning for this site, probably would not make provisions for the protection of the environment to the extent proposed by the school district.

Hence, we ask for your approval of this amendment, which will provide both a way to protect the environment, and a better school system for our high school students.

Thank you for your kind consideration.

Very truly yours,

James Burnett

Dr. James Burnett
President

Copy:
Peter Douglas, Executive Director, Coastal Commission
John Casey, Pajaro Valley Unified School District

Rio Del Mar Improvement Association
P.O. Box 274, Aptos, California, 95001-0274
Tel: 831-684-2924, Fax: 831-684-2925

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FEB 15 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Latino Strategic Planning Collaborative
PO Box 1458 Phone: (831) 479-5466
Capitola, CA 95010 Fax: (831) 479-5477

February 4, 2000

RECEIVED

FEB 14 2000

CALIFORNIA
COASTAL COMMISSION

Peter Douglas, Executive Director
Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Dear Mr. Douglas:

The Latino Strategic Planning Collaborative is a county wide organization in Santa Cruz County. Our primary goal is to improve the quality of life for Latinos in the areas of education, public safety, health and social environment. On December 4, 1999 we voted to support the Harkins Slough/Lee Road site for a third high school for the Pajaro Valley Unified School District. We are requesting that the Coastal Commission approve the City of Watsonville's application for an amendment to the City's Local Coastal Program and Implementation Plan so this high school can be constructed at this particular site.

Approximately 72%, or 14,400 of the District's students are Latinos. More than 48% of these students are limited English proficient and nearly 6,000 qualify for Federal Migrant Education services. Many of our students have failed in our school system in part because of the extreme overcrowded conditions in the PVUSD schools, particularly in its high schools. This has contributed to a higher drop out rate in PVUSD as compared to other districts in the county. We are in desperate need of a third high school.

LSPC has studied the Environmental Impact Report and believe that PVUSD and the City of Watsonville have satisfactorily mitigated the potential environmental impacts in the areas of agriculture, growth inducement, view/shed aesthetics, and biological resources. PVUSD and the City of Watsonville have shown a willingness to work with the Coastal Commission to further mitigate these areas to the satisfaction of the Commission. We are excited about the possibility of our students participating in environmental studies at the new high school which will stress responsible environmental sustainability of our wetlands. The relief from severe overcrowding by building this high school will positively contribute to better quality teaching and learning.

We urge you to approve the City of Watsonville's application for an amendment which will allow us to utilize the state funding to build this new high school and find greater success for our students.

Respectfully,

Yolanda Henry Goda

Yolanda Goda
Co-chair, LSPC

Chris Ballin

Chris Ballin
Co-chair, LSPC

Cc: Carlos Palacios, City Manager, Watsonville
Dr. John Casey, Superintendent, PVUSD

The Environmental Council of Santa Cruz County

P.O. Box 768 • Santa Cruz, California 95061 • (408) 426-2286

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FEB 0 4 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Peter Douglas
Executive Director
Coastal Commission
45 Fremont Street Suite 2000
San Francisco, CA 94105-2219

February 3, 2000

Dear Mr. Douglas and Commissioners:

The Environmental Council has scrutinized the adoption of the new site for the Millennium High School in the Watsonville sloughs. We oppose it for financial, environmental, and educational reasons.

The school is right but not the site.

The Pajaro Valley Unified School District (PVUSD) does not own the site although it contends it is in escrow. The PVUSD budgets $1.6 million for its purchase but confronts an unwilling seller. A taking by eminent domain requires an appraisal, and it may cost five times that much. Since the (PVUSD) will use only the central 60 acres containing the only well on the property, the other 100 acres are rendered essentially worthless for agricultural purposes.

PVUSD's fiscal irresponsibility diminishes our confidence. The California State Office of Public School Construction (OPSC) revoked the district's application because the district failed its entrance exam. Complexities of the project's off-site costs worry the OPSC. On 10/12/99 it asked the PVUSD to justify costs for certain items:

- The Division of State Architect was not given all components of the project, as required by regulations. Required validation was missing for a $2.5 million estimation for off-site work.
- Provide validation of the $2.5 million estimated for off-site work.
- Provide justification for the capital facilities development (CFD) fees.
- Disclose how the CFD fees were determined.
- Provide a line item breakdown of these fees.
- Provide a negotiated agreement for each agency (off-site utility connection should be shown as a reduction to assessment fees).
- Provide a published fee schedule for each serving agency requesting fees.
- Provide requirement letters from regulating agencies to justify the scope of the work.
- Considering this is a Financial Hardship project, provide justification to address how the District is going to fund the ineligible costs.

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- Provide a written agreement that the city or county will fund the ineligible work in the event the District has insufficient funds to complete the project.
- Provide documentation of a traffic safety study to justify traffic signals, and road width requirements.
- Provide a letter of intent to cede street property to regulating agency (city or county).

The PVUSD could, provide neither answers nor justification, so the application was revoked.

Environmental issues are aplenty.

The Watsonville sloughs are the only fresh water sloughs in the Central Coast. We emphasize that the nearest fresh water sloughs are in Humboldt and San Diego Counties, respectively. The Central Coast is a modest definition for such a treasure, the remaining 1-% of what California once had. They serve as a unique flyway for migrant birds. They are home to a number of endangered species.

SCIENCE, 75:550,'97noted that endangered species are clustered in areas no larger than a county. Santa Cruz is the only county in the country with four different endangered groups - plants, insects, reptiles, and amphibians. We must be good shepherds, and schoolyards with athletic fields are not designed to protect such species. Extinctions occur more often by loss of habitat than by toxics.

The land is prime agricultural land, which is not to be wasted. This is where Monterey Jack Cheese was invented and deserves a bronze plaque rather than asphalt. Strawberries, lettuce, and other row crops have been grown there recently. We believe this land to be protected by the Coastal Act.

Finally it is on the wrong side of the tracks and Highway 1 to boot. Roads adjacent to the site are under water half of the year. Finally, it is the farthest from the students' homes of any of all possible sites.

The land is wet and not compacted. In case of an earthquake, no worse place could be envisioned for an orderly, safe exit.

The school will be located in the flight pattern of the Watsonville airport where planes are just taking off and turning left. This is the noisiest and most dangerous part of any flight. 75 flights per school day have been counted.

It is within the flight patterns of the gulls swarming and swooping from the County Dump with who knows how much awful offal in their beaks. The land has been farmed for decades and long-lived pesticides may threaten underfoot. It gives new meaning to a site for sore eyes, nose, and throat.

The adjacent "Gilbertson Property" was an illegal dump receiving refuse and other material from the Navy. It was bought by the Airport District as a buffer at the end of the runway and is within one-quarter mile of the proposed school site. What lies underneath the covering fill is unknown. The PVUSD was ignorant of this dump; its significance remains an unknown.

In 1995 Fed Keeley wrote about old wolves in new sheep's clothing. He wrote about changes in laws that made it more difficult to correct wrongs; good for him. How will we right this wrong once it is built?

Other sites are available at the Alianza School, Calabasas, Buena Vista east of Highway 1, and the Landmark property. Indeed, two smaller schools may be preferable to one large school.
For these many reasons, we ask that the Commission observe the established rules for coastal property and not grant an exception to this questionable site.

Sincerely yours,

Cyndi Van Tassel
Board Chairperson

David H. Walworth, MD
Representative to Campaign to Save
Pajaro Valley Farmlands and Wetlands

cc - Assemblyman Fred Keeley
Congressman Sam Farr
Santa Cruz Office of the Coastal Commission
Supervisors & candidates

RECEIVED
JAN 31 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

COASTAL AGRICULTURAL ASSOCIATION

801-B EAST LAKE AVENUE, WATSONVILLE, CA 95076 (831) 728-5905

January 27, 2000

RECEIVED
JAN 28 2000
CALIFORNIA
COASTAL COMMISSION

California Coastal Commission
45 Fremont Street
Suite 2000
San Francisco CA 94105-2219

Dear Commissioners,

The Coastal Agricultural Association is a non-profit organization that promotes the interests of agricultural and agricultural-related businesses. Our membership includes 67 companies located within the Pajaro Valley Unified School District. The Board of Directors of the C.A.A. supported both bond measures that would have provided for the construction of a third high school in the district. Their support was based on the need to continue to provide a quality education for future employees in a community grounded in agriculture.

Now the Association is calling for the California Coastal Commission to change the existing zoning of the site selected by the School District to allow for a new high school.

It is our belief that:

- The Harkins Slough/Lee Road site is not prime agricultural land.
- The property is currently zoned for residential and light industry.
- A high school is a much better use for this property, giving its 2,000 students an opportunity to learn about our wetlands.
- The chosen site is the result of a decade-long search by the District.
- The site is three miles from the coast of Monterey Bay; it will not obstruct a view of the ocean and it will not have a negative effect on access to the beach.
- Other recently approved projects, west of the freeway, are potentially far more damaging to the beauty and protection of the coastline.
- The window of opportunity to obtain over $40,000,000.00 from the State is now open.
- Over 60% of those voting in the local bond elections were in favor of obligating themselves to improving existing schools and building new ones.
- Watsonville and Aptos High Schools combined are at 162% of student capacity ...and growing!

The Coastal Agricultural Association feels that the site chosen for the new high school is the right one. Now is the time to start building the future. Please cast a favorable vote to allow positive changes to happen. Thank you.

Sincerely,

Craig George

Craig George,
Executive Director

cc: Coastal Commission Staff

LIF LATINO ISSUES FORUM

A Public Policy and Advocacy Institute

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December 23, 1999 JAN 0 5 2000

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JAN - 4 2000
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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Peter Douglas
Executive Director
Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Dear Mr. Douglas,

Latino Issues Forum strongly encourages the Coastal Commission to pass an amendment allowing for the City of Watsonville and the Pajaro Valley Unified School District to develop the New Millennium High School in the California Coastal Zone. Latino Issues Forum is extending its support for an amendment requesting a new Coastal Zone Area of approximately 71 acres for the development of the New Millennium High School.

The project which will provide great opportunities for Watsonville, will not obstruct or destabilize the urban/rural boundary. The proposed amendment is necessary because it would permit the development of an additional high school, and allow for the students of PVUSD to thrive in an environment conducive to learning. With a capacity of only 3,200 students, the district currently houses 5,190 students in two high schools. The addition of a new high school would allow for an educational environment that is less crowded, more individualized, and one that would better support the educational needs of its students.

The education of Latinos is greatly affected by this overcrowding, as it limits their ability to attain a fair and equal education. Approximately 72% of the District's students are Latinos, and more than 48% of these are limited English proficient, highlighting the need for additional educational resources to aid in their education. Compounding this, is the fact that 71% of Latinos in Watsonville don't have a high school education, therefore these parents lack the educational and income opportunities to enroll their children into private schools, thus demonstrating the dependency upon the public schools for their child's education.

785 Market Street, Third Floor • San Francisco • California • 94103-2003
Phone (415) 284-7220 • Facsimile (415) 284-7210
[email] lifcentral@lif.org • http://www.lif.org

There exists a great need for a new public high school in the City of Watsonville. By passing this amendment you will be affirming the right for a fair and solid education. It would be an immense benefit to both the students and to the community to invest in the future of Watsonville, as it prepares to compete in the new millennium.

Sincerely,

Ana Montes
Telecommunications Director
Latino Issues Forum

Jonathan Wittwer
William P. Parkin
Tina Wallis
Christiane Sinclair

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

RECEIVED
JAN 27 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

January 27, 2000

Dr. Charles Lester
California Coastal Commission
Central Coast District
725 Front Street, Suite 300
Santa Cruz, CA 95060

Re: Local Coastal Program Amendments for New Millennium High School Site

Dear Dr. Lester:

This office represents the Watsonville Wetlands Watch, and the Sierra Club concerning the above referenced LCP Amendments. These organizations are unalterably opposed to the LCP Amendments requested by the City of Watsonville and the Pajaro Valley Unified School District ("PVUSD") to allow construction of the New Millennium High School at the Edwards property. My clients do not dispute that a new high school is needed, and indeed support the construction of a new high school at a site with less environmental consequences. More specific objections as to the propriety of a high school on the Edwards property, will be forwarded to the Commission within the next week. However, I wanted to submit this letter to clarify what I believe have been misconceptions concerning the environmental community's position regarding the LCP Amendments, specifically the position of the Watsonville Wetlands Watch.

The Watsonville Wetlands Watch has consistently opposed development in the Coastal Zone and west of Highway One. This opposition has long included the development of the high school at the Edwards property. It has come to my attention through ongoing litigation with the District, discussions in the community at large, and in my review of minutes of a June 21, 1999 PVUSD/Local Coastal Commission Staff Meeting, that the PVUSD has represented that the Watsonville Wetlands Watch has ranked the Edwards site among the top two sites for a high school in the Pajaro Valley. Implied in many of the discussions I have had within the community, many appear to be under the impression that there is either a schism within Wetlands Watch, or that the Wetlands Watch changed its mind concerning the propriety of building a high school on the Edwards property. However, nothing could be further from the truth.

It is true that the Wetlands Watch did participate in a site selection committee. This committee was set up by the PVUSD. Knowing now that its position could be misrepresented, the Wetlands Watch regrets such participation. However, if it did not participate, I am sure the PVUSD would assert that it invited Wetlands Watch, but it failed to participate. It is a no-win

situation for the organization. More to the point, however, is that the preferred site of the Watsonville Wetlands Watch was the Console site, which later became the Overlook Shopping Center. The City objected to the selection of this site because it stated at the time that the site was designated for much needed housing. Interestingly, when the DBO Development Company proposed the shopping center, the need for housing somehow no longer became a priority for the City. In point of fact, the Watsonville Wetlands Watch sued the City over the Overlook Shopping Center because of the organization believed that a "box store" retail center was the wrong use of the site, and because the City failed to require development consistent with the land use designation in the General Plan, which is medium and high-density housing. (Indeed, if you were to look at the land use map for the City, that site is still designated for housing.) The Wetlands Watch still believes that a high school or housing would have been a better use of the land on which the Overlook Shopping Center now resides.

To further illustrate the correct history of the position of the Wetlands Watch vis–a-vis the Edwards property, I have included herewith a letter to the PVUSD, from Wetlands Watch, dated July 5, 1993, in which the organization states clearly that it is opposed to the selection of the Edwards property for the new high school. The letter was submitted to correct a misrepresentation of the PVUSD staff that indicated there was "unanimous" support on the Site Selection Committee for building a high school at the Edwards site. The Wetlands Watch then recommends that the District rank, behind the Console site, two sites on Calabasas Road as superior alternatives to the Edwards property. Clearly, the Wetlands Watch has never lent its support to the Edwards property for the third high school, and remains adamantly opposed to the proposed LCP Amendments based on impacts to sensitive species and habitat, growth inducing impacts, and loss of agricultural lands.

If you have any questions concerning this letter, please feel free to call me.

Very truly yours,

William Parkin

WPP/ds
enclosure

cc: Watsonville Wetlands Watch
Sierra Club

Watsonville Wetlands Watch
54 Hawthorne Avenue
Watsonville, CA 95076
(408) 728-3964

July 5, 1993

Board of Trustees
Pajaro Valley Unified School District
165 Blackburn Avenue
Watsonville, Ca 95076

re: High School Site Selection

Ladies and Gentlemen,

The purpose of this letter is to ask you, in all sincerity, to take another look at the materials presented to you on June 16, 1993 and the way they were presented. We think you were misled.

Your staff report indicated that there was unanimous support from the Site Selection Committee for the Lee-Harkins site. In fact three of the eight members of the committee favored the Console site. (See page 4 of the staff report.) Please note also that the three favoring the Console site included the LAFCO representative, the Santa Cruz County representative, and the Watsonville Wetlands Watch representative. The regional planning and environmental backgrounds of these three are grounds for much more consideration than was given to their recommendation.

Consider too, the bias of the staff report that listed PROS and CONS of the various sites:

Lee-Harkins: (At least half of the PROS are either arguable or dead wrong.)

Good fire and police protection. Certainly not as good as other sites. Further away; across freeway.

Hospital would share development costs (water, sewer, roads). Wrong! This is, in fact, a major problem with this site. The School District will have to pay all or the infrastructure costs at this site and they will be very expensive.

Near commercial services. Wrong! Obviously the site is across the freeway and some distance from commercial services.

Stable site. Wrong! The property is crossed by a major drainage swale. The ground slopes steeply into the swale and the major grading that will be required to develop the site will have serious impacts on the Watsonville Wildlife Area immediately across Harkins Slough Road. (Have you received comments from State Fish and Game?)

Close to service. I'm not sure what this means but this site is not close to anything - except environmentally sensitive lands.

Good positioning for attendance. Please focus on this item particularly. Who are they kidding!

In direction of future growth. Wrong! This is not the direction the city is going to grow. Growth should not cross the freeway. It should be directed north into the Buena Vista-Calabasas area.

Hospital limits growth inducement. This is a major misstatement! Location of the High School site on the Lee-Harkins site is the most significant growth inducing factor imaginable and may be the factor that will ultimately defeat the selection of this site for a school.

Does not make significant impact on ag land. The land is presently used for ag purposes and should continue to remain as ag land.

Now, please look, in the staff report, at the following CONS regarding the Console property. Again they are biased to favor the Lee-Harkins property:

Obvious high cost. The land cost may be more than some sites since the City has approved a development proposal on the land. However, this may not be significant when you consider the overall cost, including infrastructure costs.

Might require the relocation of Harkins Slough Road or joint agreement with Ramsay Park. Not clear. Harkins Sough Road is not a major consideration. Ramsay Park is a major opportunity to combine school and park facilities for increased efficiency.

Heavy traffic. The location of this site on a major thoroughfare is an advantage rather than a disadvantage. This location has excellent traffic service via existing city streets.

Competition with planned urban development. This is a major reason to locate a school here. It is in the middle of a development area. It is much better to add more schools than more people.

High wind area. Be serious. (This shows bias of report.)

High crime. This is an opportunity to do something about crime problems.

We realize that you and your staff have been heavily lobbied by the City and development interests to select the Lee-Harkins site. Please recognize that the City's goals and yours need not be the same in this instance. The City wants to see development at almost any cost. You want to provide the best educational facilities that you can. Should you be building schools or encouraging development and population growth. We think the former.

We urge you to select the Console property as your first choice and reject the Lee-Harkins site as growth inducing and environmentally inappropriate. We recommend the Calabasas Road sites as your second and third choices. They are truly in the direction of growth of the City.

Please be advised that we intend to follow this matter to Sacramento, and through all environmental, legal and political processes to ensure that a major high school is not built west of Highway 1.

Yours truly,

J. F. Van Houten
for Watsonville Wetlands Watch

Karen Mora

213wsch1

LATINO STRATEGIC PLANNING COLLABORATIVE
C/O UNITED WAY OF SANTA CRUZ COUNTY
1220 41ST STREET
CAPITOLA, CA 95010
TELEPHONE: (831) 479-5466

RECEIVED
AUG 0 2 1999
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

July 26, 1999

Watsonville City Council Members
250 Main Street
Watsonville, CA 95076

Dear City Council Members:

On behalf of the Latino Strategic Planning Collaborative (LSPC), we are submitting a statement of support *in favor of the construction of the proposed new High School* in the Pajaro Valley Unified School District (PVUSD).

The LSPC, composed of community members and leaders, was formed in June of 1996 to work towards improving the quality of life of Latinos in Santa Cruz County. The Latino Strategic Plan (LSP), developed by the collaborative from ongoing discussions and county wide focus groups over the past several years, includes education as one of five main areas for improvement.

The current overcrowding of the schools in the district will only continue to grow and the educational system must respond to this tremendous need for more classrooms and high quality education.

It is our understanding that the decision to select this particular site was a long process that included the Department of Fish and Game and the Coastal Commission. While we respect the special nature of these wetlands, we remind you that this land is already zoned for light industrial development--the effects industry and agricultural practices, such as pesticide use, may be more harmful than the activities of a school. In addition, despite the fact that Measure E did not succeed, the vote demonstrated a clear majority in favor of the new High School.

In our pursuit of improving the educational opportunities for Latinos in this county, the LSPC believes that the new High School presents a critical and important opportunity for our community--especially for the future of our children.

Sincerely,

Manuel Perez
Co-Chair LSPC

Coastal Commission

2-27-00

Comment: City of Watsonvillle LCP Amendment No. 1-99 (PVUSD High School)

RECEIVED

MAR 01 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Public Resources Code
30001. The Legislature hereby finds and declares:
(a) That the California coastal zone is a distinct and valuable natural resource of vital and enduring interest to all the people and exists as a delicately balanced ecosystem.
(b) That the **permanent** protection of the state's natural and scenic resources is a paramount concern to present and future residents of the state and nation. (emphasis added)

This application tests if the permanent protection demanded by the coastal act will in fact prevail. This application tests whether a vigorous proponent, with a cause which generally invites sympathy, can ignore the Coastal Act. The proponents repeatedly proclaim that the property is industrially zoned, but actually the principle uses are designated as passive recreation, agriculture, and aquaculture. The industrial use under a CUP is so restricted (10% impervious surfaces, etc.) that appreciable development is unlikely.

The Coastal Commission actions from November 1995 to date are available on line. During this time there has been no conversion of farm land of any quality for any purpose. Approving this project will set a precedent for the whole state, an action whose importance transcends any local event in Watsonville.

I am from Carpinteria California and will mention three local projects that will be affected by the precedent that you set in Watsonville.

1. Toro Canyon Elementary School and Summerland School Closing
Proposal by the Carpinteria Unified School District to build a school on 9 acres of prime agricultural land in a rural area, zoned agriculture. EIR certified, but under legal challenge by the Friends of Toro Canyon. This project may be turned down by local government.

2. East Valley Elementary School
Proposal by the Carpinteria Unified School District to build a school on 7 acres of rural land historically and currently in agriculture. The soil is not prime and the zoning is 3 acre residential. This land is designated as a buffer between residential and agricultural zoning. This project will probably be accepted by local government and then come before you.

3. Lagunitas Office Park
Proposal to develop an office and research park on 25.38 acres of land in the City of Carpinteria. This land is zoned research-industrial park but is currently in agriculture. It contains wetlands (Lagunitas Creek). The draft EIR is before the city planning commission.. There is major public opposition and the action of local government is not predictable.

If there are three projects that test the Coastal Act, just in Carpinteria, there must be a great many more in the state as a whole that will be affected by this precedent. It is difficult to play the villain and turn down a popular project, but where local government does not act responsibly in protecting the coastal zone there should be no choice.

I hope you see it as your duty to turn down the Watsonville project for the benefit of "present and future residents of the state and nation."

sincerely,

Royce D. Stauffer

Royce D. Stauffer
234 Toro Canyon Road
Carpinteria, CA 93013

McLenithan
335 Toro cyn Rd.
Carpinteria, Ca. 93013
February 29, 2000

RECEIVED

MAR 01 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Ms. Sara Wan , Chair
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, Ca. 95060

Re: Proposed location of Watsonville High School

Dear Chairman Wan and Commissioners:

My family has lived on Toro Canyon road in the Carpinteria valley for over 35 years. We are also members of a 100+ family neighborhood organization known as "The Friends of Toro Canyon". We have recently become aware of your upcoming decision on the Pajaro Valley School District's proposal to build a high school on Agricultural and environmentally sensitive land.

It is important for you to know that the Carpinteria School District will also be bringing you 2 more projects with impacts to Agriculture.

Project 1: Proposal to build an elementary school on Agricultural/Prime soils zoned 10 acre parcel on Toro Canyon road. This proposed project would eliminate 10 acres of prime Agriculture as well as severely impact a 10-acre lemon orchard adjacent to the south and 52 acre prime Agriculture land adjacent to the west.

Project 2: Proposal to build an Elementary school in the urban boundary buffer zone on the east side of Capinteria which this parcel is 75% surrounded by Agriculture lands.

These 2 projects will be coming before in the near future as well as the Creekwood housing development proposal on agricultural land will be revisited.

If the Watsonville Project is approved, It will clearly set a precedent for developing Agricultural lands in the coastal zone.

Alternatives do exist, including redesigning and rebuilding on original school sites. Alternative sites should be pursued and a serious consideration for incorporating a Year-around school system for more efficient use of our public school properties.

We strongly urge you to deny the Watsonville proposal and protect the Coastal Act. If Agriculture Land conversion begins, all Coastal Communities will be negatively impacted. Thank You for your time and Thank You for serving our coastal communities.

Sincerely,

Lloyd M McLenithan
Irene McLenithan
Brad + Esther McNally

RECEIVED

FEB 29 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

P.O. Box 252
Davenport, CA 95017
February 26, 2000

California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

Re: Amendment to the Watsonville LCP

Dear Coastal Commission members and staff:

I find the city of Watsonville's request to extensively modify its LCP troubling.

I agree with Fish & Game, which states that the current LCP provides substantial long-term protection for wetlands and associated upland areas, but that the proposed amendment will result in net future loss of open space acreage used by wildlife.

I agree with Fish & Game's assessment that the project parcel (for which the LCP amendment is being sought) is ESHA, and thus should be protected.

I am concerned that a high school, while a laudable project in and of itself, is not appropriate for this site. I am worried about the attendant public activity that naturally accompanies a high school -- pep rallies, stadium noise, P.E. classes, and so forth -- and how it will affect the wildlife in the area.

I wish that the Commissioners could see the raptors wafting and then darting and diving about the slough -- it is truly amazing to see.

This school site is not appropriate. The site is isolated and outside of the urban boundary line; it is much too far away for nearly all of the target students to walk to school. All roads leading to the school flood. Portions of Lee Road and Harkins Slough Road have been reclaimed by the slough and are flooded long-term. To provide access to the school, new roads are slated to be built behind the school through ag land, thus creating even more growth-inducing impact. In front of the proposed school site is the slough; behind the proposed site is a feed lot. The Watsonville Airport is nearby and the proposed site is under a flight path. Since the last Caltrans evaluation in the early '90s, during which the site was approved only narrowly, sales of jet fuel have risen 100% and the number of jet aircraft has increased from three to nine. The number of hangers has doubled. If another Caltrans study were requested, this site would be deemed inappropriate.

There are other feasible high school sites available. One available site that comes to mind is the Alianza Elementary School site, which was originally built as a high school. While a mega-school may be a showcase for the city of Watsonville, one might question whether pedagogically it would be better to have two smaller high schools that could cater better to the individual needs of the students.

Sincerely yours,

Susan Young

Susan Young

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CALIFORNIA
COASTAL COMMISSION

February 26, 2000

Peter Douglas, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Dear Mr. Douglas;

Please add my name to the growing body of Watsonville citizens opposed to the amendment to the Local Coastal Plan for a new high school on Harkins Slough Road west of Highway 1. I oppose this action for several reasons.

A campus of this size to serve 2200 students plus the attendant staff will greatly impact the surrounding environment. This location, away from the city, on the far side of the highway requires that everyone using the campus must be transported by automobile or bus. Oil and exhaust pollution will extensively impact the area daily. Run-off from necessarily huge parking lots will flow into the surrounding wetlands and farmlands in spite of the mitigation measures proposed by the project planners. Litter from daily use by this many people will be generated even under the best of circumstances of responsible refuse control. There will be water and soil pollution from pesticides and herbicides used on the greens and gardens. Lights necessary for night games and evening gatherings at the performing arts theater will upset the normal movement of nocturnal animals such as owls, hawks, foxes. Their habitat will be destroyed, thus the value of the open space we are being offered in exchange for this land will be greatly diminished.

The infrastructure required for a campus of this size will be enormously expensive and will further degrade the surrounding area far beyond the area proposed for the high school . Roads must be widened, bridges must be constructed, sewer lines must be connected to the city on the far side of the highway. Collection basins and retaining walls, all will add to the expense and impact on this piece of land. Soft loamy soil is good for farming, but not good foundation for large public buildings in earthquake country. Heavy duty compacting will be required.

This site is an unhealthy place for students. Housing and commerce still remain on the north-east side of the highway. The students and staff will be isolated, totally dependent on automobile and bus for access to and from the rest of the city. The location, under the flight patterns of the airport creates an ever present danger of accidents and constant noise pollution. (This airport is a training site

for amateur pilots, requiring frequent take-offs and landings.) There are two nearby land fills, the Buena Vista site and the old Gilbertson site. These sites create perpetual danger from seepage and release of toxic chemicals.

The size and scope of this mega-high school is inappropriate for the learning needs of our youth. Large high schools are impersonal places that have been proven to ignore the students who have language learning challenges and are at risk of failure and dropping out. Problems of violence due to lack of adequate guidance and supervision can become serious in schools of large numbers of students. The Columbine High school tragedies are cases in point.

Our youth of Watsonville need a healthful place to learn, one that is as safe as we can make it, in the center of our city, where we can focus our many resources on their learning needs. There is such a place, a bit smaller than the site out on Harkins Slough Road, but it will fit our students' needs far better than a tract of land out on the edges of the city next to the county dump and under the flyway of amateur pilots. That property should be left to open space and farm land so that natural forces will eventually restore the fragile balance of nature. A giant high school will not make that happen. A high school of reasonable proportions could be constructed on the Landmark Property next to a new housing development on a road already in the process of being built. Infrastructure such as sewer lines, water and other utilities are already accessible. It would be situated in the center of the community.

The Landmark Property and other alternatives should be carefully considered before the proposed elaborate compromise (involving city and school district officials, some environmentalists and some farmers) destroys this open space, endangers our youth and further divides our community. The proposed high school site at Harkins Slough Road is wrong for the environment, wrong for our youth, and wrong for the community. I urge the commission to follow the mandates of the California Coastal Act and deny this application to amend the rules set down for the protection of our coast and our community.

Sincerely,

Marian T. Martinez

Marian T. Martinez
704 Bronte Avenue
Watsonville, CA 95076
(831) 722-0441

Francis de Winter
1401 Laurent Street
Santa Cruz, California 95060
Phone: (831) 425-1211 (off.) & (831) 462-6246 (shop)
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COASTAL COMMISSION
CENTRAL COAST AREA

February 29, 2000
Ref. FdW-6364-00

Members of the Coastal Commission
Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, California 94105-2219; With Copy to Local Office:
725 Front Street, Third Floor; Santa Cruz, California 95060

Subject: Site Proposed for the New Watsonville High School.

Dear Commissioners:

I am a Board Member, and Past Chairman and Treasurer of the Environmental Council of Santa Cruz County. I am an activist so as to help preserve what is still "unspoiled" in the beautiful environment of Santa Cruz County, and it is clear the new high school would be very destructive as well as illegal at the site now proposed.

I know the value of education. I have written this letter in both English and Spanish for distribution at the Carmel hearing, since I went to high school in Latin America. I later went to MIT (the Mass. Inst. of Techn.), and earned a B.S. and two graduate degrees in mechanical engineering at MIT. I continue studying as well as teaching. I am taking a course in accounting at Cabrillo, and have taken many courses at Cabrillo and Hartnell in recent years. I have taught at Cabrillo, at San Jose State University, at MIT, and elsewhere.

There are many college graduates in my family. One grandfather, my father, and one brother also got mechanical engineering degrees, and my other brother is a chemical engineer. One great grandfather was a chemist, and a great uncle had a doctorate in chemistry. One uncle had a doctorate in civil engineering, another was a physician, and several were commissioned officers in the armed forces. My youngest son is finishing his doctorate in chemistry at Stanford, and my oldest son graduated from San Diego State University in accounting and management.

With few exceptions (like athletes), from the neck down one is worth the minimum wage. The educational content of one's brain is what really counts. Silicon Valley illustrates this almost weekly with still another batch of new multi-millionaires - their wealth made possible only by their education.

It is obvious that this high school is essential to Watsonville. It is only the location that is in question: the location is based on intentionally bad planning, it is based on false and comically false claims, it would be a poorly accessible school for students in a place where the school would do great harm, the site has only been chosen to serve as a prelude for further cancerous growth of the city, and approval of this choice of site would be illegal.

Unfortunately, the history of the USA is to a very large extent the history of the illegal taking and use of land. Virtually all of the land in the USA was stolen from the Native Americans, most of it in blatant violation of solemn international treaties the USA had signed with the Native Tribal Nations. Staggering numbers of Native Americans were murdered, many even by being given smallpox-infected blankets or by being shot at meetings which were supposed to be peaceful. Most of the survivors were brutally herded into "reservations" of useless and unwanted land: the first "concentration camps" in the world. This part of US history is as bad as the "Ethnic Cleansing" of the Serbs and the "Holocaust" of the Nazis: a total national disgrace.

History in California is similar. Thousands of square miles were obtained for logging through fraudulent homestead applications, and then abandoned with only the stumps. Large parts of the West (including New Mexico and California) had been taken from Mexico in war. In the Peace Treaty of Guadalupe Hidalgo of 1848 the USA promised Mexico that all of the Mexicans and Native Americans would become US citizens, and that their land holdings would be respected. Afterwards nearly all the lands were stolen from nearly all the Mexicans and Native Americans, nearly all the Native Americans were murdered, and the Courts did nothing to protect the victims or enforce the Treaty. In San Luis Obispo Indians were hunted for fun on weekends, and these hunts were advertised on public posters. Some shot Indian children with small caliber rifles because they felt it was more sporting. Many Indian tribes were fully exterminated. In one Indian tribe a man named "Ishi" was the only survivor. I will come back to Ishi.

It is clearly because of our past disasters that the Coastal Act was passed, to avoid more disasters in the future. We will now be able to see whether the Coastal Act really works.

I mentioned this would be an illegal site for the high school, based on false claims. For nearly ten years the Watsonville City Council has claimed this is the only possible site. That is not only false but comical. In the last ten years we have seen many large developments in Watsonville. This has included shopping malls, residential neighborhoods, etc. It is silly to suggest that none of those sites could have involved this high school. At present there are 4 or 5 other sites which Watsonville could consider. This site is not now and has never been the only possible site.

Watsonville has claimed that a rejection for this site would cost two years in delays. Another comically false claim in view of the last ten years of development, as well as the site status. How can one possibly justify putting years of planning effort exclusively into a site for which one has no permit as yet, that is legally restricted enough so that one can not expect to be able to get a permit, and that has an owner who wants a sales price many times higher than the one that is budgeted?

Watsonville has claimed that a rejection of this site application would cost $40 million. Another false claim. A $40 million grant application could be resubmitted for any other site.

Watsonville has claimed that the Watsonville Wetlands Watch (WWW) has not been opposed to this high school site. That is also false, for the Watsonville Wetlands Watch (WWW) has fought this high school site for nearly ten years. The WWW has been involved in the negotiation process on the Keeley-brokered "deal" that has received much publicity recently, but as yet there is no such a deal, there may never be such a deal, and even if such a deal is made it will not hold water.

Most ethnic groups have had moral giants. The Chicanos had Cesar Chavez: somebody truly like Gandhi, Martin Luther King, or Mother Teresa. We can all be grateful and proud that the 20th century gave us Chavez, Gandhi, King, and Mother Teresa. Most groups have also had moral cripples. Recently we had Richard Nixon, for whom truth was so hard and lies so easy that he was known as "Tricky Dick." We need not compare Nixon to others; he is too embarrassing as it is. In choosing leaders for a community, a state, or a nation one should aim for people like Cesar Chavez, not like Richard Nixon. Watsonville is very far from that ideal.

It is well known why Watsonville really wants the school on the other side of Highway 1: to continue its cancerous growth until everything is paved over as in Los Angeles, from the ocean to the mountains. Watsonville has shown time and again that it cares nothing for environmental values. We must remember Grizzly Flats, a beautiful forested area, serving as watershed and park for Watsonville, until the city vandalized it by clearcutting its forest, to get some short-term money with no regard for the environmental damage or opposition.

A high school would be clearly illegal on this site. Only light industry can be allowed on this site, and that would only be allowable if farming were not feasible, which is clearly not so. Only 10%, not 50% can be paved over. Construction can not be put on slopes of 25 %, only up to 15 %. Construction can not be placed on sensitive parts of the parcel, even if they are now suddenly defined to be non-sensitive. These are the strictly "technical" questions. Then there are the practical questions of having thousands of students far away from the city, close to delicate wetlands, and close to bird nesting sites and migration routes. The pollution, the traffic, the commotion, and the noise would almost certainly destroy Harkins Slough as we know it. Most of this is relevant and against to the Coastal Act; most of it should be intolerable to the Coastal Commission.

The Harkins Slough is one of the very few wetlands areas in California that has not yet been destroyed, between San Diego and the Oregon border. It is truly an "Ishi" of wetlands systems, with its importance made more critical by all of the California wetlands that have been destroyed already. The Open Space Alliance recently bought the Cardoza Ranch to protect parts of it. The Department of Fish and Game, the Coastal Conservancy, and the County of Santa Cruz are all trying to protect parts of it. Watsonville is trying to pave it over, and the environmental community is aghast at this vandalism. There has been discussion of "mitigation measures." One might as well talk about "mitigation measures" tied into a plan to destroy a painting like the Mona Lisa.

Recently there has been news coverage of "A Deal," brokered by Fred Keeley. Presumably some of those opposed to the destruction the high school would cause to Harkins Slough would agree to stop opposing this if Watsonville promised to develop no further land west of Highway 1. This "deal" could not be of any value. If a few people promise to stop opposing something which is destructive, illegal, and improper, that does not make it constructive, legal, and proper for anyone else. Beyond that, this "deal" can not possibly tie the hands of future city voters or City Councils in Watsonville.

The Coastal Act was passed to extend real protection to environmental treasures like Harkins Slough. It does. The Coastal Commission was established to enforce the Coastal Act. It should. After all, nowhere in the Coastal Act does it state: "This Coastal Act will become inoperative every time the Coastal Commission holds a meeting in a large crowded room in which some people have arranged for the majority of the public to be opposed to the proper enforcement of this Act."

At the Carmel meeting a decision will be made. Everybody will then have to face that decision, including perhaps some judges. As Commissioners, you will have to face that decision every time you look at yourself in the mirror. I hope you will be able to look at yourself in the mirror proudly.

Sincerely yours,

Francis de Winter

Francis de Winter,
B.S. (58), M.S. (60), Mech. Engineer (61).

cc:
1. Fred Keeley, Bruce McPherson, Gray Davis, Sam Farr, and many others.
2. As a Microsoft Word attachment, E-Mailed and forwarded with no limits forever to all who care.

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Francis de Winter
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Febrero 29 de 2000 Ref. FdW-6365-00

Miembros de la Comisión Costal
Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, California 94105; Con Copia a la Oficina Local:
725 Front Street, Third Floor; Santa Cruz, California 95060
Tópico: Sitio Propuesto para la Escuela Secundaria Nueva de Watsonville

Estimados Miembros de la Comisión:

Soy Miembro del Cuerpo Directivo, y Presidente y Tesorero Pasado del Environmental Council (Consejo Ambiental) del Condado de Santa Cruz. Soy un activista para poder ayudar a preservar a lo que no se ha destruido todavía en el ambiente hermoso del Condado de Santa Cruz, y me parece terriblemente destructivo y completamente ilegal construir a la escuela secundaria nueva de Watsonville en el sitio propuesto.

Se lo que vale la educación. He escrito a esta carta tanto en inglés como en español para distribución en la reunión de Carmel, ya que cursé a la escuela secundaria en América latina. Luego fui a MIT (el Massachusetts Institute of Technology), y conseguí a un B.S., como también la Maestría y otro título de postgrado en ingeniería mecánica. Estoy tomando un curso en contaduría en Cabrillo, y he tomado muchos cursos en Cabrillo y Hartnell los últimos años. He enseñado cursos en Cabrillo, en San José State University, en MIT, y en otras instituciones.

Hay muchos graduados universitarios en mi familia. Un abuelo, mi padre, y un hermano también se graduaron en ingeniería mecánica, y otro hermano es ingeniero químico. Un bisabuelo era químico, y un tío abuelo tenía un doctorado en química. Un tío tenía un doctorado en ingeniería civil, otro era médico, y varios eran oficiales en las fuerzas armadas. Mi hijo menor está terminando su doctorado en química en Stanford, y mi hijo mayor se graduó en contaduría y administración en San Diego State University.

Con pocas excepciones (como atletas), del cuello para abajo el valor monetario de uno es el sueldo mínimo, y el contenido en educación del cerebro es lo que realmente cuenta. En "Silicon Valley" esto se demuestra casi todas las semanas con otro grupo nuevo de multi-millionarios, cuya riqueza solamente fue posible por su educación.

Es bien obvio que esta escuela secundaria es esencial para Watsonville. Es solamente el sitio que se disputa: el sitio está basado en planificación mala hecha a propósito; está basado en declaraciones falsas y cómicamente falsas; sería una escuela difícilmente

accessible para los estudiantes en un sitio en donde causaría gran daño, el sitio se ha seleccionado solamente para servir como preludio para una expansión futura y cancerosa de la ciudad, y la aprobación de este sitio sería ilegal.

Lamentablemente, la historia de los Estados Unidos es en gran parte la historia de la ocupación y del uso ilegal de tierra. Casi todas las tierras de los Estados Unidos le fueron robadas a los indígenas, por la gran parte en violación grotezca de tratados solemnes que el gobierno de los Estados Unidos había firmado con los gobiernos de las tribus indígenas. Números enormes de los indígenas fueron asesinados, muchos inclusive mediante el "regalo" de frazadas infectadas con la viruela o mediante balazos en reuniones supuestamente pacíficas. La mayoría de los sobrevivientes fueron exilados brutalmente en "reservaciones" de tierras inútiles, los campos de concentración primeros en el mundo. Esta parte de la historia de los Estados Unidos es tan horrible como la "limpieza étnica" de los serbios, o el "holocausto" de los nazis: una verguenza nacional.

La historia de California es similar. Miles de millas cuadradas de bosques fueron obtenidos para conseguir a la madera por medio de aplicaciones fraudulentas bajo el "Homestead Act", y luego abandonadas con todos los árboles cortados. Una gran parte del oeste (incluyendo a Nueva México y California) se había conquistado de México en una guerra. En el tratado de paz de Guadalupe Hidalgo del año 1848, el gobierno de los Estados Unidos le prometió a México que todos los ciudadanos mexicanos y todos los indígenas recibirían a la ciudadanía estadounidense, y que se respetarían a las propiedades tanto de los mexicanos como de los indígenas. Luego casi todas las tierras se les fue robada a casi todos los mexicanos y los indígenas, casi todos los indígenas fueron asesinados, y las cortes no hicieron nada para proteger a las víctimas ni para hacer cumplir al tratado. En San Luis Obispo se organizaban cacerías en los fines de semana para matar a los indígenas, y estas se anunciaban en carteles en la plaza de la ciudad. Algunos mataban a los niños con rifle de calibre chico, ya que lo creían ser más deportivo. Muchas tribus indígenas fueron exterminadas en su totalidad. En una tribu un hombre llamado "Ishi" fue el único sobreviviente. Volveré al caso de Ishi.

Es evidentemente por estos desastres del pasado que se paso el "Coastal Act", para evitar más desastres en el futuro. Ahora podremos ver si el "Coastal Act" realmente es efectivo.

Mencioné que esto sería un sitio ilegal para la escuela secundaria, basado en declaraciones falsas. Por casi 10 años el Consejo de la ciudad de Watsonville ha dicho que este es el único sitio posible. Esto no es solamente falso sinó cómico. En los últimos 10 años hemos visto a muchos proyectos grandes de construcción en Watsonville. Esto ha incluido grandes barrios residenciales, grandes "shopping malls", etc. Es ridículo sugerir que ninguno de esos sitios se podría haber usado para esta escuela. En la actualidad hay unos 4 o 5 sitios adicionales que Watsonville podría usar para la escuela secundaria. El sitio propuesto no es ni nunca ha sido el único sitio posible.

Watsonville ha declarado que si el sitio propuesto es rechazado, causaría una demora de 2 años. Otra declaración comicamente falsa, dado los últimos 10 años de construcción en Watsonville, y la situación con el sitio propuesto. Como se puede justificar la inversión

de años de planificación exclusivamente en un sitio en el cual uno no tiene un permiso aún, en el cual las restricciones legales son tan severas que uno no puede esperar que un permiso sea otorgado, y en el cual el dueño exige un precio de venta muchas veces más elevadas que lo que uno tiene en el presupuesto?

Watsonville ha declarado que si el sitio propuesto es rechazado, esto le costaría U$S 40 milliones. Otra declaración falsa. Una aplicación para estos U$S 40 milliones en subsidios se podría someter con cualquier otro sitio.

Watsonville ha declarado que la organización "Watsonville Wetlands Watch" no ha estado opuesta a este sitio. Eso también es falso, ya que el Watsonville Wetlands Watch ha estado luchando contra el sitio propuesto por casi 10 años. El Watsonville Wetlands Watch ha estado en negociaciones en el "acuerdo" tan discutido organizado por el Sr. Fred Keeley, pero por el momento este "acuerdo" todavía no existe, posiblemente nunca existirá, y seguramente no será de ningún valor si es que llega a existir.

La mayoría de las razas han tenido a sus gigantes morales. Los chicanos han tenido a Cesar Chavez: verdaderamente un individuo a la altura de Gandhi, Martin Luther King, o la Madre Teresa; y todos podemos tener gratitud y orgullo que el siglo 20 nos brindó a Chavez, Gandhi, King, y la Madre Teresa. La mayoría de las razas también han tenido a sus enanos morales. Recientemente tuvimos a Richard Nixon, para el cual la verdad era tan difícil y la mentira tan fácil que lo nombraron "Tricky Dick" (Ricardo de los Trucos). En la selección de líderes para una comunidad, un estado, o una nación hay que buscar a individuos como Cesar Chavez, y no como Richard Nixon. Watsonville está bien lejos de este ideal.

Se sabe perfectamente bien porqué el Consejo de la ciudad de Watsonville quiere tener a la escuela al otro lado de la ruta 1: para seguir con el crecimiento canceroso hasta que esté todo pavimentado como en Los Angeles, desde el océano hasta las montañas. El Consejo de Watsonville ha demostrado repetidamente que no aprecia para nada a los valores del ambiente. Hay que acordarse de Grizzly Flats, que servía a la ciudad como parque y colector de agua de lluvia, hasta que fue vandalizado por el Consejo para cortar a todos los árboles, para tener un poco de plata a corto plazo, sin ninguna preocupación por el daño y la oposición ambiental.

Una escuela secundaria sería bien ilegal en este sitio. Solamente se puede permitir a la industria liviana en este sitio, y esto solamente sería permitido si la agricultura no es factible, que claramente no es cierto. Solamente se puede permitir la pavimentación del 10%, no del 50% del área. La construcción no se puede poner en inclinaciones del 25%, solamente hasta el 15%. No se puede construir sobre áreas sensitivas de la parcela, aún si se falsifica a la realidad declarando que estas áreas ya no son sensitivas. Estas son las cuestiones puramente técnicas. Después hay las cuestiones prácticas de tener miles de estudiantes muy lejos de la ciudad, cerca de cuerpos delicados de agua, y cerca de los sitios de nidos y de migración de muchas aves. La contaminación, el tráfico, la conmoción, y el ruido seguramente servirían para destruir al "Harkins Slough" que existe

ahora. Casi todo esto es relevante y opuesto al "Coastal Act" (la Ley de la Costa), y casi todo tendría que ser intolerable para los Miembros de la Comisión Costal.

El Harkins Slough es uno de los pocos cuerpos de agua con pantanos costales que no ha sido destruido aún en California, entre San Diego y el límite con Oregon. Los pantanos costales tenían (y pueden tener) una riqueza natural increible. El Harkins Slough es verdaderamente como un "Ishi" para estos pantanos, y su importancia es mas crítica por todos los otros pantanos ya detruidos. El Open Space Alliance del Condado de Santa Cruz recientemente compró al "Cardoza Ranch" para proteger a parte del Harkins Slough. El "Department of Fish and Game", el "Coastal Conservancy", y el Condado de Santa Cruz todos estan tratando de proteger a partes del Harkins Slough. El Consejo de Watsonville simplemente lo quiere pavimentar, y la comunidad ambiental está horrorizada. Se han discutido a "medidas de mitigación". Igualmente bien se podrían discutir a "medidas de mitigación" combinadas con un proyecto de la destrucción de una obra de pintura como la Mona Lisa.

Recientemente ha habido discusión en la prensa de "un acuerdo" organizado por el Sr. Fred Keeley. Supuestamente algunos de los que se oponen a la destrucción que la escuela secundaria causaría en el Harkins Slough se pondrían de acuerdo en no seguir con esta oposición si Watsonville prometería no construir nada más al otro lado de la ruta 1. Este "acuerdo" no podría tener ningún valor. Si algunos prometen no oponer más a algo que es destructivo, ilegal, e incorrecto, eso no lo hace constructivo, legal, y correcto para el resto del mundo. Aparte de eso, este "acuerdo" no podría ejercer ningún freno duradero sobre los ciudadanos y Consejos futuros en Watsonville.

El "Coastal Act" (la Ley de la Costa) fue firmada en ley para ofrecer protección real a tesoros ambientales como el Harkins Slough. Así lo hace. La Comisión Costal fue establecida para asegurar a la implementación correcta y confiable del Coastal Act. Así lo tendría que hacer. Después de todo, en ninguna parte del Coastal Act se afirma: "Esta Ley de La Costa dejará de existir cada vez que la Comisión Costal tiene a su reunión en una sala grande en el cual algunos han asegurado que la mayoría del público se opone a la aplicación correcta de esta Ley".

En la reunión en Carmel se tomará una decisión. Después todos tendrán que considerar a esta decisión, inclusive posiblemente algunos jueces. Como Miembro de la Comisión, Usted tendrá que considerar a esta decisión cada vez que se mira en el espejo. Espero que Usted se pueda mirar en el espejo orgullosamente.

Lo saluda atentamente,

Francis de Winter

Ing. Francis de Winter, B.S., M.S., Mech. Engr.
cc: 1. Fred Keeley, Bruce McPherson, Gray Davis, Sam Farr, y muchos otros.
2. Como un "Microsoft Word attachment", mandado y adelantado por correo electrónico, sin límites, para siempre, a todos los que tengan interés.

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FEB 29 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Araceli Solano
140#B Kearney St.
Watsonville Ca. 95076
(831)251-0780

The Coastal Commision
725 Front St.
Santa Cruz Ca. 95060

Feb. 28, 2000

Dear Commisioners,

My name is araceli Solano, I'm a resident of Watsonville, I'm a GED student at Radcliff adult education. I agree a high school should be built but not at the place you want to build it. I think a good place should be on greenvalley where the old hospital was it big and nice. there is more access there than over on harkin slough road one reason is the rodds. there get flooded often, If you think students wont cut classes.

The will they cut classes in every high school. That place is a natural resource place where theres alot of little living creatures. Building it some where else would probably cost alittle more or maybe less. At harkinslough the bridge would have to be built an the road would have to be widen there will be the need to put in pipes and all that kind of good stuff. Well I have no more to say but thanks for ~~the~~ taking your time on such a bussy schedule.

Sincerely,
Araceli Solano
Araceli Solano

Destiny Vargas
29 Packard Ln.
Watsonville

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FEB 29 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Febuary 28, 2000

To whom it may concern,

I am a student at Radcliff Adult Education. We have been talking about the New high school for weeks. Here is my opintion. I dont think it is a very good idea at all, not only for the natural reasources in that area, but for the safty of the students. Many people have died in the past six or seven years by Deisels and cars. The school should be built in the Airport, Greenvally, and freedom area.

Sinserely
Destiny Vargas

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FEB 29 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Yusvivia Trejo
50 (B) Ortega DR
Watsonville CA
95076

2/28/00

The Coastal Comission
Address
Santa Cruz
95076

Dear Commissioners,

My name is Yusvivia I go to Radcliff Adult School and my Opinions about building the high school is that you should build it but you should build it in some other place because in Harkin slough Rd is a very bad place to build a high school.

Att.
Yusvivia Trejo

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FEB 29 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Feb. 28, 2000

Teresa Rodriguez
27 marchant St. #D
Watsonville, CA. 95076

The Coastal Commission
725 Front street
Santa Cruz, CA 95060

Dear Commissioners,

My name is Teresa Rodriguez. Im a student from Watsonville/Aptos Adult school. My concerns regarding the new school is where there planning to built it. First of all I know its important for watsonville to have a new school, but I also think theres plany of room elsewhere to built it. Also I think thats not a good place to built because of its poor access, its part of a natural resource, it gets flooded and for last I think we should protect are animals and plants in this zone. California its known for its natural resource, sloughs and parks and we should keep it this way. Thank you for your time.

Sincerely,

Teresa Rodriguez

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FEB 29 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Maria Robleto
482 Beck St.
Watsonville CA.
95076
831-763-9171

2/28/00

The Coastal Commission
725 Front St.
95060

Dear Commissioners,

I am attending Radcliff Adult School. I finished Watsonville High School but did not graduate. Now that I came out of high school I have wondered why I did not graduate. Now I am here stuck in adult school I believe that I could have if it wasn't because of my cutting a lot. I did not go to my classes because it was getting very hard and I did not understand the subject. I would ask my teachers if they could help me and they did but I still did not understand. I knew a lot of kids in some of the classes that did not have a clue about anything. The point here is how will a teacher handle a class that is very large. Then in the future there will be a lot of non-graduate students because they did not have the attention they needed from a teacher.

Sincerely
Maria Robleto

Date:
Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.
I am opposed to these changes for the following reasons:

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CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA
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FEB 28 2000
CALIFORNIA COASTAL COMMISSION

Sincerely, Elizabeth Wilson

Address: 270 Hames Rd #43

Phone number: Watsonville Ca 95076 7226325

Date: 2/24/00
Dear California Coastal Commissioners:

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FEB 29 2000
CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.
I am opposed to these changes for the following reasons:

- HEAVY IMPACT TO FEW REMAINING WETLANDS IN P.V.
- A NEW HIGH SCHOOL WILL ENCOURAGE NEW GROWTH WHICH WILL FURTHER THREATEN VALUABLE FARMLAND P.V.

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FEB 29 2000
CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

Sincerely, JOEL SMITH

Address: JOEL SMITH
PO BOX 1475
FREEDOM CA
95019-1475

Phone number:
WORK (831) 915-7254

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FEB 2 8 2000

CALIFORNIA
COASTAL COMMISSION

235 Younglove Ave.
Santa Cruz, CA 95060
February 23, 2000

Peter Douglas, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Dear Mr. Douglas:

I am writing to express with the strongest, possible urgency, the need for the Coastal Commission NOT to amend the Local Coastal Plan to allow building or development west of Highway 1, as proposed by the Pajaro Valley Unified School District for a new high school.

As you know, this is a fragile habitat, as are all of the Watsonville sloughs, in a precarious balance surrounded by either development or agriculture land. The City of Watsonville has already trespassed beyond reasonable limits, especially with development of shopping and more proposed building on Struve Slough east of the highway, gaining permission for an easeway far too low to protect contamination of this and its contingent sloughs. To add to this the proposed high school would just about destroy any hope of maintaining this fresh water habitat system. As the State of California already has about the worst record in the country in the preserving of fresh water wetlands, now down to about five percent of original numbers, one would expect Watsonville, in particular its educators, to be proud to be protectors and restorers, true stewards of one these last, valuable resources in their very midst, rather than blindly, greedily seeking to destroy them. What an example to set for their school children! Have they never stopped to notice or admire the vast number and variety of birds that live in these sloughs, especially now during the wet season, this rare ecosystem with its rare opportunity of education and wonder ?

It is incomprehensible, unreasonable and so unnecessary that the Pajaro Valley Unified School District, has refused to consider other good sites that have been suggested, and chooses instead to inflict further desolation to this valuable slough system and its wildlife. If they will not fulfill the role of stewards of this habitat, as they should, then it certainly is for your Commission to do so, as it has been mandated to do, regardless of the uneducated numbers of people that persuade you to do otherwise.

Sincerely,

Kathryn Metz

REGISTER-PAJARONIAN

Saturday, January 29, 2000 — 132nd Year — No. 282

Watsonville, California — One dollar

Battle over new high school could take center stage at Coastal Commission meeting

By PETER NICHOLS
REGISTER-PAJARONIAN CORRESPONDENT

WATSONVILLE — The long-running battle between school district officials and the local Coastal Commission staff over the construction of a high school in an environmentally sensitive area west of Highway 1 appears to be headed for a resolution in favor of the new high school.

First in a series examining the New Millennium High School

The school's fate rests in the hands of the California Coastal Commission. That body could rule on Watsonville's application for amendments to their Local Coastal Program (LCP) at their March meeting in Carmel. The LCP gives the city jurisdiction over development within the Coastal Zone, and the amendments are needed to allow a public school.

Conversations with state, district and city officials, as well as local Coastal Commission staff and their executive director, reveal that the parties are now looking for ways to make the proposed high school consistent with the Coastal Act.

Peter Douglas, Coastal Commission executive director, said local staff have abandoned their argument that more suitable sites are available.

"If you look at one of the alternatives," he said. "It has a shopping center on it."

Assemblyman Fred Keeley, who has earned the reputation of a facilitator in sticky government matters, has been working behind the scenes.

"I think both the environmental community and the Coastal Commission staff are raising legitimate issues," Keeley said. "I think they can be addressed satisfactorily through mitigation measures and conditions.

"This application can be brought into harmony with the Coastal Act," he said.

John Casey, Pajaro Valley Unified School District superintendent, admits to "engineering the project down somewhat," with regard to certain aspects of the facility — "but not as it relates to attendance.

"We're looking for conditions that will make the project work," he said.

"The issues remain the same," said Coastal Commission Deputy Director Tami Grove. She refers to the project's potential for growth inducement and protection of Environmentally Sensitive Habitat Areas (ESHA) as the primary concerns.

Peter Nichols/Register-Pajaronian

Tami Grove, deputy district director, and Charles Lester, district manager of the Coastal Commission, go over a map of the Coastal Zone.

Some environmentalists see the new school as a breakthrough for the city, which in the past sought to develop lands west of Highway 1. According to Mayor Oscar Rios, however, the city now has lost interest in such development.

According to city manager Carlos Palacios, school district lawyers are preparing a "memo of understanding" designed to guarantee that utility extensions west of Highway 1 will be used only by the high school.

"(The goal is) to get some legal parameters that will ensure that there will be no growth west of the highway — that is a result of the high school," Palacios said. Commission staff have been generally receptive to the concept, he added.

The issue surrounding disturbance of ESHA within the wetlands is a little more problematic.

"Wetland issues are always difficult," Grove said, "because we've lost so many of them."

Casey maintains that the ESHA issue is not a difficult one. If disturbance of ESHA is not allowed, the district could work around them, though the district proposes to replace the areas in question at a 5:1 ratio, he said.

"It is the impact on ESHA that affects the high school's foot print," Douglas said. "So we're looking at re-arranging the foot print."

One remaining bone of contention, however, is the new ESHA map — submitted as part of the city's amendments — showing a loss of wetlands on the site from approximately 10 acres in 1982 to less than five acres now.

"We're looking at historical data regarding the extent of wetlands and ESHA there," Grove said. "And we'll evaluate how those areas should be treated."

Work is intensifying on both sides as commission staff seeks additional information to complete their report. Meanwhile, city and district officials are working quickly to provide answers to questions posed by the staff. The report, including the staff's recommendations, must be completed and made public prior to the March meeting.

There currently is no commitment from the commission to take up the matter at that time, but it is the district's hope — and the commission's stated policy supports that desire — that the meeting be held nearby, allowing local participation.

City Development Director John Doughty, who is charged with responding to the local commission staff's information requests, feels a certain pressure as the clock winds down to the March deadline.

"We're in a time-critical mode right now," he said. "But there is a point where you have to stop studying it and make some conclusions — That time is fast approaching."

The new spirit of cooperation represents a turn-around from the combative relationship which has existed between local Coastal Commission staff and the district for years. The staff had previously warned — as early as 1993 — that the proposed project would exceed the scope of the Coastal Act.

Critics of the new high school site see increased pressure on the local commission staff to cave in to the district's educational needs, said Jim Van Houten of the Local Agency Formation Commission (LAFCO) and Watsonville Wetlands Watch.

"If that happens," Van Houten said. "that means the Coastal Act has no consequence."

According to Douglas, Governor Gray Davis has issued a directive to state agencies to help facilitate the construction of educational facilities whenever possible. Spokespersons for the governor have not yet been able to verify the existence of any such directive.

Supporters cite the overwhelming need for a new comprehensive high school to relieve severe overcrowding at the district's two existing high schools — a condition that started the selection process in the mid 1980s and which has become more critical every year.

School district and city official have had their eyes on this site for at least 13 years. Last year, the school board voted unanimously to condemn the property in preparation for taking the land through eminent domain. They hope to acquire the property from owners Ralph and Kathleen Edwards for $1.5 million.

It is possible that the school district could acquire the property, then be turned down on its request to construct a high school there. According to Casey, under that scenario the state would not reimburse the district for the land purchase.

To help rally support for the proposal, district and city officials have engaged in a massive public relations effort. It is their desire to generate enthusiasm on the part of the community to carry to the commission meeting in Carmel.

To insure that their message is heard by the right people, the school district also hired two lobbyists who are familiar with the commissioners and the process. The lobbyists along with district and city officials were in Santa Monica this month where commissioners gathered for their four-day monthly meeting.

The school district, having made a significant investment in time and money on the proposed site, made a strategic decision to challenge the local staff and take the matter to the decision makers — namely, the commissioners themselves.

"We knew that the regional office is not the decision maker," Casey said. "The school board has taken the position, as a unit, to run this course, and the commissioners could say yes!"

Proposed changes to the city's LCP

The current Local Coastal Program (LCP) provides for permitted and conditional uses within the Coastal Zone. Permitted uses — with the fewest restrictions — include passive recreation, agriculture and aquaculture (fish farms). Conditional uses — with the most restrictions — are the subject of the city's LCP amendments.

The chart below shows these uses and restrictions permitted in the current LCP and proposed in the amended LCP.

Conditional Uses

Current LCP	Amended LCP
Minimum 5 acre residential	Minimum 5 acre residential
Minimum 15 acre non-nuisance Industrial	Minimum 15 acre non-nuisance industrial
	Public School

Conditions for conversion of farmland

Farming determined to be not feasible	Farming determined to be not feasible or developing the land preserves Prime ag land elsewhere

Allowed coverage (buildings, asphalt, etc)

Maximum 10 percent coverage	Maximum 50 percent coverage

Development on slope

Maximum 15 percent slope	Maximum 25 percent slope

Protection of Environmentally Sensitive Areas (ESHA)

Forbids development in ESHA	Allows development of up to one-tenth acre of ESHA if the ESHA is replaced at 2:1 ratio.

Extent of ESHA on the site

Previously certified map shows 10 acres +/- of ESHA	Proposed map shows a loss of ESHA to less than five acres

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FEB 28 2000

CALIFORNIA
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Submitted by Peter Nichols
page 1 of 7

REGISTER-PAJARONIAN

February 5, 2000 — 132nd Year — No. 288

Watsonville, California — One dollar

Deal struck on high school site

Assembly leader brokers deal between environmentalists, local officials

By PETER NICHOLS
REGISTER-PAJARONIAN CORRESPONDENT

WATSONVILLE — City and school district officials have been meeting with government officials and groups opposed to the construction of the new high school in an environmentally sensitive area west of Highway 1 to find common ground and negotiate differences.

The participants will gather to conduct a press conference and sign a document to seal an agreement reached during those meetings Sunday at noon at the high school site on Harkins Slough Road.

The agreement is the result of delicate and serious negotiations facilitated by California Assembly Speaker pro Tem Fred Keeley (D-Boulder Creek). The first was a two-hour meeting last Saturday. The final meeting, which produced what might be considered an agreement of heroic proportions, lasted two and one-half hours on Friday.

The invitation-only meetings were attended by: Keeley, Mayor Oscar Rios, Pajaro Valley Unified School District Superintendent Dr. John Casey, School Board President Evie Volpa, Santa Cruz County Supervisor Tony Campos, Watsonville Wetlands Watch representatives Christine Johnson-Lyons and Jim Van Houten, Sierra Club representative Marilyn Hummel and Community Alliance with Family Farmers representative Ken Kimes.

Prior to the Saturday meeting, the factions met separately. The school district and city officials at one location, environmental group representatives at another — with Keeley engaging in "shuttle diplomacy" between the two.

Keeley

"Then, when the moment was right," said Keeley. "It was time for face-to-face meetings."

Rumors about the meetings were the subject of a mail message circulating among members of Citizens for a Safe and Sane High School, a group recently formed to oppose the project. Jim Van Houten, also a member of that group remarked after Saturday's meeting that he was "very encouraged".

But a veil of secrecy was successfully cast over the proceedings. The deal reportedly includes an agreement by the environmentalists to speak in favor of the high school site at the Coastal Commission meeting.

Keeley acknowledged that the deal was "delicate" and respectfully declined to offer any clues regarding its substance.

After the Friday meeting, however, Keeley reaffirmed his confidence that a comprehensive high school will be constructed on the site.

The focus of concern for environmentalists has always been the protection of the wetlands and prevention of expansion by the city into lands west of Highway 1. In order to satisfy the Coastal Commission, any agreement would have to address issues related to growth inducing impacts.

The Coastal Commission's March 15 meeting will be held in Carmel, and it is hoped that the city's Local Coastal Program ammendments will be addressed there.

If weather does not permit the outdoor gathering on Sunday, the press conference will be held at the Watsonville City Council Chambers.

REGISTER-PAJARONIAN

February 7, 2000 — 132nd Year — No. 289

Watsonville, California — 50 cents

Protesters interrupt HS press conference

PETER NICHOLS
REGISTER-PAJARONIAN CORRESPONDENT

WATSONVILLE — The Sunday afternoon press conference where supporters of the new high school had hoped to sign an agreement with leading environmental groups was downgraded to a progress report on those efforts.

Arranged by Assemblyman Fred Keeley, the gathering included top city, county and Pajaro Valley Unified School District officials as well as representatives of Watsonville Wetlands Watch, the Sierra Club and the Community Alliance with Family Farmers. Keeley had brought the parties to the table in two private meetings in recent days to broaden community support for the new facility.

"We're at the beginning of a process," Keeley said. He described a "road map" (see side bar), that if followed, would lead to a comprehensive agreement between the parties. He has repeatedly expressed confidence that the Coastal Commission's concerns about the project can be mitigated and that a comprehensive high school will be constructed on the site.

The proceedings were periodically interrupted by a group of approximately 20 protesters, some carrying placards, registering objection to the new coalition. As private planes flew overhead, protesters shouted "We can't hear you!" to underscore the concerns some have over safety and noise issues surrounding the airport.

According to a letter from Keeley to Mayor Oscar Rios, the "road map" involves a four-step process. The anchor provision which environmentalists find very attractive calls for an enforceable agreement that will for ever prevent the city from developing other lands west of the freeway — starting with the Tai property located across Harkins Slough Road from the proposed site.

When all substantive steps are completed, the agreement calls on participating environmental groups to support the city and the school district in their efforts to realize the high school — all the way to the Coastal Commission. Construction of the facility requires that the commission accept amendments to the city's Local Coastal Program, which could be on the agenda of the regulatory body's March meeting in Carmel.

"An agreement to permanently protect the coastal area west of Highway 1 would be a victory for students, a win for wildlife and a triumph for community cooperation and compromise," said Christine Johnson-Lyons, representing Watsonville Wetlands Watch. "We're committed to the process, and we're optimistic."

According to city councilman Chuck Carter, the task of removing the Tai property as a target of study from the city's General Plan will be taken up at the council's meeting on Tuesday at 7:30 p.m. The body had previously agreed to revisit the matter.

Regarding the prospect of giving up on developing land west of Highway 1 to allow the high school to go forward, Carter acknowledged the potential for reluctance on the part of some council members. He said the city has great needs in the area of housing and job growth, and little room for expansion.

Expectations were high following the Friday meeting leading to the press conference. At that time, Keeley termed the agreement "delicate".

"The three parties have made great progress," Keeley said after that meeting. "But this is a group that could spook very easily. And there's a lot of time between now and Sunday."

The fragile alliance that Keeley had engineered began to crumble late Friday as details of the agreement began to surface.

Marlin Humble, the Sierra Club representative who had expressed her intentions to attend the gathering, suddenly backed out and did not attend. The group's local chapter held a meeting Friday night and issued a press release declaring that they would not send a representative. "It is our hope that community leaders will . . . build a high school at a site that protects the environment," the release read. The door to future negotiations, however, was left open.

In an apparent conflict with that group's decision, Patrician Matejcek was introduced as representing the Sierra Club at the gathering. She acknowledged the significance of the discussions but remained guarded in her comments regarding the outcome.

"Agreeing to a first date doesn't mean you're ready to walk down the aisle," she said.

Details of the school's construction within the site boundaries were the subject of one of the four steps outlined in the Keeley letter. To complete the agreement, the Coastal Commission's concerns regarding grading the slope near the wetlands and the prospects for developing land adjacent to the school site would have to be addressed.

John Casey, PVUSD superintendent, said modifications were being considered but he anticipated no need to change the location of any buildings or ball fields. Those type of changes might cause the plans to be sent back to the Department of the State Architect, which could cause a delay, he said.

In a related development, the local Coastal Commission staff have requested information in a letter to the state Department of Transportation regarding the evaluations of the site by their Aeronautics Program. The staff registered concern about potential conflicts with state regulations as siting options are being explored.

According to the Jan. 24, 1999 letter, the site was determined to be "incompatible with school development" in 1987, but in 1992 the site was deemed "suitable for a school."

"These things get political." said Daniel Gargas, state safety inspector for the Watsonville airport, which is located less than a mile from the proposed high school.

He added, "This site has always been a fence sitter." The proposal evaluated in 1987 described a larger site located closer to Airport Boulevard than the one evaluated in 1992. And, during the 1990s, flight activity decreased relative to previous years, he said.

Evaluations, according to Gargas, take into account the number of flights, the size of the planes using the airport, and the altitudes and traffic pattern maneuvers occurring near the site.

Gargas provided an extension of the 1992 evaluation in a June 1997 memo to the school district. Evaluations require renewal every five years until a site is actually acquired.

Airport manager Don French, in an apparent conflict with Gargas, said flight operations had remained static from '86 to '91 or '92, but a marked increase in traffic followed. The Federal Aeronautics Administration expects a one to two percent annual increase in flight activity to continue, he said.

The airport's master plan calls for an 800-foot extension of the main runway near Highway 1 and the installation of sophisticated all-weather landing equipment at the facility.

Gargas concedes there has been an increase in operations at the airport and the anticipated facility improvements could further increase the number of flights and lower altitude restrictions on approaches to landing.

The current evaluation is in effect until June 2002, and a reevaluation would be performed only under three conditions — if the school district asks for one, if the deadline passes or if there are changes in siting of the planned construction.

Harkins Slough site supporters refer to the school district's severe overcrowding at two existing high schools and their contention that the area will be developed as justification for locating the high school there. Opposition to the site now focuses on concerns that the site is not suitable for a high school.

Peter Nichols/Register-Pajaronian

John Casey (left, with sunglasses) is joined at the podium by Watsonville Mayor Oscar Rios (right, with sunglasses) at Sunday's press conference on the third high school site. The two are flanked by school board trustees and other local officials.

Checkpoints on the road map to high school agreement

By PETER NICHOLS
REGISTER-PAJARONIAN CORRESPONDENT

The sidebar to the new high school agreement article in Monday's paper was not run in its entirety.

WATSONVILLE — Calling it a road map leading to "a broad base of community support," including the environmental community, for the proposed high school on Harkins Slough Rd., Assemblyman Fred Keeley outlined a four part agenda in a letter addressed to Mayor Oscar Rios.

The letter was made available to the public at the news conference held Sunday afternoon at the Harkins Slough Rd site. The following steps are to be completed by the parties to the agreement before March 14, the first day of the Coastal Commission's meeting in Carmel when the city's Local Coastal Program amendments will likely be discussed.

• City officials are to abandon plans to annex and develop the T property and other properties we of Highway 1 as described in th city's General Plan. The Green Far property near Riverside Dr. is to b excluded from the agreement.

• The city, the county and th state Coastal Commission are to n gotiate an enforceable agreeme concerning no development lands west of Highway 1 that are n already within the city limits.

• Two Coastal Commission co cerns are to be resolved. The slop grading above the wetlands at th eastern boundary of the site is e cessively steep and intrusive on e vironmentally sensitive habitat a eas (ESHA). And the property ir mediately adjacent to the site is risk of development.

• Support of the proposed ne high school by Watsonville We lands Watch, Community Allian with Family Farmers, and the Sie ra Club is contingent on completi of the first three items.

REGISTER-PAJARONIAN

February 12, 2000 — 132nd Year — No. 294

Watsonville, California — One dollar

Peter Nichols/Register-Pajaronian

Willie Yahiro points out the Pinto Lake site, which was abandoned due to community opposition.

Years of debate, planning mark search for high school site

By PETER NICHOLS
REGISTER-PAJARONIAN CORRESPONDENT

WATSONVILLE — The construction of the pyramids required the dedication and support of multiple generations of Egyptians.

Similarly, the effort to build a high school west of Highway 1 has called upon multiple "generations" of school district and city officials to carry the banner and hoist each seemingly immovable block higher and higher.

Part two in a series on the New Millennium High School

The school district identified the need to construct a third high school in the mid 1980s. In December of 1997, John Casey, superintendent of the Pajaro Valley Unified School District, inherited two high schools for which the term "overcrowded" does no justice.

He is the fourth superintendent to seek a solution. Preceding Casey were Anthony Avina, Jim Baker and Merrill Grant.

City officials desperate for housing and employment opportunities have seen the school as a good fit for the Harkins Slough site. Development restrictions give the property limited value with respect to residential or industrial opportunities.

See SEARCH, page 7

SEARCH

From page 1

Carlos Palacios, city manager since 1996, is the third such official to wrestle with the district's need for a suitable site for a third high school. He was preceded by Steve Soloman and John Radin.

There have been over 20 different school board trustees and 21 different city council members since 1985.

Willie Yahiro, a long time Watsonville resident and PVUSD school board trustee since 1990, has been part of the process to build a new high school since 1984. He was then a member of a committee charged with identifying facility needs and growth projections for the district.

The restrictions to school construction have changed little since then.

"There isn't any easy answer," Yahiro said. "You're either talking about farm land or you're into environmentally sensitive areas."

The seeds of the current confrontation between school district and city officials on one side and those opposed to the project on the other were sown in 1987 (see side bar) when the Harkins Slough site first appeared at the top of a list of the school district's possible high school locations. According to Richard Meyer, former District Director of School Construction, engineering studies were conducted on that site as early as the mid-1970s to determine its suitability as a school location.

In 1987, then city manager Radin urged the district to abandon consideration of the site due to a host of concerns — many of which centered around the area's eco-sensitivity and obvious permit hurdles.

In that same year, Daniel Gargas, airport safety inspector for Caltrans, evaluated the Harkins Slough Road site for its suitability as a school location. Due to the site's proximity to the main runway at Watsonville airport and the number and altitude of fight operations there, he determined the site to be "incompatible with school development."

Board abandons Pinto Lake site

Considering Radin's concerns and the Caltrans evaluation, the school board in 1988 voted to approve a site near Pinto Lake — one of three state approved sites located on or near Green Valley Road.

That decision created a firestorm of controversy leading to the emergence of a powerful neighborhood group, the Green Valley Action Committee (GVAC). In 1991, that group, led by Shelley Betz, argued against the Pinto Lake site due to environment, traffic, sewage and prime agriculture concerns.

That site was rejected the next year by a school board overwhelmed by the neighborhood response. Over 100 people packed board meetings and legal action was threatened if the board gave final approval to the site.

"There was tremendous pressure put on the board," said Yahiro, then in his first year as a trustee. The arguments against that site were similar to the ones being made against the Harkins Slough site, he said. But it was the presence of a determined opposition that caused the board to reject the site.

Siding with opponents, Yahiro cast one of six "no" votes dooming that effort to construct a third high school.

The school district regrouped and formed the Superintendent's Alternative Site Committee in 1991. That committee included representatives from GVAC, Watsonville Wetlands Watch and PVUSD staff.

Picking Harkins Slough

As part of the site selection process, Gargas was asked to evaluate 11 sites for safety and noise issues relative to the airport. He wrote in a letter to the Department of Education that five sites were undesirable and that Harkins Slough Road was "suitable for a school".

Gargas said the site was farther from the runway than the one he evaluated in 1987 and the relative level of aircraft operations was actually decreasing during that time frame.

Later the site committee was expanded to include representatives from the county Farm Bureau and county Planning Department, the city Development Director and the Executive Director of the Local Agency Formation Commission. After evaluating eight of the original 11 sites, the committee identified two preferred sites, Harkins Slough Road and Console with other sites offered as less desirable alternatives.

While the committee was engaged in the evaluation process, Meyer — representing PVUSD staff on the committee — was quietly exploring the Harkins Slough Road site's feasibility in a series of "informal" and "one-on-one" meetings with Les Strnad, then a local Coastal Commission official. These conversations were described in a July 1999 memo from Meyer to Casey.

According to the memo, those meetings were numerous and substantive, exploring — in great detail — measures that might make the district's preferred site a viable option. Discussions focused on mitigation measures involving traffic, playing field location, parking circulation and other matters.

It was during these sessions that the concepts of habitat stewardship and environmental curriculum that have since been incorporated into the project as mitigation measures were first discussed.

The district was encouraged by Strnad who indicated that, though the process would be lengthy, it could result in approval by the Coastal Commission, according to the memo.

In June of 1993, the school board voted to build a new high school at the Harkins Slough site.

Coastal Commission weighs in

In July of that same year, in a letter to Meyer, David Loomis, Coastal Commission Assistant District Director, warned of the "potential for significant impacts on coastal zone resources" regarding the proposed site and requested a meeting to discuss the potential impacts.

Loomis, whose children attended PVUSD schools, had a long history of involvement in district matters including serving on the budget committee. Though he enjoyed a good working relationship with the district, and his Coastal Commission connection was known, he was never asked to participate in site selection.

It wasn't until a second request almost two years later that a meeting was scheduled. It was then, during a PVUSD public meeting that the full scope of the commission's concerns were presented.

Later that summer, in another letter to Meyer, Loomis expressed dismay that the site selection process had been completed without input from the commission.

"That whole site selection process was flawed from the start," Loomis said.

"We wanted to participate in alternative analysis," said Tami Grove, commission deputy director. "But we were never invited to participate."

Maureen Hill (formerly Owens), a school district consultant who was the city's development director and represented the city on the selection committee, contradicts Grove.

"Everybody was invited to participate," she said "There were public discussions that the process was going on."

She also denied that local commission staff's warnings about the site's suitability were being ignored.

According to Meyer, the site selection process was being driven by the opponents of the Pinto Lake site, and because it was a working committee, those invited represented agencies and groups immediately involved. The Coastal Commission's input was not essential because they were in line for a jurisdictional review, he said.

"This committee was very inclusive — on purpose," Yahiro said. They hoped to avoid problems that plagued the district's previous selection effort.

"It was very important to include the city and county planners," he said. "But since Wetlands Watch (was included), there was no reason to have the Coastal Commission at the table."

"We got very little input from the Coastal Commission during that process," LAFCO Executive Director Pat McCormick said. "In retrospect, it would have been better if we had more."

The site selection process concluded with members reporting two top sites as equally desirable. They were the Harkins Slough Road site and the Console property, currently the Overlook Shopping Center anchored by Target.

Of the two preferred sites reported out of the committee, the size of the Console property was an issue — only 35 acres versus the 50 acres the school board wanted. But McCormick proposed converting the adjacent property, Ramsay Park, to school use. The district could purchase the park, the city could purchase a new park site and security issues surrounding Ramsay Park could be solved while making room for the much needed high school.

That scenario had no legs.

"The Console property was too small," said Palacios. "And it was needed for commercial development to support the city's tax base."

Though the two sites were sent to the school board for consideration, Meyer and Hill, key players representing school district and city interests, only considered one to be acceptable — Harkins Slough Road. They each rated the Console site near the bottom of the eight evaluated, according to the district's EIR.

Complying with CEQA

The selection of the Harkins Slough Road site started a lengthy and controversial process to determine the sites suitability within the scope of the California Environmental Quality Act (CEQA). It is that act that mandates an Environmental Impact Report.

After three years of initial study and one year of writing the district's EIR, the district certified the document — in May of 1997. It included analyses, feasibility studies, reports, maps, photographs, charts, tables and comments from agencies and individuals in book form over two inches thick.

After local environmental groups sued, questioning the documents adequacy, the district decertified the original EIR and began work on a revised version designed to exceed CEQA standards.

That revised version, known as the REIR, was certified and made public in June of 1998. The same groups sued the district, however, over similar but more narrowly focused issues. Santa Cruz Superior Court Judge Stephen McAdams ruled in favor of the district in April of 1999, confirming the adequacy of the document — that decision is on appeal, however.

Building consensus

As the Coastal Commission's March meeting approaches, efforts on the part of the city and the school district to broaden support within the community have reached a new level.

Assemblyman Fred Keeley, engaged in hush-hush negotiations, has successfully brought a local environmental group and a group opposing the city's desire to develop lands west of Highway 1 together with the project's supporters in a tenuous alliance.

The groups which have opposed the Harkins Slough Road site from the beginning have agreed to offer their support — all the way to the Coastal Commission — if the city council removes the adjacent Tai property as a residential option within their general plan, and if an enforceable agreement preventing future development west of Highway 1 can be arranged.

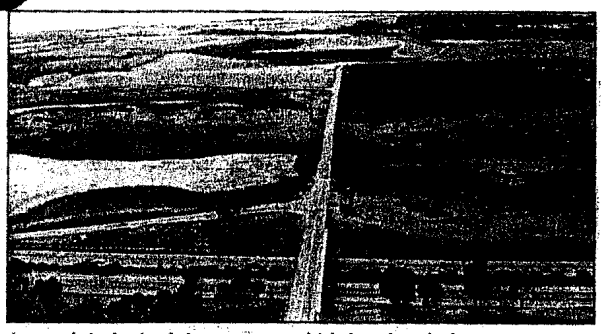
The local commission staff are looking at a similar binding agreement which they indicate will likely be a part of the LCP process.

So now, as the city and district continue their all-out effort to win support for the school and as Keeley tries to hold together his new coalition of opponents and supporters, and as the commission staff struggle to complete their report before their end of February deadline, the people of Watsonville who have needed a new high school for 15 years, need only hold their breath a little longer — maybe only 33 days — to see if that seemingly immovable block gets hoisted one level higher.

REGISTER-PAJARONIAN

Saturday, February 26, 2000 — 132nd Year — No. 306

Watsonville, California —



An aerial view of the proposed high school site.

Proximity to airport still problematic for high school site

By PETER NICHOLS
REGISTER-PAJARONIAN CORRESPONDENT

WATSONVILLE — One issue surrounding the construction of the Pajaro Valley Unified School District's much needed third high school that is proving troublesome is the site's proximity to the Watsonville Municipal Airport.

Part three of a series on the New Millennium High School

Early in the 1991 site selection process, five potential school sites were rejected due to their proximity to the airport and air traffic patterns above them. The Harkins Slough Road site won the acceptance of the Department of Transportation's Aeronautics Program, but only by the slimmest of margins, according to Dan Gargas, state safety inspector for the airport.

"This site has always been a fence sitter," he said. "And these things get political."

Now, eight years later, its suitability as a school site is again being questioned.

The most recent concerns were raised following the disclosure of conditions presented to city and school district officials by the Coastal Commission staff.

One condition requires the development area to be located farther from existing protected wetlands than the district had planned. That may push the school's footprint to the north, closer to the airport and into areas that were not previously evaluated by state aeronautics experts.

The conditions were included in a draft of modifications to the city's Local Coastal Program amendments. Those amendments are required to allow the construction of a public school inside the state protected coastal zone. The amendments are scheduled to go before the commissioners during their March 14-17 meeting in Carmel.

The general area proposed for the school was first evaluated by aeronautics inspectors in 1987 and was determined to be incompatible with school development. A more narrowly defined portion of the 117 acres was evaluated in 1992 and determined to be suitable for a school, though "safety and noise concerns" were noted. That evaluation subsequently expired, and an extension until 2002 was issued in 1997.

Gargas, who performed the last two evaluations, said the site evaluated in 1992 was located farther from the airport than the one evaluated in 1987.

"In 1992," he added, "we also took into consideration a drop in flight operations."

According to Don French, Watsonville airport manager, activity was static from about 1986 to 1992 and a marked increase in activity followed and continued through the 1990s. That increase is expected to continue, he said.

"Our jet flow (sales of jet fuel) is up 100 percent in the past five years," French said. Also, the number of jet aircraft at the airport has increased from three in 1991 to nine.

Gargas evaluated a total of 11 sites in 1992 as part of the district's site selection process, using a map provided by the school district. The location of the now proposed school site was indicated on the map by a small rectangle drawn parallel to Harkins Slough Road. That rectangle occupies only a fraction of the land currently being acquired by the district.

According to Gargas, if the proposed site is outside of the area he was asked to evaluate, a new evaluation would be required.

"We evaluated what we were submitted," he said. "It's incumbent on the school district to accurately depict the area to be evaluated. We take the maps we are given and do the evaluations."

Casey concedes that not all of the planned facilities can fit within the area depicted by the rectangle but insists that most will.

"All the buildings are within the box," he said. "I believe the buffer is outside and a little of the stadium and part of a ball field are outside of the box."

The precise location of the school's facilities including classrooms, athletic fields and football stadium has been the subject of recent meetings and discussions between the school district and the Departments of Transportation and Education.

"We've asked the district to provide a schematic that shows the placement of the school within the 55 acres relative to the site that aeronautics approved," said John Dominguez, a consultant for the Department of Education, who indicated he expects a response within the next week.

"The site hasn't been approved yet," he said.

The new conditions that may force the school closer to the airport have heightened concerns regarding the site's acceptability. Questions are also being raised about the adequacy of the 1992 and 1997 evaluations conducted by Gargas.

> 'We would have never gone forward if the site was not safe. I can assure the public they have addressed the safety aspects.'
> — *PVUSD board member Willie Yahiro*

A review of Watsonville airport's current master plan, which according to French was approved by the Federal Aviation Administration and the city council in 1986, shows the proposed high school within the most restrictive of four pie-shaped arrival/departure pattern zones under which low density land use is recommended. According to the document, schools and hospitals should not be allowed there.

By comparison, one of the 11 sites evaluated in 1992, near Amesti Elementary shares identical restrictions as the Harkins Slough Road site, according to the master plan, but is farther from airport's runways. That site was rejected by Gargas.

Another site near Calabasas Elementary School was declared to be "not approvable" in Gargas' evaluation though the site would be acceptable for a school according to the master plan. There are currently five PVUSD schools shown within the airport's traffic pattern zones, and all are located in areas where school use is deemed to be acceptable.

Among documents provided to the local Coastal Commission staff are letters from then Airport Manager Vernon Ackerman and then City Manager John Radin supporting the 1987 evaluation of the site.

Ackerman wrote, "Our traffic is increasing regularly. Aircraft would be at full take off power close to the school. The traffic pattern passes over (the site). As does the circling approach from Localizer/NDP approach."

Radin's letter raised additional concerns regarding times of dense heavy fog and the possibility of aircraft mistaking a school site for the airport.

Regarding the 1992 and 1997 evaluations, however, there is no documentation available that supports Gargas' finding that the site is suitable for a school.

According to Gargas, in 1997 his office had a "disappearing file problem."

"We have the evaluation (from then)," he said. "But we don't have the supporting documents. They are not there."

Evaluations, according to Gargas, take into account the number of flights, the size of the planes using the airport, and the altitudes and traffic pattern maneuvers occurring near the site. Inspectors also fly the airport patterns in an airplane to view the targets of their evaluations.

According to Casey, Richard Meyer, then director of PVUSD school construction, accompanied Gargas in the plane as the 1992 evaluations were being conducted.

Betsy Eskridge, Senior Aviation Consultant for the Aeronautics Program and supervisor of the program's inspectors said taking district representatives along on evaluations is not now permitted, and it wasn't encouraged then.

"Reluctantly, we said yes to the site," said Gargas of his 1992 evaluation. "We took into consideration a drop in operations, and the airport did not object. Comments from the airport manager are very influential."

Gargas concedes there has since been an increase in operations at the airport, and sophisticated all-weather landing equipment the airport is hoping to acquire could increase the number of flights and lower minimum altitudes in the flight patterns.

The state evaluations, however, are based on existing conditions, not projections into the future, he said.

Eskridge contradicted that assertion, saying evaluations are supposed to take into consideration projected changes to facilities and flight activity. She said they typically review airport master plans for just that reason.

Gargas said that when he reevaluated the site in 1997, he didn't see any significant change in conditions, and he extended the 1992 evaluation.

At the time of that evaluation, the Department of Transportation's internal procedures were being updated and included the use of the Airport Land Use Planning Handbook developed in 1993. According to Gargas, the procedures and han book were designed to take politi and subjective analysis out of t evaluations, though inspectors we not required to use them until t procedures were formalized 1998.

Eskridge said at the time of t 1997 evaluation, safety inspecto were encouraged to use the upd ed procedures and handbook a all of them should have.

"The handbook is just one the tools used to conduct evalu tions," she said. But if the han book wasn't used, "I would fi that troubling."

According to Gargas, he cou have used the handbook and rel ed procedures, but he wasn't r quired to, and he did not use the when performing his 1997 evalu tion.

Under these now formalized p cedures, a new evaluation of t controversial school site might different, Gargas said. Negative sessments of other schools he w asked to evaluate in 1992 might al be different.

French does not consider t school's proposed location a safe issue but rather a potential n sance. A change from the standa left-hand traffic pattern to a rig hand pattern might be in the a port's future. But since that wou increase air traffic and noise ov residential areas to the west, an E would be required, French said.

According to PVUSD board tru ee Willie Yahiro, the air traffic sa ty issue is not a problem, and h satisfied that the project meets t state regulations.

"We would have never gone f ward if the site was not safe," said. "I can assure the public t have addressed the safety aspect

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REGISTER-PAJARONIAN

Douglas M. Leifheit, Publisher

Opinion

Should third high school actually be called Third World High School?

By SYLVIA PREVITALI

I wish to report on escalation of issues regarding the controversy surrounding the site for a new high school here in Watsonville, an agricultural community between Santa Cruz and Monterey three miles east of the Monterey Bay.

The new high school, called New Millennium High School, part of the Pajaro Valley Unified School District, a district of 17,000 students, has been proposed for placement in the Harkins Slough, an area of 55 plus acres at Harkins Slough Rd. and Lee Road in Watsonville, an area protected from such development by its designation as part of the Coastal Zone, within the California Coastal Plan.

For a decade, Watsonville citizens have fought the placement of a needed high school for 2,400 students, primarily Latino youth from low income families, within existing neighborhoods and shopping areas. NIMBY citizen groups have opposed the school, environmentalists have opposed sites with certain endangered species, farmers have opposed sites that reduce farmland, and developers have repeatedly beaten the school district to suitable sites. Now there is, for example, a Target store, Albertson's, Starbuck's on a site that would have been perfect for the high school, right next to a city park on Main Street.

Last June, 1999, (thereabouts) the city of Watsonville and the Pajaro Valley Unified School District (PVUSD) announced that the new high school, called New Millennium High School would be built in this remote area in the Harkins Slough, an area protected by the California Coastal Plan across the main freeway from the rest of town. The area is largely without city infrastructure. The site is called the Edwards site, and the PVUSD said it plans to take the property by eminent domain.

The site of 55 acres is less than 7/10 of a mile east of the Buena Vista Landfill, a Santa Cruz County solid waste landfill that is a Collection Center for toxic and hazardous waste. The total landfill is 134 acres. There is an historic landfill of 46 acres that has a hydrological barrier leak that is being addressed, according to county engineer. Right next to the B.V. Landfill is a Migrant Camp, a Migrant Children's Center, a low income housing development called Tierra Alta, and a Sheriff's Detention Center (jail facility). The landfill has a destructive flare to burn off methane gas. It accepts contaminated soil and demolition debris containing asbestos.

To put it into perspective, if a person were to travel from the Watsonville Nob Hill Market down Main Street to the Target store, that is the distance from the high school site to the Buena Vista Landfill. Imagine coming upon a 134-acre landfill that close to your school. Granted, there is a sunken bridge over a huge slough lake between the school and the Buena Vista Landfill, but that in itself is a dangerous situation.

Harkins Slough Road is gated off just west of the high school site. For those of you who don't know how to get back there, go north to the Buena Vista exit off Highway One and travel west to Harkins Slough Road, the upper part that goes past the landfill. Follow it south past the jail, the low income housing and down to the flooded road. Look up and you will see a cattle ranch that is the neighbor of the proposed high school.

Recently another landfill, an illegal landfill close to the north of the school site, called "The Gilbertson Landfill" was discovered (by citizens —the city already knew about it). It is higher than the school site and will drain toward the school. This contaminated illegal landfill is about 80,000 cubic yards, and was purchased from apparently bankrupt owners in 1998 by the city of Watsonville, Watsonville Airport, for a buffer area at the end of the runway. It is across the freeway from the airport. Since it, too, is in the Coastal Zone, the Coastal Commission has made strict conditions for its permit, conditions which don't appear to have been met.

Watsonville Airport, with 350 airplanes on site, six of them jets, plus helicopter training, is less than a mile from the school site. There are over 120,000 aircraft operations per year, and the airport predicts 300,000 aircraft operations by 2005. The school is in the overflight pattern of aircraft. In its Master Plan the airport recommended that the area now being planned for the new high school not be developed in this manner because of noise and safety issues. The Watsonville Airport has applied to the FAA for an 800 foot extension of the main runway — toward the high school site.

Other dangers to youth abound. Two access roads to the high school site are presently flooded, with locked gates preventing traffic, leaving one two-lane road to the site. These roads flood every year. The PVUSD plans for only one sidewalk and one bike lane to the school site. As mentioned there is a huge slough lake less than 2/10 of a mile from the school site. This lake was found to be contaminated with pesticides and no doubt needs to be retested for poisons, since it is so close to where students might be. Standing water sits most everywhere one looks.

Additionally, the site is presently a strawberry field that may have a history of DDT. The Environmental Impact Report admits to recent methyl bromide use. There are extreme dangers to students and staff with the constant noise and danger of heavy truck use from the industrial center south on Lee Road and Beach Road and from Highway One. Traffic plus airplane noise will be constant. I have studies that prove that constant airport noise causes learning difficulties for youth, and causes childhood and adult illness.

The city of Watsonville has launched an expensive lobbying campaign to convince people to back the site of the new high school. Few people doubt that another high school is needed. People are being asked to sign petitions for this high school to be in the Harkins slough. A storefront has been donated by a local businessperson so that literature can be distributed to citizens. I understand that the city of Watsonville utility bills have a reminder to "Support the Third High School".

The reason for this intensity has to do with changing the Local Coastal Plan for the city of Watsonville. In order to get permission from the Coastal Commission to build the new high school, an amendment to the Local Coastal Plan is needed. The area presently is zoned for agriculture, aquaculture and passive recreation. The city of Watsonville has asked for an amendment to the Local Coastal Plan based on the "desperate need" for the high school in that protected area. They have said that there is only the one site available in the area, which is not so. They have asked for much more building area be allowed on the site, and for steeper slopes to be built upon.

I feel that this is the absolutely worse place a high school could ever be placed. I am a retired high school teacher, trained by the National Teacher Corps (To Reach and Teach the Disadvantaged), and I am simply sick about this. I have lived in the area 18 years and taught at E.A. Hall Middle School in Watsonville for eight years. I fear for the health and welfare of these students.

Sylvia Previtali is an Aptos resident and former PVUSD teacher.

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REGISTER-PAJARONIAN

Douglas M. Leifheit, Publisher

Opinion

New high school a community priorit

By SANDRA NICHOLS
REGISTER-PAJARONIAN GUEST COMMENT

Whenever there's talk about the new high school at Harkins Slough, those of us who are listening hear one tune. "We really need a new high school and this is our only chance to get one!" Let's consider why all of our local leaders seem to be on the same side of this issue. Now I'm not one to play the devil's advocate. And I'm not arguing that we shouldn't build a new high school at the slough. However, I see a certain truth that is not getting printed, and I feel called upon to explore it.

Here's the problem. We need to provide more space for our students, and the case is being made publicly that a new high school at the slough is the only possibility. Everyone is getting on the band wagon. It is perceived that a unified community will convince the Coastal Commission to override its own staff's determination that the slough is inappropriate for a comprehensive high school. So the school district (PVUSD) has decided to take a little money ($50,000) from its kettle (the budget for our children's education) and spend it on lobbying the CC to lower their standards on the protection of our environment.

An interesting aspect of unifying the community against the CC is that the commission becomes a convenient scapegoat should they turn down this valley's request to waive regulations. Our new high school would be even farther away than we have previously imagined! Recall that the CC warned PVUSD repeatedly that the slough is not suitable for the high school. The project is inconsistent with the Coastal Act in many ways. These constraints are barriers that PVUSD and Watsonville politicians hope will be overlooked in the face of our huge need for more space for our students. Is it fiscally responsible to devote educational resources to try to implement a plan when the CC has given repeated warnings that it will not make an exception in this case?

I have a number of other problems with this whole procedure. It is most troubling to me that our State has this commission dedicated to protecting our coastal environment, a good cause, and that in our efforts to relieve the overcrowding at our schools we have to ask that an exception be made. Coastal Commissioners, we want you to protect our coast, but could you please bend the rules and let us build the new school at the slough? A dilemma has emerged here regarding just what exactly we would be teaching our students about our treasure, our environment. It's troubling that part of the proposal seems to answer this concern by purporting that the New Millennium High School will have an ecology component in which students learn to treasure the environment. It's ironic that we try to teach exactly the opposite of what we show as a priority when we choose our favorite site based on how many complaints we're getting from the local inhabitants.

Recall the other sites that were taken into consideration during the past 15 years of attempts to build a new high school? There were two major factors which chipped away at the possibilities for a site. Many sites were ruled out because of noise and safety issues caused by the airport location. The other factor was that NIMBY attitude, "not in my backyard." Various sites were ruled out because local residents organized against them. So we are left with a site at which there are no neighbors to complain, one which is apparently not in the flight path.

If we buy into the plan to combat the CC with our education funds and continue to pursue the slough site, our priorities are clear. We value the airport more than the slough. We value freedom from a high school in our own neighborhood more than the concept of students attending schools close to where they live. We would rather see our community spread across Highway 1 than stick to the community's growth plan. We would rather see our education tax dollars spent on political maneuverings and lobbying, than on the actual teaching of our children.

These infernal questions keep surfacing regarding the motivation of our community leaders when they lead us into this ironic quagmire in which our priorities get all mixed up! Why is the City of Watsonville so gung-ho for the Harkins Slough site? Is the fact that school board members are ele by trustee area related to the that no trustee area was hospit to a new high school, except slough, where there are no n bors with voting rights? Are b members so beholding to their stituents that they must make sions based on their ability to b elected rather than the good o students and community? Is the son that we're only hearing tune, that if the powers that b mit that there exists another p ble high school site, the Co Commissioners will reject our that the rules be bent? What a the money that has already spent and continues to be spen veloping and supporting the plan? Would the School Boar tually use our money to purc the Edwards property before th hearing, and if so, what will the with that land if their plea is de

I support the construction greatly needed high school project should respect the straints of the Coastal Act. I c ue to object to the tactic of de the existence of other possibi

Please, School Board, buil high school. Get going down sible road. Make progress to solving the problems facin schools. And stop spendin kids' educational dollars on cal maneuvering!

(Sandra Nichols is a Wats resident and a Bilingual La Specialist. She can be e-ma nichols@cruzio.com)

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RECEIVED
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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Peter Douglas, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Dear Mr. Douglas, February 11, 2000

The more a person learns about the Pajaro Valley Unified School District (PVUSD) effort to gain approval for construction of a comprehensive high school at Harkins Slough Road, the more one ascertains that things are not as they seem initially. I wish to share with you some of my concerns.

The reason there is so much positive community support for the new high school is that publicity in favor of the slough site portrays the question as: "Do we or do we not need a new high school?" This is made into an emotional plea for standing up for education and our students. Many of those who oppose the slough site are strong advocates for public schools and students. I count myself among these, with a background of more than 21 years dedicated to teaching in the California public schools. We do not oppose a new high school. We strongly support one. Our concerns regard the placement of the school in wetlands, away from where students live, away from facilities, near the airport runway and flight paths and the county dump, surrounded by farmland and pesticide use.

Advocates for the slough high school site state that students will be taught environmental studies, and the campus will serve as a model for environmental stewardship and protection of the wetlands and endangered species. This may be an appealing thought when one first hears it. However, if this school is constructed at the slough, it will serve as an example to our students that we maneuver politically around the coastal protection regulations in order to gain approval for the very buildings in which the students will study the importance of protecting our environment. Clearly this is the "do as we say, not as we do" mentality, which teachers know does not work.

Then there is the phenomenon of ENVIRONMENTAL RACISM. The proposed high school will draw large numbers of Latino students. This project relegates our students to land that the city planners know has extremely limited economic value. The restrictions to development that are currently in place make this property nearly worthless to a city with great housing and job needs and a limited tax base. Locating the school there, where there are no neighbors to complain, frees other sites for commercial and residential development, but puts our precious young people in an area where small aircraft practice maneuvers over their heads, within a mile of the huge Buena Vista Landfill with seagulls and mosquitoes to transmit the filth. On top of all this, our civic leaders' priorities are clear when our young people are sent to study in the slough while a huge shopping complex has recently been constructed on the property which was

considered equally good for the school project, by the site selection committee. Now, of course, that appropriate site is no longer available. The publicity of slough site advocates suggests that there are no alternatives sites, and that this is the reason that we must cross the freeway, into the Coastal Zone, and appeal to the CCC that regulations be altered on behalf of our students. This is simply not true. There are alternative sites. I'm sure you are familiar with the alternative sites, as they are all included in the Environmental Impact Report (revised version). Please contact me if you need more details on this.

Who is really going to benefit from the slough site high school?

We read in the newspaper that the PVUSD school board members all support the high school site at the slough, yet when certain board members are spoken to personally, they express that this site is a ridiculously bad site for the new school. Please understand that our school district is also suffering from "the Aptos Secession Movement", proponents of which want the district split up into 2 districts, the boundaries of which will increasingly segregate Latinos and Anglos in their school districts. Proponents of secession have a hidden agenda. They can not move forward with their secession plan until the high school is completely permitted and the land is acquired. When the PVUSD is ready to break ground on their new high school, the secessionists can proceed to their next step towards actualizing their dream. For this reason, even environmentalists may advocate for the slough school site due to this hidden agenda. Anyone living in (or owning property in) the proposed secession area, i.e.. La Selva Beach, Rio Del Mar, Aptos, and the Pajaro Dunes, may have this covert motivation for supporting the slough site for the high school. All indication is that their property values will go up if the high school construction leads to successful secession! This has to do with test scores and wealthy well-educated residents who speak only English, wanting to break off from their mostly Latino neighbors to the south.

Regarding pesticide use on neighboring farmlands, the district counters with an argument that the school is adjacent to an organic farm. What guarantee is provided our students that this will continue to be an organic farm? Also, not all neighboring properties are used by organic farmers. This is farmland. Our district already has problematic school sites where students are exposed to farm chemicals. It is clear that our students best interests are not served by this particular high school site.

I believe I have addressed the issues that are compelling and require consideration when decisions about altering our Local Coastal Program are made. Please contact me if you would like to discuss any of my concerns.

Thank you very much for your concern about our coastal land. Please do not allow local politics to interfere with your commitment to protect these lands.

Yours truly,

Sandra Nichols Sandra Nichols

Bilingual Speech and Language Specialist, parent, Watsonville resident, and a member of the Committee for a Safe and Sane High School Site

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: The soil is unstable, prone to liquefaction in an earthquake. This site is right in the path of the airport take-off pattern, noise pollution and danger to the students would be constant. A campus of this magnitude will inevitably do great harm to the adjacent wetlands. Spending so much money into promoting this one site for the high school is irresponsible use of public funds. Protection of an environmentally sensitive area like this is extremely expensive.

Sincerely, Bob DeBolt

Address: POB 7178
Santa Cruz, CA 95061

Phone number:

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Coastal Commissioners
725 Front St. Suite 300
Santa Cruz, CA 95060

February 25, 2000

RE: New Millennium High School

Dear Commissioners:

We are adamently opposed to the City of Watsonville amending its Local Coastal Plan to allow significantly increased urban development on both extremely sensative enironmental land and on agriculturally irreplaceable land.

We worked on the campaign to pass Prop 20 (Coastal Protection Initiative '72) and believed that, with its passage, the coastal piecemeal erosion of this asset would stop. We expect your governing body to uphold the intent and letter of the law, instead of caving under to placate transient political pressures.

The City of Watsonville is not trying to convince the Commission to bend the law. They want it broken. Have the courage to deny their request. Watsonville could have fulfilled its needs differently in the past, and has other future options.

Thank you,

Jerry Thomas
Jean Thomas

February 17, 2000

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FEB 23 2000
CALIFORNIA
COASTAL COMMISSION

Peter Douglas
Executive Director
California Coastal Commision
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Peter Douglas:

I am writing this letter in support of the continued protection/conservation of the Monterey Bay area's valuable wetlands. I heard that the City of Watsonville is planning to build a high school over Harkins Slough. With all we know nowadays about the importance of wetlands and the negative consequences of attempting to build on them, this is a surprisingly naive move. Better for the highschool classes to visit their local wetlands and study them, learning of the important ecosystem services (like indirectly providing us with clean dirnking water) and the diverse and wonderful wildlife supported there.

Please continue your important work, and direct this letter to anyone that would benefit from hearing from concerned local citizens.

Thankyou for your time and attention,

Teresa McKenzie

Teresa McKenzie
PO Box 221699
Carmel, CA 93922-1699

RECEIVED
FEB 24 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date: 2·19·00

Dear California Coastal Commissioners:

RECEIVED
FEB 2 4 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: Wetlands and their adjacent surroundings are extremely valuable resourses, not only for the flora and fauna they support, but for us. Lessons are to be learned from severe flooding that has been aided by the loss of wetlands (as sponge) throughout many areas of the U.S. The press of population continues. Zoning Laws, now more than ever, must be scrutinized and strengthened. Hard choices, yes. This land is too good to lose.

Sincerely,

Robert M. Irwin

Address:
1941 Koopmans Ave
Santa Cruz CA 95062
Phone number:
831 475 6982

RECEIVED
FEB 24 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date: Feb 21 - 2000

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: to building low income housing & schools. Get these lake & rivers clean up We are having to many floods

Sincerely, Mary C Burk

Address: 794 Bronte ave. Watsonville, Caly 95076

Phone number: 831-728-1007

Date:
Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.
I am opposed to these changes for the following reasons:

impact on the wetlands and wildlife
Not centrally located

RECEIVED
FEB 24 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely, Lois B. Ardell
Address: 790 Bronte Ave
Watsonville, CA 95076
Phone number: 761-0468

Date:

Dear California Coastal Commissioners:

RECEIVED
FEB 23 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for ~~for~~ environmental protection.

I am opposed to these changes for the following reasons: It is setting a dangerous precedent for development on the westside of Hwy 1 leading to urban sprawl on sensitive lands. Run-off, noise, traffic, lighting, litter, etc. would all increase & ruin the native habitat & wetland habitat of which we have so little left. Please fight this!

Sincerely,

Simon Lamb

Address: 1022 A San Andreas Rd.
La Selva Beach, CA 95076

Phone number:
722-5160

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

There are less damaging & dangerous sites to build a high school. In-fill the City before sprawling.

Sincerely, Dan Watson

Address: Dan Watson
16475 Tarpey Rd.
Watsonville, CA 95076-9015

Phone number: (831) 728-4433

RECEIVED
FEB 17 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

RECEIVED
FEB 16 2000
CALIFORNIA
COASTAL COMMISSION

Shadowfax Software
Scott R. Hartley, President

RECEIVED
FEB 17 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

201 Lindero Dr.
La Selva Beach, CA 95076
ph. 831/724-8980
Shadowfx@cruzio.com

February 4, 2000

Peter Douglas, Executive Director
California Coastal Commission
45 Fremont St. Suite 2000
San Francisco, CA 94105

Dear Mr. Douglas:

I'm taking time to write personally in opposition to the Local Coastal Plan for high school construction on Harkins Slough Road. Our school system is the most important investment we can make in America's future, and it's urgently in need of an upgrade. That does not mean we can't make a bad investment in a good cause. I believe this siting represents a bad investment, all the worse when funds are scarce and the need for new space is urgent.

The arguments of local non-profit organizations are convincing: adverse environmental impacts, availability of better sites, and a general complaint against Watsonville's Planners, one which comes up in many of their projects, that they focus on large, corporate-style, virgin land development, benefiting a few wealthy constituents but actually to the detriment of the whole community. That is hardly news in this country, though I must say that some of my friends on the Chamber of Commerce, notably Bob Dwyer, have begun taking very sensitive and enlightened steps toward sustainable development.

The point I wanted especially to make, and which others may have missed, is that we often "want" things, which, once we get them, prove to be anything but what we want. I think this high school site is one of them. As you may know, Watsonville is a very Hispanic community, steeped in a custom and pace of life where people dress up and walk around watching and greeting each other. Commuting to this proposed Harkin Slough site will pose another disruption to Watsonville's peripatetic rhythm. And although that may be appealing to those briefly enamored with a new culture, I believe it must ultimately prove a violence against cultural integrity. This would surely handicap the new school and obstruct its educational mission.

I don't presume to tell the Coastal Commission that its mission now includes safeguarding the cultural integrity of local communities, but I'm sure you do make the connection that safeguarding the beauty and wholeness of coastal environments will prove a losing battle if

California's people give up their personal integrity. I think the telling argument in this case is that better sites exist for advancing the cause of education with the much-needed new school. Thanks for your consideration.

With best wishes,

Scott Hartley

BERNARD FELDMAN

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FEB 17 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Feb. 17, 2000

To: Dan Carl, Planner, California Coastal Commission Fax # : 427-4877
From: Bernie Feldman
Subject: Proposed "Millenium" High School Site

Dear Mr. Carl:

Please copy this memo and the attached letter and map to the members of the Coastal Commission

The Pajaro Valley Unified School District (PVUSD) Board of Directors has proposed building a new high school on the Edwards property. I am one of many citizens who believe that this site is not suitable for a High School for many environmental, safety and other reasons well known to you. I am especially disturbed that the PVUSD Board is proposing a site with so many problems and is offering no contingency plan. However, the purpose of this letter is to discuss only one class of concerns about this site, namely , the relation of the school site to the nearby Watsonville Municipal Airport.

Attached to this letter is a copy of a letter from Cal-Trans dated Feb. 3, 2000 and a map of the proposed sites which were evaluated in 1992. This letter from Daniel Gargas clearly states that the site currently proposed for the High School is different from the one that was evaluated in 1992 and since the original approval was marginal, with noise and safety problems cited, a re-evaluation might result in disapproval. Since the health and safety of the children has a higher priority than any other considerations, including important environmental concerns, a re-evaluation is absolutely mandatory. According to Education Code 17215, it is the responsibility of the State Department of Education to request in writing an evaluation of this site from the Department of Transportation. It is clear that as of February 3, 2000 such a request was not extant.

Here are some relevant quotes from Education Code 17215:

(d) "If the report does favor the acquisition of the property for a schoolsite...the governing board shall hold a **public hearing** on the matter prior to acquiring the site."
(e) "If the Department of Transportation's recommendation does not favor acquisition of a proposed site, **state funds or local funds may not be apportioned or expended for the acquisition of that site, construction of any school building on that site,or...**"

I have personally acquired some knowledge about airport matters and I estimate that between 35 and 60 planes will fly over the proposed school site daily during school hours (if you believe the fraudulently inflated official operations figures on the Watsonville Airport web-site the number would range from 80 –135). Had the altitude of planes taking off over this school site been below 700 feet the site would have been rejected. Mr. Gargas advised me that the altitude over the site would be typically 700-1000 feet. Pilots

One Blake Ave.
Watsonville, CA 95076
Tel: 831-724-3000
Fax: 831-768-8326
email:ftc@cruzio.com

like to circle left after take-off because of the better visibility with such a maneuver. The Airport manager might suggest an alternate take-off pattern but since this airport is totally uncontrolled (no tower, no sufficient Instrument Landing System) almost all pilots will act in accordance with their safety judgements and circle left after take-off. Another factor likely to bear on the safety qualification of this site relates to proposed plans to lengthen the main runway. This might result in take-off altitudes over the proposed school site below the 700' safety threshold.

Anyone who visits the site will note that for the 70% of operations that involve training or practice on weekdays, mostly touch and go operations, the planes circle directly over the proposed high school site at low altitude.The probability is low for a crash at the proposed high school but the consequences would be devastating, so why take the chance? Also for tons of evidence about the ill effects of noise on education check the following web-sites :

http://www.lhh.org/hrq/23-l/voice.htm
http://www.lhh.org/hrq/22-l/beware.htm

It is my view that anyone officially responsible for fulfilling the requirements of the Education Code who does not call for a re-evaluation of the proposed site is guilty of dereliction of duty and anyone else willing to gloss over the health and safety considerations in favor of other considerations is guilty of moral turpitude.

Several alternatives have been presented by others, I have two suggestions for alternate sites:

1. Site # 8 is cited only for noise and since its noise derives from the crosswind runway activity which is used very sparingly, typically 2% of the operations, the noise would be minimal and there are no safety concerns for this site.
2. The airport dominates too many aspects of life in Watsonville. A reasonable way to reduce this incursion would be to close the crosswind runway. In addition to many other benefits from such an action, sites 7,9, 10 and 11 would be opened up as potential sites for a school.

Respectfully submitted,

Barry Feldman

cc: State Board of Education

STATE OF CALIFORNIA -BUSINESS, TRANSPORTATION AND HOUSING AGENCY GRAY DAVIS, Governor

DEPARTMENT OF TRANSPORTATION
AERONAUTICS PROGRAM M.S. #40
1120 N STREET - ROOM 3300
P.O. BOX 942874
SACRAMENTO, CA 94274-0001
(916) 654-4959
FAX (916) 653-9531

RECEIVED
FEB 07 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

February 3, 2000

Mr. Charles Lester
District Manager
California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 95060

Dear Mr. Lester:

In response to your letter dated January 24, 2000, the following answers your directed questions are provided:

1. **Question:** Is Area C (see map enclosed), or any portion of it, a suitable location for a public school under the applicable law?

   Area C as depicted on your map shows a considerable larger area than the site we evaluated in 1992 and 1997. Attached is a map of the site we evaluated. Any siting of school facilities outside of the areas depicted on the map originally submitted by the Pajaro Valley Unified School District in 1992 would invalidate our evaluations and another school site evaluation may be required.

2. **Question:** What accounts for the change in determination on the Harkins Slough Road Site change from 'incompatible with school development' in 1987 to 'suitable for a school' in 1992? What were the "safety and noise concerns" observed by your office regarding the Harkins Slough Road site in 1992?

   This site has always been a fence sitter. A subtle change in the conditions of the airport's operating environment would tip scales one way or the other. During the early and mid 1990s general aviation activity was at an all time low and predictions in the industry forecasted grim prospects for a recovery. Those numbers were brought down the estimated and projected activity counts for the Watsonville Municipal Airport. This change was in large part the reason we favored the school site. Additionally the site we evaluated in 1992 had different boundaries than the one we evaluated in 1987.

3. **Question:** The January 21, 1992, letter said your office's determination that the Harkins Slough Road site was suitable for a school would expire January 31, 1997. Has a new determination or an extension of this determination been granted? If so, can you please provide us with a copy? If not, will one be necessary?

We reviewed the 1992 evaluation, verified any change to the airport operating environment and considered the factors we researched, came to the same conclusion of the 1992 evaluation and issued an extension.

4. **Question:** Did (or will) your site suitability-analysis focus on existing flight patterns and numbers of flights at the Watsonville Airport, or is it based upon expected future flight patterns and numbers of flights (for example, flight patterns and numbers of flights that may be expected under the airport master plan?) Has there been a change in flight patterns and or number of flights since 1992 such that your office's determination of suitability for the Harkins Slough Road site would likewise change?

   Our evaluation weighted both the current operations and the projected operations at about the same. We take into account flight patterns, number of operations, operating altitudes. expected aircraft maneuvers and type of aircraft expected to operate over the site. We glean our information from the master plan, airport manager interviews, various government documents and from direct observations. Over the past couple of years, we have noticed an increase in operations at the Watsonville Municipal Airport. It is difficult to predict whether a favorable site recommendation would occur if the site were reevaluated today, since many factors must be considered before we come to a conclusion. Department of Transportation (Caltrans) will not speculate at this point short of the formal evaluation process. The process is initiated at the behest of the school district as stipulated in the education code. Caltrans will respond, after the request is sent through the Department of Education.

5. **Question:** It is our understanding that the applicable state requirements for public school sighting near airports were revised in 1993; please confirm whether this is or is not the case. What is the currently applicable law governing siting of public schools near airports?

   The criteria we use for sighting of schools really have not changed over the years. however, we have formalize our procedures in 1998 to standardize the way we evaluate sites and to provide better record keeping. In 1993, Caltrans published the Airport Land Use Planning Handbook and the information contained within is now considered in the evaluations we conduct. The current applicable law for sighting a school in the vicinity of an airport is Education Code 17215.

If you have any further questions or if we may be of assistance, please let us know.

Sincerely,

DANIEL R. GARGAS
Aviation Safety Officer

Enclosure

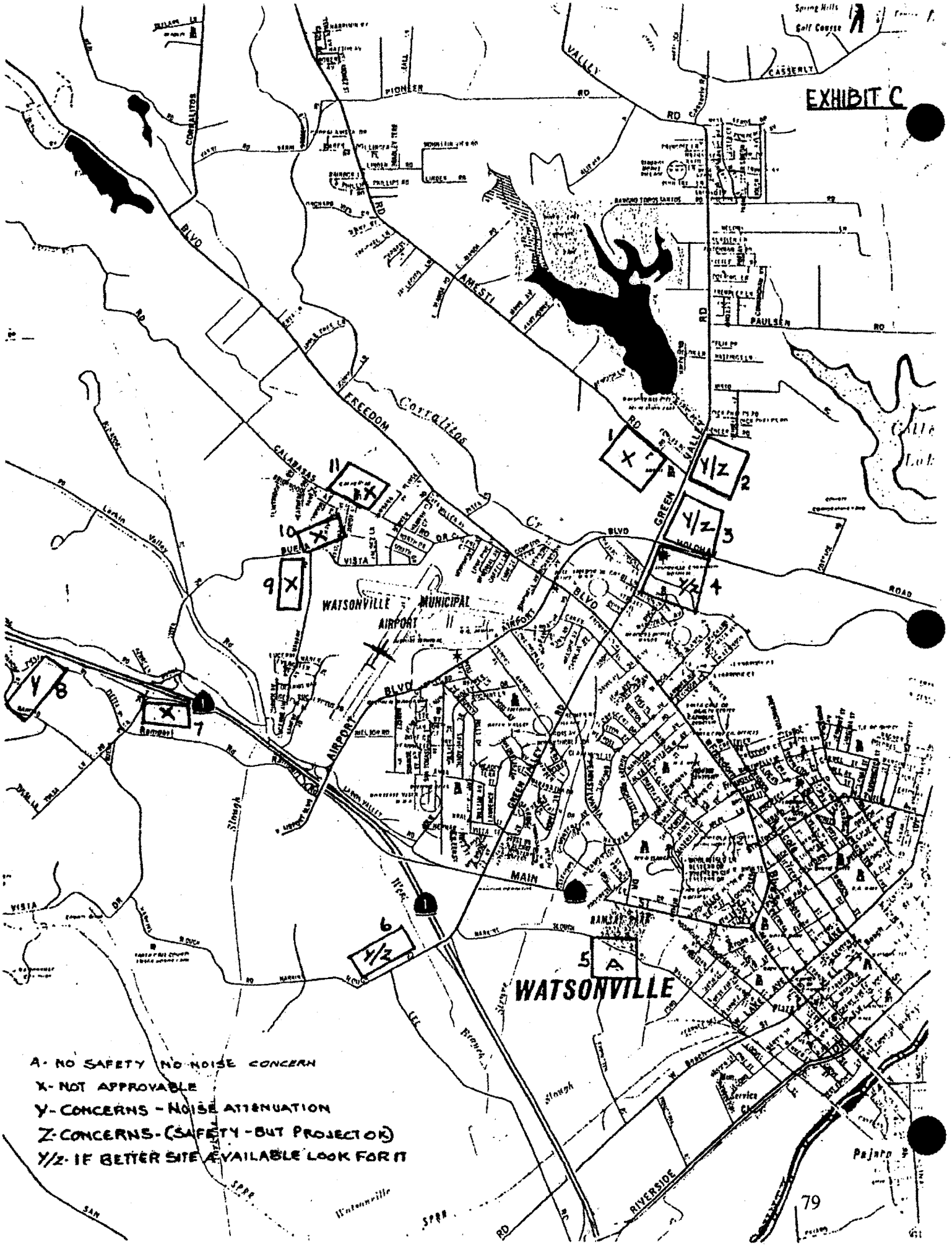
EXHIBIT C
WATSONVILLE MUNICIPAL AIRPORT
WATSONVILLE
FREEDOM BLVD
CORRALITOS
AMESTI RD
PIONEER RD
VALLEY RD
CASSERLY RD
PAULSEN RD
GREEN VALLEY RD
CALABASAS RD
BUENA VISTA DR
AIRPORT BLVD
MAIN ST
RIVERSIDE DR
Watsonville Slough
1 X
2 Y/Z
3 Y/Z
4 Y/Z
5 A
6 Y/Z
7 X
8 Y
9 X
10 X
11 X
A- NO SAFETY NO NOISE CONCERN
X- NOT APPROVABLE
Y- CONCERNS - NOISE ATTENUATION
Z- CONCERNS - (SAFETY - BUT PROJECT OK)
Y/Z- IF BETTER SITE AVAILABLE LOOK FOR IT

Date:
Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%; would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.
I am opposed to these changes for the following reasons:

RECEIVED
FEB 17 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely, Joe Fahey

Address: 163 W. Lake St.

Phone number: (831) 724-0683

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

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FEB 17 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely, Kenneth R. McKenzie / Lucille L M Kenzie

Address: Box 1049 Freedom, Ca 95019

Phone number: 831-687-0444

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reason

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FEB 17 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely, Tam Romero

Address: 480 Vega Rd
Watsonville, CA 95076

Phone number: (831) 722-8528

Date: Feb. 14, 2000

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

- The soil is unstable, prone to liquification in case of earthquake, 3 faults are known to be in the general area.
- Agricultural chemicals are routinely used on adjacent farmland
- A campus of this magnitude will inevitably do great harm to adjacent wetlands. There are several endangered species in the area.

Sincerely,

Robin

Address:
409 Second St., Apt. 2
Santa Cruz, CA 95060
Phone number:
(831) 458-1017

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

RECEIVED

FEB 17 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely, Joanne Morris

Address: 134 Parnell, Santa Cruz CA 95062

Phone number: 831-426-0408

Date:
Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.
I am opposed to these changes for the following reasons:

RECEIVED

FEB 15 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely, Rosalind Reddick
Address: 49 Blanca Ln #626 Watsonville CA 95076
Phone number: 408-722-5691

Date: 2-11-00

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: Keep our development west of Hi way "1" or not you'll open up the floor gates of development. Let us "infill" our area 1st. Lets use the Airport It's about time the city residencies get to use the land not just 300 pilots. Keep the farm land + slough areas open for educational purposes forever growth. Lets not rush into destroying this [illegible]

Sincerely, Rick Hilbert

Address: 53 EUCALYPTUS DR WATSONVILLE CA 95076

Phone number: 831 7247987

RECEIVED
FEB 15 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

RECEIVED

FEB 15 2009

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely, Saundra Lee Tate

Address: 328 Oxford Way
Santa Cruz, CA 95060

Phone number:

Date: 7 Feb 2000

Dear California Coastal Commissioners:

RECEIVED
FEB 15 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

1. A campus of this size will greatly damage & pollute adjacent wetlands & endangered species
2. Will spur further growth into wetlands area (i.e. there is not infrastructure at the site). V. limited access)
3. It will extend urban growth boundary west of Hwy. 1 freeway — bad planning!

Sincerely, Alan Baldridge

Address: 1132 Seaview Ave. Pacific Grove, CA. 93950

Phone number (831) 372-3809

RECEIVED

FEB 15 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

RECEIVED

FEB 15 2000

CALIFORNIA
COASTAL COMMISSION

DAVID B. GOLDENSON
PO BOX 321
CARMEL, CA 93921
Phone 831-620-1603 **FAX 831-620-0887**
c6kotter@aol.com

2/14/00

Mr. Peter Douglas
California Coastal Commission
45 Fremont St. Suite 2000
San Francisco, CA 94105-2219

Dear Mr. Douglas,

The issue of allowing the City of Watsonville to construct a high school complex on the Haskins Slough, west of Highway One, was discussed at a recent Monterey Peninsula Audubon Society meeting. The purpose of my letter is to oppose this construction project.

Without question, this is a proposal only a developer could support. Building a high school with its acres and acres of blacktop, will destroy the slough. There is no question that these same developers would then want more commercial development. More valuable wetlands would be eliminated, exactly what the California Coastal Commission was created to protect. Do not allow this valuable resource, one that adds to the quality of life in our area, be destroyed.

I don't see any advantage for building the school over these wetlands. The whole complex would be accessible only by car, forcing students to rely on busing. This obviously limits use of the facilities to bus scheduling. Facilities like this should be built where they're more available to students.

I understand that the Commission has already ruled once before that this area is to be saved. There is no reason to reverse that decision.

Thank you for your consideration.

Sincerely,

Date:

Dear California Coastal Commissioners:

RECEIVED
FEB 15 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

I used to live on Harkins Slough Rd. in 1980. I care deeply about preserving the habitat for birds and other wildlife. Watsonville has not had the foresight to protect and value it's wetlands. Future generations need the wonder of this area preserved. In addition, the cost and changes to current land use plan make construction on this wetland/wildlife area a poor and very short sighted investment. I am employed by PVUSD + strongly disagree with this site proposal.

Sincerely,

Jane Classen

Address: 519 Strawberry Rd.
Watsonville, CA 95076

Phone number: (831) 728-0228

90

Date:

Dear California Coastal Commissioners:

RECEIVED
DEC 1 5 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

The slough area around Watsonville is the only one left between Humboldt County and San Diego Co. ~~Most of~~ the others have been taken over for humans. We must keep what is left for migratory birds and other plants and animals that use this habitat.

Watsonville, along with the rest of us, needs to face the need to wind down the population of people.

Sincerely,

Elizabeth Israel Jones

Address:

2160 High St. #209 Santa Cruz 95060

Phone number:

831 423 3027

Date:

Dear California Coastal Commissioners:

RECEIVED
FEB 15 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

The high school should be within city limits and walking distance for the majority of students. downtown, not on the edge of farm or wetlands - part of the community, a centre to go to, have community events etc

Sincerely,

D Coke

Address: Box 1816 Aromas CA 95004

Phone number: 831 726 3320

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: It's a very bad site for a high school – airport inside from nearby runways, farm pesticides etc. It's very expensive land to build on. There are better alternatives

Sincerely, Ruth Hamilton

Address:

Ms. Ruth Hamilton
835 Browns Valley Rd
Watsonville, CA 95076

Phone number:

831-724-0361

RECEIVED
FEB 15 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: I DON'T WANT EXCEPTIONS ADD PRECIDENTS THAT REDUCE ANIMAL HABITAT!

RECEIVED

FEB 15 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely, Gary Hughes GARY HUGHES

Address: 110 FRUITLAND AVE

Phone number: 728-2369

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FEB 15 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

RECEIVED
FEB 14 2000
CALIFORNIA
COASTAL COMMISSION

Feb. 11, 2000

Peter Douglas, Executive Director
Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Dear Mr. Douglas,

I am writing to urge the Coastal Commission to reject the Harkins Slough site for the Watsonville High School. I believe the Coastal Commission's mandates re land use on the California Coast are an invaluable tool for preserving the life in and around the waters that are so vital to us all. The exceptions needed for this site to become a high school seem extreme to me.

The Watsonville wetlands, being the largest freshwater wetlands on the central coast, are of vital importance. They provide food and shelter for 22 of the 73 birds listed as species of special concern in California. Putting 2,000 students and hundreds of staff and faculty, their cars, and the all the necessary infrastructure on the Edward property will do irreplaceably damage the uplands and the sloughs surrounding them.

Further, the site is very bad for students. It is removed from all services, and there are many health and safety concerns. We are in this bind because the school district has blindly followed this course without seriously considering alternatives. In fact, there is land across the freeway, the Landmark Property, which is for sale and would be large enough for a high school.

Thank you for your thoughtfulness on this matter.

Sincerely,

Carol Whitehill

Carol Whitehill
157 Rider Rd.
Watsonville, CA 95076
phone: 1-831-728-5667

RECEIVED

FEB 15 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sandra Nichols, MA, CCC
686 Larkin Valley Road
Watsonville, California 95078
831-763-1895
e-mail: nichols@cruzio.com

RECEIVED

FEB 15 2000

CALIFORNIA
COASTAL COMMISSION

Peter Douglas, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Dear Mr. Douglas, February 11, 2000

The more a person learns about the Pajaro Valley Unified School District (PVUSD) effort to gain approval for construction of a comprehensive high school at Harkins Slough Road, the more one ascertains that things are not as they seem initially. I wish to share with you some of my concerns.

The reason there is so much positive community support for the new high school is that publicity in favor of the slough site portrays the question as: "Do we or do we not need a new high school?" This is made into an emotional plea for standing up for education and our students. Many of those who oppose the slough site are strong advocates for public schools and students. I count myself among these, with a background of more than 21 years dedicated to teaching in the California public schools. We do not oppose a new high school. We strongly support one. Our concerns regard the placement of the school in wetlands, away from where students live, away from facilities, near the airport runway and flight paths and the county dump, surrounded by farmland and pesticide use.

Advocates for the slough high school site state that students will be taught environmental studies, and the campus will serve as a model for environmental stewardship and protection of the wetlands and endangered species. This may be an appealing thought when one first hears it. However, if this school is constructed at the slough, it will serve as an example to our students that we maneuver politically around the coastal protection regulations in order to gain approval for the very buildings in which the students will study the importance of protecting our environment. Clearly this is the "do as we say, not as we do" mentality, which teachers know does not work.

Then there is the phenomenon of ENVIRONMENTAL RACISM. The proposed high school will draw large numbers of Latino students. This project relegates our students to land that the city planners know has extremely limited economic value. The restrictions to development that are currently in place make this property nearly worthless to a city with great housing and job needs and a limited tax base. Locating the school there, where there are no neighbors to complain, frees other sites for commercial and residential development, but puts our precious young people in an area where small aircraft practice maneuvers over their heads, within a mile of the huge Buena Vista Landfill with seagulls and mosquitoes to transmit the filth. On top of all this, our civic leaders' priorities are clear when our young people are sent to study in the slough while a huge

shopping complex has recently been constructed on the property which was considered equally good for the school project, by the site selection committee. Now, of course, that appropriate site is no longer available. The publicity of slough site advocates suggests that there are no alternatives sites, and that this is the reason that we must cross the freeway, into the Coastal Zone, and appeal to the CCC that regulations be altered on behalf of our students. This is simply not true. There are alternative sites. I'm sure you are familiar with the alternative sites, as they are all included in the Environmental Impact Report (revised version). Please contact me if you need more details on this.

Who is really going to benefit from the slough site high school?

We read in the newspaper that the PVUSD school board members all support the high school site at the slough, yet when certain board members are spoken to personally, they express that this site is a ridiculously bad site for the new school. Please understand that our school district is also suffering from "the Aptos Secession Movement", proponents of which want the district split up into 2 districts, the boundaries of which will increasingly segregate Latinos and Anglos in their school districts. Proponents of secession have a hidden agenda. They can not move forward with their secession plan until the high school is completely permitted and the land is acquired. When the PVUSD is ready to break ground on their new high school, the secessionists can proceed to their next step towards actualizing their dream. For this reason, even environmentalists may advocate for the slough school site due to this hidden agenda. Anyone living in (or owning property in) the proposed secession area, i.e.. La Selva Beach, Rio Del Mar, Aptos, and the Pajaro Dunes, may have this covert motivation for supporting the slough site for the high school. All indication is that their property values will go up if the high school construction leads to successful secession! This has to do with test scores and wealthy well-educated residents who speak only English, wanting to break off from their mostly Latino neighbors to the south.

Regarding pesticide use on neighboring farmlands, the district counters with an argument that the school is adjacent to an organic farm. What guarantee is provided our students that this will continue to be an organic farm? Also, not all neighboring properties are used by organic farmers. This is farmland. Our district already has problematic school sites where students are exposed to farm chemicals. It is clear that our students best interests are not served by this particular high school site.

I believe I have addressed the issues that are compelling and require consideration when decisions about altering our Local Coastal Program are made. Please contact me if you would like to discuss any of my concerns.

Thank you very much for your concern about our coastal land. Please do not allow local politics to interfere with your commitment to protect these lands.

Yours truly,

Sandra Nichols

Sandra Nichols
Bilingual Speech and Language Specialist, parent, Watsonville resident, and a member of the Committee for a Safe and Sane High School Site

Date:

Dear California Coastal Commissioners:

~~I am opposed to~~ Support an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would not reduce significantly the amount of land designated for for environmental protection.

~~I am opposed to~~ Support these changes for the following reasons:

• The change is not significant.
• already allows more greater th

Sincerely, K E Schmell

Address: 611 Ocean St. Suite 1
Santa Cruz, CA 95060

Phone number: 831-457-3721

★ ★ ★ UNITED STATES POSTAGE
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RECEIVED
FEB 14 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

January 31, 2000

Peter Douglas, Executive Director
California Coastal Commission
45 Fremont St., Suite 2000
San Francisco, CA 94105-2219

RECEIVED
FEB 11 2000
CALIFORNIA
COASTAL COMMISSION

Re: Proposed new high school for Watsonville

Dear California Coastal Commission:

I want to express my opposition to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Hwy 1, outside of Watsonville. It would significantly reduce the amount of land designated for environmental protection. We have already lost too many acres of wetlands, and are jeopardizing the continued survival of migratory birds.

Further, this is a poor location for a high school because of the lack of services present in the area and therefore the necessity for significant construction beyond the school itself. Please continue to protect our fragile ecosystems by rejecting this plan.

Sincerely,

Monica Pielego

Address 117 Darwin St Santa Cruz
Phone # 460-0215

RECEIVED
FEB 14 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

RECEIVED
FEB 1 1 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

Demographically Wrong Environmentally Wrong
Geographically wrong Geologically wrong
Brown Act, Coastal Act Election Laws, et al violated - Wrong

Sincerely, Harriette, Courtney, Doug Proctor

Address: 3 Mann Ave, Watsonville, Ca. 95076

Phone number: 722-1167

Secret Meetings Wrong Future Development - Wrong
City Council Involvement - wrong

Date: 2/4/00

Dear California Coastal Commissioners:

RECEIVED
FEB 1 1 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

This area already has a water problem due to salt water intrusion and overuse. eliminating this valuable recharge zone (or significantly reducing it) makes no sense. Learn from other areas that are now having to restore their wetlands. Dont allow this mistake to happen.

Sincerely,

Kim Kiest (KIM KIEST)

Address: 321 A PALM AVE
WATSONVILLE, CA 95076

Phone number:
(831) 761-0315

Susan C. Maresco 660 Nobel Drive, 3C Santa Cruz, CA 95060 (831) 423-2380

8 February 2000

RECEIVED
FEB 11 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

RECEIVED
FEB 10 2000
CALIFORNIA
COASTAL COMMISSION

Peter Douglas, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximun impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for environmental protection .

I am opposed to these changes for the following reasons: primarily, they are physically and environmentally unsound, endangering both the wetlands and its inhabitants for reasons well known to anyone who has set eyes on that spot. Furthermore, building on a marshy area in unreliable, earthquake country is folly. Rumor has it that the new huge mall further east already has seepage problems.

Yours truly,

Susan Maresco

Susan Maresco

January 31, 2000

RECEIVED

FEB 11 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Peter Douglas, Executive Director
California Coastal Commission
45 Fremont St., Suite 2000
San Francisco, CA 94105-2219

Re: Proposed new high school for Watsonville

Dear California Coastal Commission:

I want to express my opposition to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Hwy 1, outside of Watsonville. It would significantly reduce the amount of land designated for environmental protection. We have already lost too many acres of wetlands, and are jeopardizing the continued survival of migratory birds.

Further, this is a poor location for a high school because of the lack of services present in the area and therefore the necessity for significant construction beyond the school itself. Please continue to protect our fragile ecosystems by rejecting this plan.

Sincerely,

Cheri Joseph

Address 2512 Charlene Lane Santa Cruz, CA 95062
Phone # 831-475-4662

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

There are sites that would be better for the high school – and much better for the environment

Sincerely,

Thanks 2/6/00

Address:

Phone number:

Dr. Ian G. Walton
430 Hampstead Way
Santa Cruz, CA 95062-5333

RECEIVED
FEB 11 2000
CALIFORNIA
COASTAL
CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

The remaining wetlands of California, which is 3%, are in danger of being destroyed by build out and pollution. The presence of a large high school adjacent to wetlands poses many environmental threats to bird, plant and animal life, including urban development once high school is built out there.

Please preserve California wetlands.

Sincerely, Rita Uribe

Address: PO Box 164, Aromas, CA 95004

Phone number: 726.1941

RECEIVED
FEB 10 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

RECEIVED

FEB 10 2000

CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

(1) Changing zoning in environmentally sensitive areas is a pattern I would rather not see started.

(2) Unstable soil → Its not meant to be - its meant to be left as it is. natural.

(3) Road of only two access roads to this site is frequently underwater.

(4) The presence of school this size will certainly spur further urban growth in a city that has been impatiently waiting to expand.

(5) Close proximity to county landfill

(6) There are alternatives - The $40 million the school district said it had in reserve hardship funds hasn't been made available to explore those alternatives - But the district has used $50,000 from their budget to use in a huge promotional effort to get public approval for this one site.

(6) Sewer lines and retaining walls in unstable ground ???

Sincerely, Leshe Jones

Address: 151 Old Adobe Rd.
Watsonville, CA 95076

Phone number: 722-6134

RECEIVED
FEB - 9 2000
CALIFORNIA
COASTAL COMMISSION

470 Browns Valley Rd
Watsonville CA 95076-0330

Dear Mr. Douglas,

Please do not amend the Coastal Plan to allow a new high school on Harkins Slough Road West of Hiway 1 — I have 2 grandchildren in Aptos High so I know we really need a new high school in this area — but the proposed site West of Hiway 1 would be the wrong place for a school, for many reasons —

Sincerely,

Mary Richardson

RECEIVED
FEB 10 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: The negative impact on the wetlands would be severe + irreparable. Either alone would would degrade the environment. The more would put pressure to expand development beyond the freeway, resulting in sprawl to the coast. The students are not located near the proposed site. Traffic, pollution + inconvenience let alone the cost to a population that can ill afford additional expenses. This is the wrong place for the school! Two smaller high schools would provide a better education due to smaller student body w/ in the city limits [illegible]

Sincerely, [illegible]

Address: 511 Westridge Dr. Watsonville, Ca

Phone number:

RECEIVED

FEB 08 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST A.

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: The School would be located in a Slough, roads become unaccessible during the winter, chemicals used in nearby fields would endanger the students, plus opening the district to possible future lawsuits that [illegible] costing to the community.

Sincerely, Gloria Luna

Address: 762 Bronte Ave
Watsonville, CA 95076

Phone number:
728-5540

RECEIVED
FEB 08 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

RECEIVED
FEB 0 8 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

threatens valuable wetlands
is in the approach path to the airport
site presents safety hazards due to nearby
landfill and limited access for
emergency vehicles and pedestrian/bicycle access.

Sincerely, Joseph Herrlein

Address: P.O. Box 90 Carmel Valley, CA 93924

Phone number: 659-9765

Date: Feb 3rd 2000

Dear California Coastal Commissioners:

RECEIVED

FEB 08 2000

CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

We ~~I am~~ opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

~~I am~~ opposed to these changes for the following reasons: Encroachment wetlands and placing children in unnecessary danger with unnecessary long journey to school out of the homes area - alternate more suitable sights are available within city limits.

Sincerely, Mr. Willetts Dee Willetts

Address: Jewson Rd Moss Landing Ca 95039 M+DC Willetts

Phone number: 728 9657

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: A proposed "agreement" between the city of Watsonville and others does not alter our opposition to this site. If these sensitive areas are not preserved now – when do we stop. The decrease in wetlands every year in our country is sickening. I do not trust the city of Watsonville to adhere to any agreement. The Alianza School site should be reevaluated, as for such a great ballfields at this site – Watsonville High School fields could be used if necessary.

Sincerely, Ed & Virginia Moore

Address: 27 Cutter Dr. Watsonville, Ca. 95076

Phone number: (831) 724-6103

RECEIVED

FEB 08 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

① unstable soil, ② not centrally located for a high school, ③ endangers wetlands preservation; ④ no alternative sites have been identified by the School District.

Sincerely, Jerry Hilsenrath

Address: 106 Grove Lane #11, Capitola, CA 95010

Phone number: 831-462-9660

RECEIVED
FEB 0
CALIFORNIA COASTAL COMMISSION
CENTRAL COAST AREA

Feb. 2, 2000

Peter Douglas, Executive Director
California Coastal Comission
45 Fremont St, Suite 2000
San Francisco, CA 94105-2219

RECEIVED
FEB - 7 2000
CALIFORNIA
COASTAL COMMISSION

Dear California Coastal Commissioners:

We are opposed to the building of the Watsonville High School on Harkin Slough Rd. west of Highway 1 because it is environmentally not sound.

To put it in simpler terms it's a stupid place to build a school.

We hope you all look at the site before you make your decision.

Stan and Pat da Silva
110 Willet Circle
Watsonville, CA 95076

RECEIVED
FEB 0 8 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

RECEIVED
FEB 08 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

- the environmental damage would be enormous
- the money should be spent on education rather than on new buildings & infrastructure. Why didn't they buy & use the old Watsonville hospital??

Sincerely, Leland H Makood

Address: 58 pepperwood Way Soquel, Ca. 95073

Phone number: 831-477-1115

Date:

Dear California Coastal Commissioners:

RECEIVED
FEB 08 2000
CALIFORNIA
COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

PASSAGE OF THE AMENDMENT WOULD SIGNIFICANTLY REDUCE AREA AND PROTECTION FOR BIRDS AND MAMMALS. WETLANDS HAVE BEEN ELIMINATED OVER THE YEARS. PRESENT PLANS (PLUS AMENDMENT) WOULD ENDANGER MIGRATORY SPECIES. WE DO HAVE ALTERNATIVES FOR A SITE FOR THE HIGH SCHOOL. LET US EXAMINE THEM. "NO" TO THE AMENDMENT.

Sincerely, HERBERT KAJZEN

Address: 1448 DAY VALLEY RD. Aptos, CA 95003-9721

Phone number: (831) 684-1063

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

(1) ~~I~~ we want PVUSD to find an area which is not environmentally sensitive.

(2) Plus, ~~I~~ we support organic farming there

Sincerely,

Leslie + Craig Rayburn

Address:

1475 Lower Highland

Watsonville

Phone number:

761-9095

RECEIVED

FEB 08 2000

CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

RECEIVED
FEB 08 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

- Environmentally sesitive area - runoff, noise & litter would damage habitat of endangered species
- Unsafe access & limited to one road at times
- Would encourage more development in area

Sincerely, Orla Stuart ORLA STUART

Address: 137 LOS ALTOS CT., SANTA CRUZ, CA 95060

Phone number:
(831) 423-8301

RECEIVED
FEB 0 8 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date:
Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: safety - in path of take off area airport p. 7 mile from dump; damage to slough from run-off, trash, traffic & need for wider roads; danger to students from ag chemicals and the use of this site would open this area for growth (building)

Sincerely, Bradley K Partin

Address: 350 San Miguel Cyn Rd Watsonville Ca

Phone number: 831-761-1273

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

There are 3 faults in this general area. It is too near the airport, only 2 narrow streets to this site & one is frequently under water. Agriculture chemicals are used nearby. Our land fill is within .7 of a mile of the site.

Sincerely,

Jane Soares

Address: 632 Heather Dr.
Watsonville, Calif 95076

Phone number: 831-763-2240

RECEIVED
FEB 08 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

RECEIVED
FEB 08 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

We have already seen development cut down so close to the slough bottom all over Struve Slough in Watsonville. Please!!! There is very little left!! Keep the habitat intact.

Sincerely,

Robert Dainbert

Address: 13 Melrose Ave.

Watsonville Ca. 95076

Phone number: 831-761-8618

Save Our Slough

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

I am against encroaching on protection of the Coastal Zone.

RECEIVED
FEB 08 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely, Rosalind Reddick

Address: 49 Blanca Apt #626
Watsonville CA 95076

Phone number: 408-722-5691

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

IT IS A SLIPPERY SLOPE TO WEAKEN COASTAL PROTECTION. THERE ARE ALTERNATIVES. THE LAND IS TOO VALUABLE TO GIVE UP AS OPEN SPACE, WETLANDS

Sincerely, Alan T. Lamb

Address: 115 VEGA ROAD WATSONVILLE CA 95076

Phone number: 831 724-6113

RECEIVED
FEB 08 2000
CALIFORNIA COASTAL COMMISSION
CENTRAL COAST AREA

January 31, 2000

Peter Douglas, Executive Director
California Coastal Commission
45 Fremont St., Suite 2000
San Francisco, CA 94105-2219

RECEIVED
FEB 0 8 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

RECEIVED
FEB - 7 2000
CALIFORNIA
COASTAL COMMISSION

Re: Proposed new high school for Watsonville

Dear California Coastal Commission:

I want to express my opposition to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Hwy 1, outside of Watsonville. It would significantly reduce the amount of land designated for environmental protection. We have already lost too many acres of wetlands, and are jeopardizing the continued survival of migratory birds.

Further, this is a poor location for a high school because of the lack of services present in the area and therefore the necessity for significant construction beyond the school itself. Please continue to protect our fragile ecosystems by rejecting this plan.

Sincerely,

Mary Ferguson

Address 2284 Day Lane Santa Cruz, CA 95062
Phone # (831) 479-8248

January 31, 2000

Peter Douglas, Executive Director
California Coastal Commission
45 Fremont St., Suite 2000
San Francisco, CA 94105-2219

RECEIVED RECEIVED
FEB 0 8 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA
FEB - 7 2000
CALIFORNIA
COASTAL COMMISSION

Re: Proposed new high school for Watsonville

Dear California Coastal Commission:

I want to express my opposition to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Hwy 1, outside of Watsonville. It would significantly reduce the amount of land designated for environmental protection. We have already lost too many acres of wetlands, and are jeopardizing the continued survival of migratory birds.

Further, this is a poor location for a high school because of the lack of services present in the area and therefore the necessity for significant construction beyond the school itself. Please continue to protect our fragile ecosystems by rejecting this plan.

Sincerely,

Stacy Cole

Address 23 Blake Ave Corralitos, CA 95076
Phone # 831 469 1900

Date:
Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.
I am opposed to these changes for the following reasons:

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FEB 08 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely, Douglas M. Forney

Address: 483 Tuttle Ave. Watsonville, Ca 95076
Phone number: (831) 722-5275

RECEIVED

FEB 08 2000

CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

Date: 2/6/00

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: It is a breathtakingly idiotic proposal.

1. danger to students - remote from their homes, from emergency services; too close to airport noise and landfill toxins as well as ag-chemicals
2. danger to wetlands. air, water and noise pollution, litter, destruction of native habitat for flora and fauna
3. cannot be made earthquake and flood safe.
4. will encourage similarly destructive land use and urban planning in the area and elsewhere.

Our children deserve better

Sincerely,

Y Bergal MD

Address:

424 Poplar Avenue SC 95062

Phone number:

I worked in Watsonville at SPLG, WHC, PPWV - the clinics which cared for many of those students - off and on 1986 to 1997. I also play Symphony concerts at the Mello.

Date: 2-3-00

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: The High School would open the door to development on the West side of Hwy 1. Development and student activities will threaten wildlife and habitat and degrade the slough. Runoff, traffic, noise, school activities will have an adverse affect on wildlife and the preserve adjacent to school.

Sincerely, Sandra Henn

Address: 227 North Ave. Aptos, CA

Phone number: 831-662-2843

RECEIVED
FEB 0 8 2000
CALIFORNIA
COASTAL COMMISSION

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

Building on steeper slopes
18 acres of impervious cover
Reduced environmental protection
Single access road
Dangerous surroundings - jail, ag toxics, traffic.

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely,

Caroline Rodgers

Address:
2661 Beach Rd.
Phone number: Watsonville, CA 95076

There are alternatives!

Date:

Dear California Coastal Commissioners:

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FEB 0 8 2000

CALIFORNIA COASTAL COMMISSION

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: We do not believe it is prudent or necessary to build a new high school w. of highway 1 - It is an inconvenient location with questionable access and too far out of the way for the population using such a facility besides the fact of endangerment to our local coastal environment! Other more convenient and economically viable land use would be the airport property supported by us, the taxpayers, and used by an elite few - Sincerely Mr & Mrs. William Falke 755 Bronte Ave, Watsonville

Sincerely,

Address:

Phone number: 831-724-8474

Gary S. Harrold 534 La Honda Dr. Aptos, CA 95003

Dear California Coastal Commissioners, Feb. 7. 2000

Have you heard of Bill McKibben? He is a man who has popularized the notion of "Livable Cities". By placing the New Millennium High School so far from the center of Watsonville, we are encouraging more vehicular use, more foul air, more noise and certainly less tranquility. Bill McKibben says property values increase when downtowns are developed such that people can walk or take public transportation. But who wants to walk along fume-filed avenues or roads rumbling with vehicles? There would be less driving and more walking if the high school were placed closer to the center of Watsonville. Thought could be given to 2 separate campuses in existing, underused, and remodeled warehouses. That idea is certainly more cost effective and more environmentally-friendly.

Have any of you noticed the strawberry field that is the proposed site for the 50 acre high school? Was it sprayed with an herbicide to make it look undesirable for agriculture? Indeed, yesterday (Sunday, Feb. 6) it looked like a high school might be an improvement over the chemical burnt plants. What an interesting tactic!

Don't you think it eccentric for the Pajaro Valley Unified School District to spend $50,000. for public relations to try to convince the public that the Harkins Slough site is the best site for the school?

You have an opportunity to be visionary and creative. You can learn from Oregon and Bay Area cities that having urban growth boundaries actually increase the quality of life in both the rural and downtown areas. Sprawl, like a metastasized cancer, is contained.

Perhaps the existing and spacious Alianza school could be remodeled.

For your innovative and independent thinking, I thank you...

Gary Harrold

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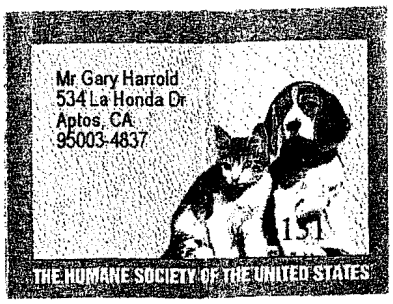
COASTAL COMMISSION
CENTRAL COAST AREA

662-0102



Dear Peter Douglas,
Please Stop Local Plan for H.S. in Hwy 1 area

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Committee for a Safe and Sane High School Site
Fact Sheet

The proposed Harkins Slough site for the new high school is not good for our high school students.

Problems with this site:

- This site is right in the path of the airport take-off pattern and scarcely a mile from the airport. Noise pollution and danger to the students would be constant. The aeronautics Division of Cal Trans have expressed concern for the safety and noise issues at this site.
- The soil is unstable, prone to liquefaction in case of earthquake, 3 faults are known to be in the general area.
- This location is not centrally located to the school attendance area.
- Utilizing the proposed site will present serious safety hazards to foot and bicycle traffic.
- Only two narrow streets give access to this site, and one of them is frequently under water.
- This site has limited access to emergency services.
- Agricultural chemicals are routinely used on adjacent farmland.
- The 134 acre Buena Vista Land fill is within .7 of a mile of the site. This represents a considerable health threat to the students and staff at the school.
- A campus of this magnitude will inevitably do great harm to the adjacent wetlands. There are several endangered species in the area.
- Runoff from the parking lots and playing fields will flow into the Slough.
- Activity related to the operation of the school, traffic day and night, noise, bright lights for night activities, presence of large numbers of people will destroy native animal habitat.
- Trash generated by the amount of people on the site will litter the wetlands.
- The presence of a huge high school would necessarily spur urban growth and development, There will be a need for convenience shopping, housing and related services. If there is a high school there, rejection of other uses will not be enforceable.

About the negotiations:

- The School District has demonstrated a lack of cooperation and openness with the public in the promotion of this site for the high school. There has not been a thorough explanation for their rejection of other viable alternative sites.
- The public has been offered only two choices: A high school on this site or none. That leaves us in the untenable position of appearing to reject education for our youth if we oppose this site.
- In spite of the serious problems with this site, no contingency site has been put forth by the District.
- The District has spent millions on a piece of land which it does not own. The site has not been approved by the Coastal Commission. Additionally, the District application for the

high school construction on this site has been revoked by The State Department of General Services Office of Public School Construction.

- The School district has expropriated $50,000 education tax dollars from the schools' already tight budget in order hire a consulting firm for the express purpose of conducting a high powered public relations campaign, and to pressure the Coastal Commission into approving the Harkins Slough site.
- Money has been spent on promotion of this site rather than on investigation of alternative sites or alternative ways to meet our students' needs.
- $ 40 million the District said it had in hardship funds to spend on the school was never available for that purpose at any time.
- The District has resisted requests for a current Cal Trans evaluation of the site with respect to its proximity to the airport.
- The District suggests that the land is destined to be developed even if there is no high school. Those examples that they sight, (high impact uses such as industry), would be contrary to the restrictions in the coastal act.
- The extensive environmental damage that this campus would cause will not be mitigated by an environmental studies program envisioned by the Superintendent of Schools.
- Sinking so much money into promoting this one site for the high school on speculation is irresponsible use of public funds.
- This is the wrong place for the school, since there must be such huge infrastructure investments , such as water, sewer lines, foundations, retaining walls, detention basins, culverts and bridges. This takes money away from a quality education program.
- Protection of an environmentally sensitive area like this is extremely expensive. That money spent on mitigation measures will not directly contribute to the education of our youth.

There are alternatives that will better meet the needs of our high school students:

- Alianza Elementary School (formerly Mora H.S.)
- Landmark Property
- Calabasas Site
- Buena Vista sites (on the east side of the highway)
- 2 small high schools
- a continuation high school

SARA BHAKTI, Ph.D.
CLINICAL PSYCHOLOGIST

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CALIFORNIA
COASTAL COMMISSION

2/5/00

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COASTAL COMMISSION
CENTRAL COAST AREA

Mr. Peter Douglas, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

RE: Watsonville proposed amendment to LCP

Dear Mr. Douglas:

I am writing to strongly urge you to hold that line" on the west of Highway 1 in the Watsonville area of Santa Cruz County.

I do not oppose a new high school. It is badly needed here in the south county where I live. But I have a slew of objections to the proposed site:

* The site is on sensitive wetlands, and subject to liquifaction in this earthquake-prone area. It would be very costly to engineer the construction on this site to offset the soil and land conditions. The money spent on engineering would be so much better spent on education.

* The site is in the flight take-off pattern from a local airport and there would be considerable noise pollution and possibly other impediments due to the proximity of the airport.

* The site is cut off from the city of Watsonville and the population the high school would serve, because the freeway, Route 1 divides it from town. This represents a poor development choice in terms of city planning and inclusion of a high school campus into the main community.

* Most important, there are other much more appropriate sites on which the new high school can be built. This is, perhaps, the most important reason of all. I do not know why Watsonville city government has put so much effort into insisting on the proposed site. I suspect it is the city's way to force expansion onto land west of Highway 1, land that is in the Coastal Commission's purview.

I urge you to please uphold the protection with which the Coastal Commission is charged. Please resist all the political pressure which the city of Watsonville is bringing to bear. Above all, to retain the unique qualities along the central coast in California, the land side of the Monterey Bay Sanctuary, it is the task of the Coastal Commission to hold to its principles and stated purpose. Please "hold that line" .

P.O. Box 652
Santa Cruz, CA
95061
408-475-7006

Sincerely yours,

Sara Bhakti

Sara Bhakti, Ph.D.
resident, Pajaro Valley

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FEB 0 8 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

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FEB - 8 2000

CALIFORNIA
COASTAL COMMISSION

2/6/00

Mr. Peter Douglas, Exec. Drctr.
California Coastal Commission
45 Fremont St., Ste 2000
San Francisco, CA 94105- 2219

Dear Mr. Douglas,

Since you are such a busy official, and involved in so much decision making on so many fronts throughout the state of California, I am happy to inform you that at least one of your burdens has been taken from off your shoulders. You need no longer worry yourself about the outcome of a decision pending before the Coastal Commission on March 15 in Carmel. It is all settled. Others have cleared the way for construction of the New Millennium High School on the Harkins Slough site. As two local front page newspaper reports indicate, (one of which I enclose), you can see that this project is already in the hopper. Assemblyman Fred Keeley, Mayor Oscar Rios, City Mgr. Carlos Palacios, Supt. John Casey, Supervisor Tony Campos and selected invitees from the enviro-community have met together and put the final touches on a go ahead agreement.

I see no reason for the Commissioners to meet in Carmel over this matter. It has been taken care of. Motel and hotel accommodations in that beautiful city are quite expensive. Would it not provide significant savings to the taxpayer if the meeting were simply canceled? I think so. Sir, please get the word out to the rest of the Commissioners. I mean, the rubber-stamping ceremony can be done anywhere at any time. Commissioners do not have to meet in plenary session in a distant town just to give the nod to an already arranged done deal, do they?

As for the local staff of the Central Coast Office of the CC. It is certainly a shame that they put in so much time and effort- six plus long years, hundreds and hundreds of hours, tens of thousands, if not hundreds of thousands of taxpayer dollars wasted- just to arrive at conclusions which, in a few short months, were so easily amended and overturned by local bureaucrats and politicians. In hindsight, I would have given the job of assessing the property's appropriate use to these latter to begin with. Don't you feel, sir, that that would have been a wiser, more prudential and less expensive course to follow in the long run?

In fact, now that I have your ear, why don't you reorganize the Coastal Commission. Get rid of those local CC staffs up and down the coast, and let local politicians and bureaucrats handle coastal lands usage decisions. Include also those "environmentalists" whom the pols have in their pockets? Include yourself for that matter, sir.

Respectfully,

Tim Moore

Tim Moore
747 Bronte Ave.
Watsonville, CA 95076
(831) 763- 2007
teemor@got.net

CC: Sara Wan, Charles Lester, Dave Potter

REGISTER-PAJARONIAN

Saturday, February 5, 2000 — 132nd Year — No. 288

News leader of the Pajaro Valley

Watsonville, California — One dollar (tax included)

Deal struck on high school site

Assembly leader brokers deal between environmentalists, local officials

By PETER NICHOLS
REGISTER-PAJARONIAN CORRESPONDENT

WATSONVILLE — City and school district officials have been meeting with government officials and groups opposed to the construction of the new high school in an environmentally sensitive area west of Highway 1 to find common ground and negotiate differences.

[illegible] parties will [illegible] to consider a press release and a [illegible] document to serve as a preliminary agreement after [illegible] those meetings [illegible] a site for the high school site on Harkins Slough Road.

The agreement is the result of delicate and serious negotiations facilitated by California Assembly Speaker pro Tem Fred Keeley (D-Boulder Creek). [illegible] meeting last Saturday, [illegible] an agreement [illegible] last week [illegible] conclusion [illegible] Friday.

The invitation-only meetings were attended by: Keeley, Mayor Oscar Rios, Pajaro Valley Unified School District Superintendent Dr. John Casey, School Board President Evie Volpa, Santa Cruz County Supervisor Tony Campos, Watsonville Wetlands Watch Representatives Christine Johnson-Lyons and Jim Van Houten, Sierra Club representative Marilyn Hummel, and Community Alliance with Family Farmers representative Ken Kimes.

Prior to the Saturday meeting, the factions met separately. The school district and city officials at one location, environmental group representatives at another — with Keeley engaging in "shuttle diplomacy" between the two.

Keeley

Then, "when the moment was right," said Keeley, "it was time for face-to-face meetings."

Rumors about the meetings were the subject of a mail message circulating among members of Citizens for a Safe and Sane High School, a group recently formed to oppose the project. Jim Van Houten, also a member of that group remarked after Saturday's meeting that he was "very encouraged".

But a veil of secrecy was successfully cast over the proceedings. The deal reportedly includes an agreement by the environmentalists to speak in favor of the high

See DEAL, page 8

From page 1

school site at the Coastal Commission meeting.

Keeley acknowledged that the deal was "delicate" and respectfully declined to offer any clues regarding its substance.

After the Friday meeting, however, Keeley reaffirmed his confidence that a comprehensive high school will be constructed on the site.

The focus of concern by environmentalists has always been the question of the wetlands and potential of expansion by the city into lands west of Highway 1. In order to satisfy the Coastal Commission, any agreement would have to address issues related to growth inducing impacts.

The Coastal Commission's March 15 meeting will be held in Carmel, and it is hoped that the city's local Coastal Program amendments will be addressed there.

In weather does not permit the outdoor gathering on Sunday, the press conference will be held at the Watsonville Chamber of Commerce Chambers.

January 31, 2000

Peter Douglas, Executive Director
California Coastal Commission
45 Fremont St., Suite 2000
San Francisco, CA 94105-2219

RECEIVED
FEB 07 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Re: Proposed new high school for Watsonville

Dear California Coastal Commission:

I want to express my opposition to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Hwy 1, outside of Watsonville. It would significantly reduce the amount of land designated for environmental protection. We have already lost too many acres of wetlands, and are jeopardizing the continued survival of migratory birds.

Further, this is a poor location for a high school because of the lack of services present in the area and therefore the necessity for significant construction beyond the school itself. Please continue to protect our fragile ecosystems by rejecting this plan.

Sincerely,

Ellen Gaap

Address 3510 Putter Dr., Soquel CA
Phone # 831-462-1585

Date:
Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.
I am opposed to these changes for the following reasons:
It seems that the enclosed reasons if accurate, are worth investigating. I have personally not visited the sight.

RECEIVED
FEB 07 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely, Marcia McDougal
Address: Box J, Davenport Ca 95017
Phone number H 831-423-4402
W 831-426-4122

Date: 1/31/2000

Dear California Coastal Commissioners:

SALINAS, CA 939 JAN 31 2000

ALWAYS USE ZIP CODE

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

RECEIVED

FEB 07 2000

CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

Sincerely, Janice M. O'Brien

Address: Box 1037, Pebble Beach, Ca. 93953

Phone number: (831) ~~625-1037~~ 625-1386

Date: 2/4/06

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

RECEIVED
FEB 04 2000
CALIFORNIA
COASTAL COMMISSION

Sincerely, Patricia O'Hara

Address: 1 BLAKE AVE. WATSONVILLE CA 95076

Phone number: 831-724-3467

Date:
Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.
I am opposed to these changes for the following reasons:

RECEIVED
FEB 04 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely, Daniel V. Alper

Address: 208 First St. #Y S. Cruz 95060

Phone number:

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

Danger to bird habitat.

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FEB 04 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely, B McLaughlin

Address: 134 Anthony St. Santa Cruz CA

Phone number: 831 423 7103

Date:

Dear California Coastal Commissioners:

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FEB 04 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: Using this site, which will inevitably have adverse environmental impacts, will teach the wrong message to the students of such a proposed school. It would take a lot of creativity, care, & money to not impact the wetlands.

Sincerely, Earl Mitherton

Address: Box 544, Boulder Creek, CA 95006

Phone number: 338-2097

Date:

Dear California Coastal Commissioners:

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FEB 04 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

The location isn't centrally located to the school attendance area.
Will, in general, wreak havoc on valuable wetlands and damage to the quality of the Coastal zone.

Sincerely,

Address: Genevieve Piraino
480 Vega Rd., Watsonville, 95076

Phone number:
831-724-3846

Date:

Dear California Coastal Commissioners:

RECEIVED
FEB 0 4 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

Land in this region is just being taken over by commercial and residential use to the extent our great farming area is going the way Santa Clara City did. This has to stop!!

Sincerely, M Hollard

Address: 25685 S Kyland Rd.
Los Gatos, Cal. 95033 (Santa Cruz City)

Phone number:
408-353-3711

Date:
Dear California Coastal Commissioners:

RECEIVED
FEB 0 4 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.
I am opposed to these changes for the following reasons:

1. There are other locations within Watsonville that could be used for School.
2. The slough / wetlands are among LAST on whole Coast to protect wildlife - many of which are endangered.
3. The school would inevitably lead to more traffic / impact, etc etc.

Sincerely,
Elizabeth Hamilton
& ALAN BROWN

Elizabeth Hammilton
1870 Bali Way
Santa Cruz CA 95062
(831) 479-9319

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

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FEB 04 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely, Bernice Belton

Address: 5340 Glen Haven Rd.

Phone number: Soquel, Ca. 95073

Date: 2-1-00

Dear California Coastal Commissioners:

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FEB 04 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

It's on the OTHER side of the highway (major) from the Kids, not centrally located.

Agricultural land is adjacent with sprayed chemicals

It will spur development of land too close to wetlands.

Sincerely, Dorothy Whitmore

Adc [redacted]
Dorothy Whitmore
3181 Birchwood Ln
Soquel, CA 95073-2903

Phone number:

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: 1) Wildlife habitat destruction 2) increase vehicle noise + air contamination would impact fragile plant + animal communities

RECEIVED
FEB 04 2000
CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

Sincerely, Gary Harrold

Address: N.W.F. Mr. Gary Harrold
534 La Honda Dr
Aptos, CA 95003-4837

Phone number: 831 662-0102

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

1. AGRICULTURAL CHEMICALS ARE ROUTINELY USED ON ADJACENT FARMLAND
2. RUNOFF FROM THE PARKING LOTS WILL FLOW INTO THE SLOUGH.

RECEIVED
FEB 03 2000
CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

Sincerely, [signature]

Address: 85 LIVE OAK RD. WATSONVILLE CA. 95076

Phone number: (831) 724 3846

RECEIVED

FEB 03 2000

CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: WE HAVE ALREADY DESTROYED MOST OF OUR COASTAL WETLANDS & SLOUGHS. THIS WOULD EXACERBATE A CRITICAL SITUATION. RATHER, WE SHOULD BE SEEKING WAYS TO REVERSE THIS TREND BY RESTORING & REHABILITATING. NO WONDER THE POPULATIONS OF SPECIES DEPENDING UPON THESE NURSERY SITES ARE CRASHING!!

Sincerely, John Zayler

Address: 541 MARVISTA DR., MONTEREY, CA 93940-4212

Phone number: (831) 373-3480

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

I don't feel it is possible to mitigate the environmental damage which will occur if this school is constructed by Harkins Slough

Sincerely, Helen Englesberg

Address: 426 Lewis Rd, Watsonville, Ca 95076

Phone number: 831 768-9837

RECEIVED
FEB 03 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

RECEIVED
FEB 03 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

Its a Terrible precedent – SAVE coastal land from development.

Sincerely, Don Monkerud

Address: 2220 Pleasant Valley Rd Aptos CA 95003

Phone number: 831-724-2059

Date: 1-29-00

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

We cannot afford to lose any further wetlands, which are threatened by even agricultural uses nearby. A high School would require massive construction, environmental disruption for roads, sewers, increased traffic. Since there are no other businesses nearby, the school would draw additional building requests. Our migratory birds depend on the dwindling wetlands. Please help preserve what we have left.

Sincerely,

Sidney Chapman

Address:
549 West Drive, Felton, CA 95018

Phone number:
831-335-5336

RECEIVED

FEB 03 2000

CALIFORNIA
COASTAL COMMISSION

Date: Jan 29, 2000

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

This area is biotically important. Our wetlands should be conserved. This represents urban sprawl, a site within the city would be much better. There is no compelling reason to change our LCP. Thank you.

Sincerely, Sandra Bauer

Address: 119 Rancho Rd Watsonville CA 95076

Phone number: 728-3775

RECEIVED
FEB 03 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

1) Serious Wetlands and other environmental distresses will occur,
2) Alternatives such as continuation or regular classroom teaching in existing sites (including home schooling) are viable
3) There are myriad other reasons ~~that this~~ coastal plan is absurd.

Sincerely,

Address: Susan Habeeb
134 Dakota Av.
Santa Cruz

Phone number: (831) 426-3681

RECEIVED
FEB 03 2010
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST

Date: Jan 31 '00

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

- liquefaction
- noise
- trash & pollution
- sets a precedent for more development
- traffic
- poor emergency access

Sincerely, Pat Miller, Dan Miller, Patty O'Miller

Address: 735 Cathedral Dr #7 TOS CA 95003

Phone number: 831 688 3792

RECEIVED
FEB 03 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

CALIFORNIA COASTAL COMMISSION
45 FREMONT STREET S-2000
SAN FRANCISCO, CA 94105-2219

RECEIVED
FEB - 2 2000
CALIFORNIA
COASTAL COMMISSION

DEAR CALIFORNIA COASTAL COMMISSION;

I AM OPPOSED TO AN AMENDMENT TO THE LOCAL COASTAL PLAN FOR A PROPOSED NEW HIGH SCHOOL ON HARKINS SLOUGH ROAD, WEST OF HIGHWAY 1, WHICH WOULD CONVERT THE MAXIMUM IMPERVIOUS COVERAGE OF LAND FROM 10% TO 50% AND WOULD ALLOW A MAXIMUM SLOPE GRADIENT FROM 15% TO 25%, AND WOULD REDUCE SIGNIFICANTLY THE AMOUNT OF LAND DESIGNATED FOR ENVIRONMENTAL PROTECTION.

I AM ALSO OPPOSED TO THESE CHANGES FOR THE ADDITIONAL FOLLOWING REASONS;

- THE SITE IS IN THE PATH OF AIRPORT TAKE-OFF PATTERNS.
- THE SOIL IS UNSTABLE, SUBJECT TO LIQUEFACTION DURING AN EARTHQUAKE AND THERE IS 3 FAULTS IN THE GENERAL AREA.
- NARROW STREET ACCESS TO THE SITE IS UNACCEPTABLE.
- PESTICIDES ARE ROUTINELY USED ON ADJACENT FARMLAND.
- THERE ARE SEVERAL ENDANGERED SPECIES IN THE AREA.
- RUNOFF FROM PARKING LOTS WILL POLLUTE THE SLOUGH.
- ACTIVITY RELATED TO THE OPERATION OF THE SCHOOL, DAY AND NIGHT, WOULD DESTROY NATIVE ANIMAL HABITAT.
- THE PROPOSED HIGH SCHOOL WOULD INEVITABLY SPUR MORE URBAN GROWTH AND SPRAWL IN THIS AREA.
- THERE ARE ALTERNATE SITES THAT THE SCHOOL DISTRICT HAS REJECTED WITHOUT A VALID EXPLANATION TO THE PUBLIC.

THANK YOU FOR YOUR ATTENTION TO THIS MOST IMPORTANT SUBJECT.

SINCERELY,

W. EARL WEAR
551 TROUT GULCH ROAD
APTOS, CA. 95003
(831) 688 0549

RECEIVED
FEB 03 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Recycled

Date: 1/29/04

Dear California Coastal Commissioners:

— AREA ALREADY HAS SALTWATER INTRUSION & AQUIFER OVERDRAFT PROBLEMS

RECEIVED
FEB 02 2000
CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: (1) WATER TABLE ONLY 80' DOWN ACCORDING TO EIR, ON PROPOSED PROJECT (2) IN HEAVY RAIN YEARS LAND MOVES IN NEARBY AREAS (3) THERE WILL BE MOSQUITOES EVERYWHERE DURING CERTAIN SEASONS (4) TOO EXPENSIVE TO HAVE MITIGATIONS FOR ABOVE PROBLEMS BUILT (5) TOO CLOSE TO AIRPORT (6) WILL ENCOURAGE MORE DEVELOPMENT, WILL RESULT IN LESS LAND FOR AGRICULTURE.

Sincerely, ROB HARTZELL

Address: 85 CREST DRIVE, WATSONVILLE

Phone number: 831 724-3778

(7) WATSONVILLE COMMUNITY HOSP. DEVELOPERS ALREADY TURNED SITE DOWN — WHY?

Date: 1/29/00

Dear California Coastal Commissioners:

RECEIVED
FEB 02 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

The main reason is that these laws were created to protect the land. That is what we want, the utmost protection not watered down laws.

Sincerely, Mark & Sarah Schiffrin

Address: 721 Bay St #5 Santa Cruz, Ca. 95060

Phone number:

Date: Jan. 28, 2000

Dear California Coastal Commissioners:

RECEIVED
FEB 02 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

Adjacent wetlands would be inevitably damaged. They are a small but precious resource to the citizens of this State. Inevitable damage to this resource includes: runoff from paved areas and playing fields flowing into the wetlands; destruction of native animal habitat in the area by large groups of people; noise, traffic & lights; trash going into wetlands. The school should be built elsewhere.

Sincerely,

Evelyn R. Epstein
Address: 20200 - Rock Springs Rd.
Aromas, CA. 95004
Phone number: (831) 726-7229

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

I feel we must do everything possible to save our coast for the very students for whom this high school would be built to educate.

Do we "educate" them them to ignore their future?

Sincerely,

Ella L. Lusy

Address: 55 West St., La Selva,

Phone number: CA 95076

RECEIVED
FEB 02 2000
CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

Date: January 29, 2000

RECEIVED

FEB 0 2 2000

CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

It is an inappropiate location for the new high school. It would greatly disturb one of our few remaining wetlands.

Sincerely, Julia O'Rielly

Address: 620 Bonita Drive

Phone number: Aptos, CA 95003

Date:
Dear California Coastal Commissioners:

RECEIVED
FEB 0 2 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: location - flooding - near dump, airport - no students live near, wetlands area, something strange about school board's decision, pushing to open development in that area.

Sincerely, Virginia Culbertson

Address: 772 Hill Ave - Watsonville, CA 95076

Phone number: (831) 724-4111

Date: 1-31-00

Dear California Coastal Commissioners:

RECEIVED
FEB 0 3 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

the coastal environment which is so precious so limited, would be adversely affected. the animal habitat would be adversely impacted.

Sincerely, Mary Jo Schuermann

Address: 3040 Paper Mill Rd. Soquel Ca. 95073

Phone number: 831-479-9163

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

As a teacher, I believe our valuable, ~~and~~ precious + endangered wetlands should be protected at any costs.

Sincerely, Margaret A. Moore

Address: 1530 Kerla Ct., Santa Cruz Ca 95062

Phone number: 831 464-7661

RECEIVED
FEB 02 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date:
Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.
I am opposed to these changes for the following reasons:

RECEIVED
FEB 0 2 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely, Joyce Henderson

Address: 2661 Beach St. P 48

Phone number: 831 761 2654

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: 1) It is an unstable area seismically, unsuitable for building 2) There are no residences nearby and development nearby should be discouraged 3) There are 2 unsuitable access roads, Lee Rd and Harkins Slough Rd load precarious in wet seasons. The Watsonville Slough system is a unique fresh water slough. great habitat with great potential for an ecological reserve and study facility. A high school with the parking lots & playing fields required would not be appropriate

Sincerely, Elsinta Q. Mathew

Address: 517 Alta Dr.
Aptos, CA 95003

Phone number: (831) 688-2108

RECEIVED

FEB 02 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date:
Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.
I am opposed to these changes for the following reasons:

RECEIVED
FEB 0 2 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely,
MARSHALL SACHS
Address:
77 LILY WAY, WATSONVILLE
95076
Phone number:
722 - 8917

RECEIVED
FEB 0 2 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

P.O. Box 511
Aptos CA 95001
1-31-00

RECEIVED
FEB - 1 2000
CALIFORNIA
COASTAL COMMISSION

Coastal Commission - Peter Douglas

Dear Mr. Douglas,

I am opposed to any exceptions being given re. building restrictions in & around Watsonville area wetlands. There should be no industry, business, housing — nor schools. It is an environmentally sensitive area that would be negatively affected by the noise, traffic, runoff, lights and trash of any of the above human constructions. Including schools. It is also a liquefaction zone and unsafe to build in.

I firmly believe that part of PVUSD's insistence on the Harkins Slough site — and the bullying of teachers to support it that I know is going on — has more to do with Watsonville's old-boys-network's desire to have more and more and more development, than with education. There are plenty of other sites. But this would create an exception to rules that would make it harder to deny other invasions of wetlands. PVUSD is part of a

network or coalition that includes the Chamber of Commerce, the city, and general powers-that-be (excluding, of course, the latino population) that is also planning more development on prime agricultural lands. The city's annexation practices are almost piratical. Their motives and those of their allies, including PVUSD, should be considered — precedents should be considered — in regards to any permit applied for.

PVUSD should look for another site for their high school.

Sincerely,

Jenny Hawkins

Date:

Dear California Coastal Commissioners:

RECEIVED
FEB 01 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

environmental damage will be extensive - it's wrong place for new school - it should be in existing urban area!

Sincerely, Tom Killion

Address: 124 Otis St. Santa Cruz CA 95060

Phone number: 831-462-5941

Date: Jan. 28, 2000

Dear California Coastal Commissioners:

The district shows no evidence of being able to manage environmentally fragile areas

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

- 2500 students plus staff and facilities will have too much impact on the fragile environment of the slough
- There are other options that for some reason are not being considered. Supporters of this plan are saying this is the only place available - that's fallacious. Why are they lying? As a PVUSD employee - I have heard this statement frequently about in a meeting of the district Habitat management team and we are having to defend this reducing the district dependency on toxics like Roundup

Sincerely,

Address: Sarah Renyle
1125 2nd Ave
Santa Cruz CA 95062

Phone number: 831-426 0360

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

For all the reasons given in the letter of the Committee for a Safe and Sane High Sch. site dated January 24, 2000.

We see no reason why High Schools cannot share large athletic facilities. Big city schools do not all have 40 acres yet get along with their programs. The use of public parks and playgrounds is quite possible. We cannot afford to lose farming land and wetlands.

Sincerely, Iris J. Rodgers / Arthur Rodgers

Address: 732 Brewington Ave, Watsonville, 95076

Phone number: (831) 722-0058.

RECEIVED

FEB 0 1 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date: Jan. 29, 2000

Dear California Coastal Commissioners:

RECEIVED
FEB 02 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

The Watsonville City government, which is controlled by developers, wants to open up the west side of the highway to development. It is using the school as a wedge.

Sincerely,

Address:

Phone number:

Mr. Louis Corrigan
562 Joyce Ct.
Watsonville, CA 95076-3554

L. Corrigan

RECEIVED
FEB 0 2 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

The most fundamental & unaddressed problem facing us (in SCC) & the world is population growth, & our impacts on the natural world; consequently on us as well. We (Humans) are in denial. We need to start to recognize & accept the fact; our numbers are the cause of many of our social, environmental & cultural problems. Human population #'s need to come down. Birth rates need to come down. 'Til we deal with this very "real" problem, all of our efforts will be moot. I do not support an amendment to the Local Coastal Plan for a new high school as described above. However, I do realize the efforts of many do not necessarily address the real problem. The real problem is there are too many of us! (And we need to come out of denial!.)

Sincerely,

Linda Bradman
(Linda Bradman)

Address: 2121A Ocean St. Extension
Santa Cruz, CA 95060

Phone number: tel: 831-469-9024

Date:

Dear California Coastal Commissioners: I AM VERY OPPOSED!!

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: We need to protect the rural atmosphere and open space in Watsonville. Do not allow building to begin in the coastal protection zone!

Barbara Poole

Sincerely,

Address: 1101 Elkhorn Rd Watsonville Ca 95076

Phone number: 831 763-1218

RECEIVED
FEB 0 2 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

I cannot understand building a high school so far away from the population center — all the students would have to be bussed or use their own cars — no one could walk to school. This would increase auto pollution. This proposed site is a sensitive wildlife area — rich in birds + nesting site to migratory species. All that would be lost if a school is build there

Sincerely, Linda Jordan LINDA JORDAN

Address: 3470 N. MAIN ST.
SOQUEL, CA 95073

Phone number: 831-476-4846

RECEIVED
FEB 02 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date: 1/30/00

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

The area is not centrally located to the school attendance area, the soil is prone to liquification, and there's a high danger of further polluting the slough. Let's consider other sites!

Sincerely, Eileen Drabinski

Address: 206 Oakland Ave, Capitola, CA 95010

Phone number: 476-8853

RECEIVED

FEB 02 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

RECEIVED
FEB 0 2 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

This site on The slopes of The Harkins Slough will have a negative effect on the sloughs eco system.

Sincerely, EDUARDO IZQUIERDO

Address: 326 VAN NESS AV SANTA CRUZ Ca 95060

Phone number: 831 426 7158

RECEIVED
FEB 0 2 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

1. This location is not centrally located to the school attendance area.
2. The soil is unstable, prone to liquefaction in case of earthquake. 3 faults are known to be in the general area.
3. The Buena Vista Land fill is nearby & would be a threat to students & staff.

Sincerely, Joan H. Anderson

Address: 606 Cedar St. Aptos CA 95003

Phone number: 688-6629

Date: 1-29-00

Dear California Coastal Commissioners:

RECEIVED
FEB 0 2 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

I KNOW OF 27 REASONS TO OPPOSE A HIGH SCHOOL SITE ON HARKINS SLOUGH ROAD. THIS IS A NO-BRAINER.

Christopher Angelos
1-29-00

Sincerely,

Address:

Mr. Christopher G. Angelos
607 Townsend Dr.
Aptos, CA 95003

Phone number:

Date: 1-31-2000

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

Protect the wetlands!

RECEIVED

FEB 0 2 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely, Carol Jean Newman

Address: 106 Moore Creek Rd
Santa Cruz CA 95060-2320

Phone number: 831-423-7542

Date: 1/28/00

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

The fragile wetlands, which are so unique in this area, are slowly being eroded. A high school does not belong in this area & would open the door to total destruction of the wetlands. There must be other sights closer to the population base.

Sincerely, Agla M Caplin

Address: 1712 Covenant Lane, Watsonville, CA 95076

Phone number:

RECEIVED

FEB 01 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Date:

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

We are in our 70's and rarely has there been a winter when this problem did not exist! They want to build a high school here - Lord help us

RECEIVED

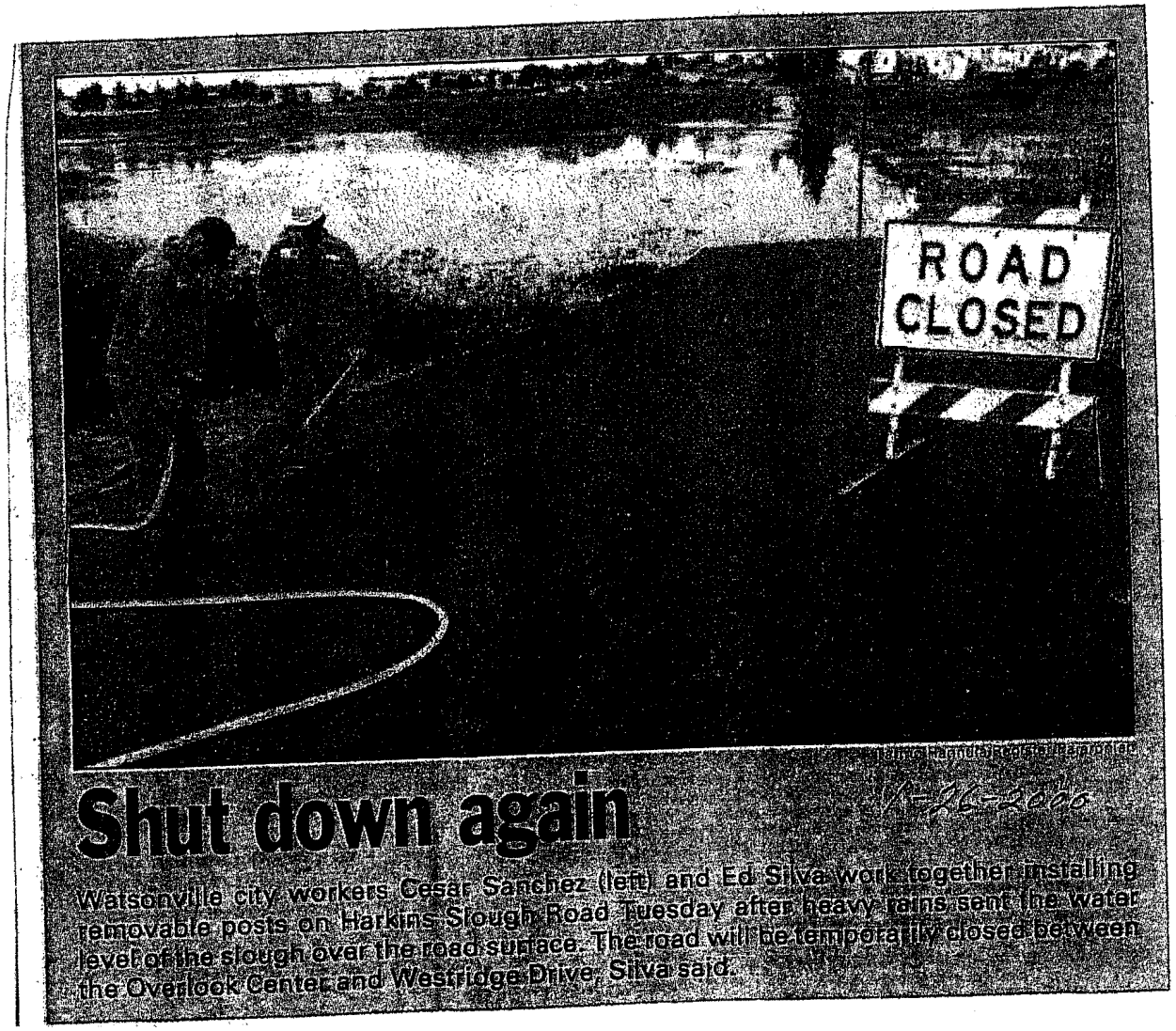
FEB 01 2000

CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

Sincerely, Rita Eichhorn & Robert Eichhorn

Address: 85 Kerr Rd Watsonville, Ca 95076

Phone number: (831) 724-8511



Santa Cruz Sentinel Reporter

1-26-2000

Shut down again

Watsonville city workers Cesar Sanchez (left) and Ed Silva work together installing removable posts on Harkins Slough Road Tuesday after heavy rains sent the water level of the slough over the road surface. The road will be temporarily closed between the Overlook Center and Westridge Drive, Silva said.

RECEIVED
FEB 01 2000
CALIFORNIA COASTAL COMMISSION
CENTRAL COAST AREA

Date:
Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 20%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons: ① the location is not located near the school Attendance area! ② This planned campus will do great harm to adjacent wetlands! ③ Presence of this site will spur urban growth around campus!

Sincerely, Robert M Olona

Address: 2610 Huntington Dr. Aptos, Ca 95003

Phone number: 831-685-8449

(over)

④ Site is located in the path of an airport take-off pattern!
⑤ Soil is unstable, prone to liquefaction during earthquakes!
⑥ Campus site presents safety hazards to foot + bicycle traffic

Peter Douglas, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Date: 1/28/00

Dear California Coastal Commissioners:

I am opposed to an amendment to the Local Coastal Plan for a new high school on Harkins Slough Road, west of Highway 1, which would convert the maximum impervious coverage of land from 10% to 50%, would allow a maximum slope gradient from 15% to 25%, and would reduce significantly the amount of land designated for for environmental protection.

I am opposed to these changes for the following reasons:

Threat to Environment vs. Slough

RECEIVED

FEB 01 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sincerely, Sanford Pogh

Address: 1712 Cortmand Lane
Watsonville CA 95076

Phone number: ~~831 728 5~~
831 728 5569

RECEIVED
JAN 31 2000
CALIFORNIA
COASTAL COMMISSION

243 Siesta Dr.
Aptos, Calif. 95003
January 30,2000

Dear Coastal Commission Members,

I am unable to attend your March meeting in Salinas concerning the proposed new "Millennium" high school for the community of Watsonville, thus I am writing you to express my opinion. I have three major concerns regarding this project. I, like many others, do not question the need for a new high school, but am strongly opposed to the location on agricultural land between the coast and Highway 1.

First, as I have been an educator, teacher, and counselor for thirty years, I am concerned with isolating a high school from its community. There is enough mystery and alienation between teenagers and their communities. My experience in teaching high school in both urban Los Angeles and San Jose, and rural Santa Cruz County, shows me that students need to be immersed in a positive relationship with their communities, and vice versa. This location is quite isolated from its neighborhoods.

Second, we are all aware of the incidence of teen deaths and injuries on the highways. Most teens don't want to use buses and many have their own cars. Let us not require that they become commuters on our roads at such a young age. It would also mean an increase in pollution and congestion due to auto and bus traffic.

Lastly, I am a third generation San Franciscan and have had the privilege of living almost all of my life along the California coast. What a special gift for us and a rare treat for our visitors to see our farmlands, beaches, and coast lines. Year after year since my childhood I have watched this land disappear to development projects. The high school does not NEED to be located here, and would only bring on more development, such as fast food services, gas stations, etc.

Please save this precious land, some teen lives, and help integrate youth into their communities. Thank you for your attention.

Sincerely,

Valerie Nelson

RECEIVED
FEB 01 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

RECEIVED

FEB 0 1 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

243 Siesta Dr.
Aptos, Calif. 95003
January 28,2000

RECEIVED

JAN 3 1 2000

CALIFORNIA
COASTAL COMMISSION

Peter Douglas, Executive Director
Coastal Commission
45 Fremont St. Suite 2000
San Francisco, Calif. 94105-2219

Dear Mr. Douglas and Commissioners;

As a retired educator with over 30 years of college teaching in the Calfornia central coast area, a former board member of the Environmental Council of Santa Cruz County, and an avid domestic and international birder, I am unequivocally opposed to the proposed site for the Millennium High School in Watsonville. As a retired educator and nature lover, I am strongly supportive of a new high school at an environmentally sane site.

The Watsonville sloughs are the only remaining fresh water sloughs on the central coast. Specifically, the nearest fresh water sloughs are in Humboldt and San Diego counties. Sadly, only 1% of these precious California coastal freshwater sloughs are intact and 90% of the overall wetlands of California are gone forever.

In my judgment we have a moral imperative to protect both the visual integrity and the environmental welfare of our fragile coastline as well as the paltry 10% overall remainder of the California wetlands.

As you well know, we live on the Pacific flyway where we share our habitat with many over wintering freshwater waterfowl and shorebirds, as well as neotropic migrants who winter south in Mexico and Central America. Many of these neotropic migrants either nest in the central coast proximity or use these vital freshwater slough areas as life sustaining stopovers for refueling and rest.

We will probably always have American coots and mallards as avian residents who seem somewhat impervious to human encroachment. Many other bird species , however, are much more skittish to human activity, and thus potentially could have their migratory or reproductive cycles threatened by further human encroachment. Why are we so desperate to take this chance? These sacred rhythms of nature have existed for centuries and we have no right to inhibit or destroy them. Indeed, bird life on the planet predates human life as one of the oldest forms of life. Frequently opportunistic E.I.R.'s promise no significant impact, but then we birders subsequently see a mysterious and unanswered disappearance or dramatic decrease of many precious avian species.

As an educator, parent, and grandparent, I think we would set a horrible example of environmental stewardship by building a school in the 1% remaining California freshwater sloughs. I understand that some of this is a landfill area and fear there

could be a significant health hazard for our children as well. Moreover, I am concerned about agricultural pesticide usage and its impact upon the air and water of that immediate vicinity.

I hope that the coastal commission will protect this fragile habitat that belongs to the earth and not man alone by denying this permit. Thank you so much for your consideration of my arguments.

Sincerely,

Allen C. Utterback

Allen C. Utterback

RECEIVED

JAN 2 7 2000

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Jan. 23, 2000

California State Coastal Commission Members
c/o Dr. Charles Lester, District Mgr., Coastal Commission
725 Front St., Suite 300
Santa Cruz, CA 95060

Re: Amendment to Local Coastal Plan by City of Watsonville re New Millennium High School
Re: Landfill & Slough Dangers, Toxic Contamination

Dear Members of the Coastal Commission:

As a retired teacher of Watsonville students, I am convinced that students' health would be in jeopardy were they to attend any school built at the Harkins Slough/Lee Road proposed site for New Millennium High School, Watsonville, California, in the Pajaro Valley Unified School District (PVUSD).

In examining the Harkins Slough site, I have discovered that behind the locked gate on Harkins Slough Rd. west of the site, an area accessible from Buena Vista Rd. past the Buena Vista County Landfill, lies an area of great danger to youth: a flooded stretch of Harkins Slough Rd., sunken bridge, and steep, crumbling cliffs coming down from near the school site into huge lake-like and marsh-like areas of the slough. Recent rains causing extreme increase in water levels make this area geologically unpredictable. Runoff from the landfill site appears to drain into the lake.

West of the flooded lake lies County low income housing, a County detention center, and the Buena Vista Landfill and Toxic/hazardous Waste Collection Center.

I believe the Buena Vista Landfill may create health hazards for our students. In students' interest I have corresponded with state and county regulatory offices or advisory offices. Six main points follow:

I. The New Millennium High School would be less than 7/10 mile from the 134-acre Buena Vista Landfill, Div. Santa Cruz Co. Public Works. (I was informed of this distance by asking Sharon Gray, my local PVUSD School Board Member.) This landfill, of which 70 acres is currently active, accepts, along with household, yard and demolition waste, toxic/hazardous waste for collection. Some of the hazardous waste, e.g. asbestos found in demolition material, is being buried in the current landfill.

2. There is a hydrological barrier leak in the historical, closed part of the landfill, according to Patrick Matthews, Engineer at Solid Waste Management, Santa Cruz County. (Santa Cruz Co. bought the landfill from "Bob and Joe's Disposal Site" in 1950, according to Mr. Matthews.) Mr. Matthews calls it a "minor leak." He says the contaminants are being cleaned up by pump, and the material pumped is being taken to the waste water plant. He said the contaminants flow away from the high school site.

3. Buena Vista Landfill has a gas collection "destructive flare" in place to deal with methane gas that comes off the landfill. Mr. Matthews said that the present "pilot light-like" system will later be replaced with a system that will generate electricity. When I

expressed concern over gas lines around the landfill and signs there that say, in English and Spanish, "Danger--No Open Flame," Mr. Matthews assured me the gas lines are "vacuum" pipes. (N.B.: CA Energy Commission internet site lists Buena Vista project as Docket No. 98-REN-NEW.)

4. According to Mr. Matthews, airborne particles at the landfill are controlled by using a resusable tarp over solid waste every day after waste is dumped. Soil is placed over the solid waste every seven days. Mr. Matthews said the landfill debris and soil is regularly wetted down to control airborne contamination during moving of the debris.

5. In conversation with Jeanette Donald, Asst. Dir. Lung Health and Air Quality, American Lung Assn., Monterey Office, Ms. Donald expressed concern about respiratory disease dangers to students going to schools close to landfills. She said the experience of the Lung Assn. is that any respiratory health dangers from landfills come primarily from historic parts which were not well-regulated. I enclose an email history of my correspondence with American Lung Association staff members. (Ms. Donald said her office has worked with PVUSD in asthma management. I have requested statistics on respiratory disease among area youth.)

6. Speaking with Katy Shulte in the Governor's Office, Planning and Research, California Environmental Quality Act, Health and Hazards Assessment, about New Millennium High School, Ms. Shulte said the State is very concerned with public schools that are close to landfills of any type, new or old, and where gas is collected, and where there are hazardous/toxic waste collection centers. Ms. Shulte mentioned massive, expensive cleanups some school districts are required to make because of toxic contamination, often methane gas, found in schools after construction.

I also learned from the CA St. Dept. of Toxic Substances Control that PVUSD has not reported to them as required about a toxics contaminated area found at the Harkins Slough proposed site. I wrote an inquiry letter Jan. 18, 2000, about this to Janet Naito, Snr.Technician, CA St. Department of Toxic Substances Control, copy enclosed.

I urge you not to allow the Amendment to the Local Coastal Plan, City of Watsonville, that would allow the Pajaro Valley Unified School District to go forward with plans to build New Millennium High School at Harkins Slough Rd. and Lee Rd. in Watsonville, California. This site is unsafe and hazardous to students' health. I will be writing you further to address other concerns I have about the Harkins Slough site.

611 Cliff Dr.
Aptos, CA 95003
Tel. (831) 662-3598

Respectfully yours,

Sylvia Schultz Previtali, M.S.

cc: CA St. Sup.Schools Delaine Eastin; PVUSD Sup. & School Bd; S. Cruz Co. Bd. of Suprvrs; U.S. Congressman Sam Farr; Assemblyman Fred Keeley; CA St. Sen. Bruce McPherson; Sup.Schools S. Cruz Co., City Cncl. City of Watsonville, Co. Health Srvcs.

Jan. 18, 2000

Janet Naito
Senior Technician
State of California
Dept. of Toxic Substances Control
700 Heinz Ave.
Ste. 200
Berkeley, CA 94710

Re: Pajaro Valley Unified School District, Watsonville, CA
"New Millennium High School," Lee Road/Harkins Slough Road, Watsonville

Dear Ms. Naito:

Thank you for returning my call. I had talked with Hamid Saebfar in Los Angeles, and he gave me the telephone number of your supervisor, Barbara Cook.

I understand from your message that your office has worked with the Pajaro Valley School District on one potential site. You have not signed off on that sight. They were supposed to complete some remediation under the oversight of the local enforcement agency and then give you the documentation.

I understand that you have not done a full evaluation. You have looked at the school site and determined that there was an above ground tank and it had leaked. If that contamination was removed it looked like the rest of the school site was OK.

If the site you have been evaluating is the Harkins Slough site, then I wish to alert you that your department may wish to further evaluate this site for toxic contamination and danger to youth. I am a retired Pajaro Valley Unified School District high school teacher fearful that the Harkins Slough high school site will cause health problems and danger to students. My understanding is that this site has not been purchased yet by the school district.

The site is in the Harkins Slough/Struve Slough. Less than a mile away is an airport with over 120,000 flights a year, and the flight pattern will take airplanes and helicopters over the school grounds. A 134-acre County of Santa Cruz landfill called "Buena Vista" (which collects toxic and hazardous wastes and, I was told, buries asbestos in plastic bags) lies between 5/10 and 7/10 mile from the school site, or less.

Fertilizer is accumulated, stored, and distributed nearby. There are animal feed lots and grazing zones adjacent to and near the school site. A mulching company is across the street from proposed playing fields. Agricultural chemicals are used on crops adjacent to and near the school site.

Standing water occurs in small and large areas near the site. Two of the access traffic lanes are flooded and gated most of the year (one will not open "for years.") A wildlife reserve lies across the street. A diesel trucking firm is down the street. A freeway and interchange are right next to the site. A train track down the street is unregulated.

This school site is in the Coastal Zone, under protection of the Coastal Commission, State of California. It boasts many environmentally sensitive areas and is home to wildlife, some of which is endangered.

In spite of opposition to building a school at this site by the Coastal Commission, the State Dept. of Fish and Game, the Sierra Club, the Wetlands Watch, the Environmental Council of Santa Cruz, plus numerous others, the City of Watsonville has asked the Coastal Commission to amend a Local Coastal Plan to allow a school of nearly 2,500 students to be constructed in what to me is a highly undesirable place.

As I shared with one of your colleagues, I am concerned that the placement of this school (in an isolated slough, near an airport, near a landfill, near a freeway, etc.) may fall into the category of "environmental racism," a frightening phenomenon I've been reading about while searching for information about this site. I have been shocked by what I have read recently about communities locating public buildings, such as schools with disadvantaged student populations, jails, low income housing, and migrant housing near undesirable areas of the community. I hope it is not happening here.

Sincerely,

Sylvia Previtali

611 Cliff Dr.
Aptos, CA 95003
Tel 831-662-3598
email sylvia@ix.netcom.com

EMAIL CORRESPONDENCE BETWEEN SYLVIA PREVITALI AND STAFF AT AMERICAN LUNG ASSOCIATION. Jan. 17-18, 2000

==========

Subject: Question schools near landfills
Date: Mon, 17 Jan 2000 11:34:34 +0100
From: sylvia <sylvia@ix.netcom.com>
Organization: Self
To: contact@californialung.org

Thank you for your informative website.

Is there a State Law saying how far away from a landfill a public school needs to be because of health dangers to students?

Also, what is your association's recommendation for the distance a school needs to be from a landfill? In the case in question, it is a landfill that collects toxic and hazardous waste, burying some of it, e.g. asbestos, in plastic bags.

Thank you, Sylvia Previtali, 611 Cliff Dr., Aptos, CA 95003
Tel: 831-662-3598

==========

Subject:
Re: Question schools near landfills
Date: Tue, 18 Jan 2000 10:07:33 +0800
From: aweisser@earthlink.net
To: sylvia@ix.netcom.com

CC: ALASantaClaraSanBenito <alascsbc@aol.com>, BenAbate <babate@alac.org>, ColleenRichardson <ctslung@aol.com>, HarrietCharney <charney@alac.org>, PaulKnepprath <pknepprath@rcip.com
References:
1
Dear Ms. Previtali:

You might also want to contact Communities for a Better Environment at (415) 243-8373.

I have copied this message to Paul Knepprath in our Government Relations office regarding your question about the distance between schools and landfills.

In addition, I have copied this message to our local lung association

office in San Jose.

Thank you for your inquiry. I am glad to hear that you have found our web site helpful.

Andy Weisser
American Lung Association of California

==========

Subject: [Fwd: Question schools near landfills]
Date:Tue, 18 Jan 2000 11:31:09 +0800
From: aweisser@earthlink.net
To: sylvia@ix.netcom.com
CC: ALACentralCoast <admin@alaccoast.org>, PaulKnepprath <pknepprath@rcip.com>, BenAbate <babate@alac.org>

Dear Ms. Previtali:

Sorry for forwarding your message to our local office in San Jose. Our local office closest to you is in Monterey, and I have forwarded this to them.

Andy

==========

Subject:
Re: [Fwd: Question schools near landfills]
Date: Tue, 18 Jan 2000 12:28:38 +0100
From: sylvia <sylvia@ix.netcom.com>
Organization: Self
To: aweisser@earthlink.net

References:
1

Thank you so much for your prompt reply. I will wait to hear from the Monterey Office. I will also contact the Communities for a Better Environment.

As a health professional, you may be interested to know, and perhaps you do know this already, that there are hundreds of "hits" when a person writes for information over the internet using the phrase or words, "schools near landfills." (The best megasearch engine I have found is "Google" at Stanford University.)

Such internet research reveals enormous health problems for children in homes and schools near landfills. In most cases, the children are from poverty families. I learned a new term called, "environmental racism," which happens when families of low income are placed

purposefully in undesirable areas of the community, such as near landfills or industrial centers.

In my own community, the closest public buildings to the landfill are the Migrant Workers' Camp, a large low-income housing development, and one of the county jails.

Now the community wants to put a public high school of almost 2,500 students, almost 92% minorities, about 1/2 mile or less from a toxic waste/hazardous waste collection and household waste landfill, a landfill of 134 acres.

As a retired teacher, I have seen numerous cases of lung disease, some fatal, among my students. I wish to prevent students from being placed in a dangerous environment. Thank you for your interest.

Sylvia Previtali
611 Cliff Dr.
Aptos, CA 95003
831-662-3598

==========

Subject: Re: [Fwd: Question schools near landfills]
Date: Tue, 18 Jan 2000 16:18:37 +0800
From: aweisser@earthlink.net
To: sylvia@ix.netcom.com
CC:
Bonnie Holmes-Gen <bhgen@rcip.com>, ALACentralCoast <admin@alaccoast.org>, PaulKnepprath <pknepprath@rcip.com>
References:
1 , 2

Dear Ms. Prevatali:

FYI, the contact information for our Central Coast office in Monterey is: (831) 373-7306, 550 Camino El Estero, #100, Monterey, 93940.

Another term you may be aware of is environmental justice. A related feature story on our web site is located at:
http://californialung.org/spotlight/envjustice.html

Andy

==========

Subject: Re: [Fwd: Question schools near landfills]
Date: Wed, 12 Jan 2000 19:12:39 -0800

From: "Bonnie Holmes-Gen" <bhgen@tomatoweb.com>
To: <aweisser@earthlink.net>, <sylvia@ix.netcom.com>
CC: "ALACentralCoast" <admin@alaccoast.org>, "PaulKnepprath" <pknepprath@rcip.com>
References: 1 , 2 , 3
FYI -- Unfortunately, there are no laws that I know of specifically preventing siting of schools near landfills, hazardous or otherwise. We (in the collective sense) have worked on bills requiring such "buffer zones" in the past and have not been successful. There are, however, laws requiring developers of sensitive uses, including schools, to determine if there are facilities using acutely hazardous materials within 1,000 feet (I believe that is the distance) of the proposed development, and if so, to determine if all the appropriate risk management and prevention planning has been completed. I can provide the statutory citations if you need them.
Bonnie Holmes-Gen

----- Original Message -----
From: <aweisser@earthlink.net>
To: <sylvia@ix.netcom.com>
Cc: Bonnie Holmes-Gen <bhgen@rcip.com>; ALACentralCoast <admin@alaccoast.org>; PaulKnepprath <pknepprath@rcip.com>
Sent: Tuesday, January 18, 2000 12:18 AM
Subject: Re: [Fwd: Question schools near landfills]
==========
Subject: Re: [Fwd: Question schools near landfills]
Date: Thu, 20 Jan 2000 12:47:30 +0100
From: sylvia <sylvia@ix.netcom.com>
Organization: Self
To: Bonnie Holmes-Gen <bhgen@tomatoweb.com>
CC: Janet Donald <lunghealth@alaccoast.org>
References: 1 , 2 , 3 , 4
Thank you for your letter regarding schools near landfills. Yes, I would appreciate your providing the statutory citations. Are they U.S. or California law?

I attach a letter I wrote yesterday to Janet Naito at the Dept. of Toxics Control. The person mentioned, Hamid Saebfar, is the person in their department who is "cleaning up" Los Angeles City Schools that have been found to be unsafe for children because of toxics contamination.

I also was told yesterday by Patrick Matthews, engineer at the Santa Cruz County Solid Waste Dept., that there is a "hydrological barrier" leak in the historical, closed part of the Buena Vista Landfill.

Are there statistics on respiratory diseases among children in Watsonville, Pajaro Valley area? Thank you. Sylvia Previtali

1/24/00 To S.C for the recor
PD

RECEIVED
JAN 26 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

1/21/00

Mr. Peter Douglass, Executive Director
California Coastal Commission
45 Fremont St. Ste. 2000
San Francisco, CA 94105-2219

RECEIVED
JAN 24 2000
CALIFORNIA
COASTAL COMMISSION

Dear Mr. Douglass,

I am aware that you have an important title and a lot of responsibility to accompany it. However, does that put you at liberty to make decisions, or imply that you can make decisions, which are the specific purview of a twelve member body called the California Coastal Commission? Do you have voting authority along with these others? I am under the impression that you don't.

Yesterday and today on local station KSCO in Santa Cruz a news item aired. It described a meeting that you had with City of Watsonville Mayor Oscar Rios, City Manager Carlos Palacios and Supt. Pajaro Valley Schools John Casey. In that meeting you are reported to have told these other gentlemen that things were looking good for the new high school site going forward as scheduled. You stipulated, however, that certain "legal documents" had to be drawn up, assuring the Commission that no further expansion would be undertaken west of Highway One, or words to that effect.

That you met with these officials is a near certainty. That you said the things ascribed to you is another matter. Did you, sir? I was incensed when I heard the report; and I immediately called the station and offered a correction. To wit: That if Mr. Douglass gave those assurances, he was completely out of order for having done so. He (you) has no vested authority in that regard. Am I wrong, Mr. Douglass.

Now granted, you may not have said any such thing. Supt. John Casey, however, thought that that was what he heard. According to a very reliable source, he came hopping and skipping back to the district office, trumpeting an all but assured victory.

I have asked for a transcript of the news account. Should I get it, would you like an e-mail copy? I will be happy to pass it on to you.

Meanwhile, you will find attached a copy of a letter I sent to Charles Lester recently. I can not for the life of me understand how, after six years of intensive study and investigation resulting in a negative conclusion, the Harkins Slough affair can still have any legs. Do you not trust the findings of your own professional staff? Your Asst. Exec. Director Tami Grove is not happy with the site selection and has expressed her worries in writing. Sir, have you really looked into the matter carefully yourself?

I just visited the "Console Property" which is close to the Edwards Property, i.e. the proposed high school site, maybe 3000 feet away to the east. That former plot was recommended by Tami and other CC staff back in 1996. The City and school district ignored that recommendation and went ahead with a shopping mall, bringing to the community such vitally needed outlets as McDonald's, Hollywood Video and Target. It is the same kind of land, i.e. adjacent to the protected slough area.

Ground settling in this area is a serious problem among many others. One need only visit the new shopping center (Overlook) presently. If you go to the extreme northwest part of the property behind Albertsons, you will see that the whole corner just broke off, taking the block retaining wall and fence along with it. We're talking tons and tons of earth giving way. Scarcely 100 feet away, large semis carrying food items offload at the loading dock of that market. As they wheel out, the trucks come within no more that 40 to 60 feet of the broken off portion. This kind of heavy traffic may well have contributed to the collapse in the first place. That is the kind of ground the city and school district wish to build their school on.

Yours truly,

Tim Moore, member
Committee For A Safe And Sane High School
747 Bronte Ave.
Watsonville, CA 95076
(831) 763-2007
teemor@got.net

1/10/00

California Coastal Commission
Central Coast District Office
725 Front St. Ste. 300
Santa Cruz, CA 95060

Attn: Dr. Charles Lester, District Manager

Dear Dr. Lester,

I have before me the copy of a letter you wrote to Dr. John Casey, Supt. of the Pajaro Valley Unified School District(PVUSD). It is dated May 12, 1999 and includes your summary remarks concerning the selection of a proposed site (i.e. Edwards Property) for construction of a new high school in the City of Watsonville west of Hwy. One. Your letter sets forth conclusions reached by you and other members of your staff, after nearly six years of study and discussion, vis-à-vis the advisability of using the site under consideration. You state as follows:

> ".....Commission staff will be compelled to recommend that the Coastal Commission deny the required LCP amendment if the (school) District continues to pursue the high school project at the Harkins Slough Road (Edwards) site."

You invite the District to look for a different location "consistent with the California Coastal Act."

That ought to be the end of it, but, alas, it is not. The PVUSD, in conjunction with the City of Watsonville, developers, builders and community activists, is conducting a full-court-press on Pajaro Valley residents. (Even some of the school Trustees are going door to door with petitions and propaganda flyers.) What they could not accomplish through normal and proper channels, they are now unashamedly and unabashedly pursuing through purely political ones. In fact, so brazen is this school district that it voted unanimously to relieve an already strained budget of another $50,000 taxpayer dollars in order to hire professional "consultants" (i.e. lobbyists). These hired guns are probably schmoozing intimately with various Coastal Commissioners, even as I write.

Builder Barry Swenson, from no motive of personal gain, and out of a sense of community-spiritedness, you understand, has donated one of his empty office units downtown for the exclusive use of pro-Edwards property proponents. Out of these headquarters organizers are conducting a full-blown local campaign in order to influence a desired outcome at total variance with the one expressly recommended by the Commission's Central Staff. Retired State Senator Henry Mello and ex-County Supervisor Ray Belgard have gotten on board with the effort as well. They are all betting that the Coastal Commissioners can be had, if massaged properly, and enough political pressure is brought to bear. I hope that that is not true.

Have intervening developments altered any of the following facts or perceptions, viz. that a high school in the Coastal Zone is not permitted under the present LCP; that such a planned structure is not consistent with either the letter or spirit of the Coastal Act; that CC staff declares the adjoining wildlife wetland habitat environmentally sensitive, and that building a new high school practically in its lap would impact very negatively upon it; that they are joined in that opinion by Dept. of Fish and Game Regional Manager Brian Hunter as expressed in his letter dated May 20, 1999; that threats of waste runoff, other pollutants, potential liquefaction problems and ground settling, not to mention negative seismic features associated with the property, are all sources of worry; that the LCP allows only 10% impervious ground coverage, and the City asks for 50%; that the LCP provides for a 15% maximum slope gradient and the City wants a waiver to allow 25% slopes; that enormous (unbudgeted), off-site costs will be necessarily incurred, including road widening, overpass reinforcement and widening, freeway ramp construction, flood control measures, etc.; that huge new traffic problems would result; that the Watsonville airport lies scarcely a mile from the proposed site, and that existing Caltrans code requires at least a two mile separation; that the site lies right in the path of the airport's left-hand turn pattern; that around 100 acres of good crop lands would be

taken out of production in an area where at least 50% of the residents are dependent upon agriculture for a living?

If, indeed, much or all of the above is true, how could the Coastal Commissioners even begin to decide in favor of the PVUSD and the City of Watsonville? The triumph of raw politics could provide the only reasonable answer.

School and City officials allege that the Edwards land is the only viable high school site alternative left for them to select from. A good number of informed people disagree. The PVUSD's own irresponsible actions have painted them into a corner. They've already shelled out 3.5 to four million dollars on site planning and preparation for this particular piece of land. They should have waited until at least the property had changed hands before beginning to award contracts to various architects, consultants and lawyers. The Edwards property still belongs to Edwards. And there is no evidence of a "contingency escrow" agreement such as some school officials allege exists.

Executive Officer, Bruce Hancock, of the State Office of Public School Construction (OPSC) informs me that the PVUSD has no "in house applications" for hardship funds filed with that office. An application made back in March of 1999 was "revoked" at the end of October, when the District failed to reply to a "15 day" letter.

There are other site alternatives that should be considered. I will name them: 1) Alianza Elementary School, (originally a Catholic high school.) 2) Franich Property on East Lake, 3) part of the Landmark subdivision, 4) the Pinto Lake site, 5) the Calabasas site, and 6) the Buena Vista site. All of these potential sites are east of the freeway too.

I urge the Coastal Commissioners to consider carefully the conclusions their own professional staff people have made after six years of careful analysis. I urge Commissioners, furthermore, not to be led to believe that another viable high school alternative site does not exist, in the event that they reject the City's land use waiver application. There are other and better alternatives, believe me.

Yours truly,

Tim Moore

FROM THE DESK OF

L. F. CORRIGAN

DATE 1/19/2000 TIME _____ A.M. P.M.

TO Mr Peter Douglas

Please encourage the CC Commissioners to reject the proposal of the PVVSD to build a new high school at Harkins Slough in Watsonville.

The project is inconsistent with the Coastal Act in many ways.

There are other sites available for the Pajaro Valley High School.

Sincerely,

L. F. Corrigan

Ms. Louis F. Corrigan
562 Joyce Ct
Watsonville, CA 95076-3554

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JAN 20 2000

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JAN 20 2000
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Exposure to the slough not such a good idea

To the Editor,

Mr. Bernard comments: "Think of it. Students at MHS (Millennium High School) will have a daily exposure to the beauty of the school's vista — the broad expanse of the Watsonville Slough watershed. After all, let's hew to our collective commitment to youth — nothing but the best."

The best? Daily exposure to the slough? Yes, Mr. Bernard, they'd have exposure to the slough all right. To particles in the air that may be disease-laden from the county landfill that's up from the lake that lies behind the site. (And remember, this landfill is a toxic waste and hazardous waste collection center.) They'd be exposed to verifiable earthquake dangers, unstable soil, flooding. (And how would we evacuate students in an emergency on flooded exit roads?) They'd be exposed to odors of the slough, plus odors and residue of fertilizers and of insect control substances that are applied to nearby fields.

They'd have daily exposure to roaring airplanes overhead. (Even more plane and a longer runway west are planned for Watsonville Airport.) They'd be near freeway noise and its pollution, plus verifiable traffic danger and congestion. They'd be going to school and coming home next to trucks going to and from the western industrial center in the Lee Road and Beach St. area. They'd have exposure to possibly years of Caltrans construction when the Harkins Slough overpass is raised.

One thing they wouldn't be exposed to is an established, safe neighborhood with other people nearby. The Harkins Slough school site is isolated from the heart of town in a damp, fetid slough.

Mr. Bernard, you suggest education and good futures will happen for our youth with the construction of a new school. No. Education happens when carefully constructed plans for meeting the educational need of each student are made and lovingly carried out by caring parents and teachers. A tough assignment. It was my pleasure to have had that assignment at E.A. Hall School for nearly a decade. It has been an honor to have taught disadvantaged youth since I was trained in the National Teacher Corps many years ago.

Educating kids is especially challenging here. Almost every school in the Pajaro Valley Unified School District is a federally-designated poverty school. Our teachers take on heroic tasks daily.

Public high school teachers presently teach 170 students or more each day, at 34 students per hour. Discipline problems are horrendous. Reading ability is low. There is rampant alcohol and drug use among young people at all socioeconomic levels. We are in crisis with youngsters all over our community — North, south, east, west. It is a shame, but it is a fact.

A shiny new school is not going to solve this. Family and community involvement and person-to-person teaching and mentoring will, with smaller classes the first step. We must put money and effort into keeping kids in school right now, with the goal of graduating our youth either ready for higher education or trained in a vocation or profession.

As for a new high school, of course that's urgently needed, but not at Harkins Slough. PVUSD has other sites available. Fifty acres are not necessary to get hardship funds. We could build two smaller high schools. Or we could remodel our elementary school that used to be a private school. Furthermore, I understand that the architect's plans for New Millennium High are readily adaptable to any site.

SYLVIA FREVITALI
Aptos

REGISTER-PAJARONIAN 293

REGISTER PAJARONIAN

New high school a community priority

By SANDRA NICHOLS
REGISTER-PAJARONIAN GUEST COMMENT

Whenever there's talk about the new high school at Harkins Slough, those of us who are listening hear one tune. "We really need a new high school and this is our only chance to get one!" Let's consider why all of our local leaders seem to be on the same side of this issue. Now I'm not one to play the devil's advocate. And I'm not arguing that we shouldn't build a new high school at the slough. However, I see a certain truth that is not getting printed, and I feel called upon to explore it.

Here's the problem. We need to provide more space for our students, and the case is being made publicly that a new high school at the slough is the only possibility. Everyone is getting on the band wagon. It is perceived that a unified community will convince the Coastal Commission to override its own staff's determination that the slough is inappropriate for a comprehensive high school. So the school district (PVUSD) has decided to take a little money ($50,000) from its kettle (the budget for our children's education) and spend it on lobbying the CC to lower their standards on the protection of our environment.

An interesting aspect of unifying the community against the CC is that the commission becomes a convenient scapegoat should they turn down this valley's request to waive regulations. Our new high school would be even farther away than we have previously imagined! Recall that the CC warned PVUSD repeatedly that the slough is not suitable for the high school. The project is inconsistent with the Coastal Act in many ways. These constraints are barriers that PVUSD and Watsonville politicians hope will be overlooked in the face of our huge need for more space for our students. Is it fiscally responsible to devote educational resources to try to implement a plan when the CC has given repeated warnings that it will not make an exception in this case?

I have a number of other problems with this whole procedure. It is most troubling to me that our State has this commission dedicated to protecting our coastal environment, a good cause, and that in our efforts to relieve the overcrowding at our schools we have to ask that an exception be made. Coastal Commissioners, we want you to protect our coast, but could you please bend the rules and let us build the new school at the slough? A dilemma has emerged here regarding just what exactly we would be teaching our students about our treasure, our environment. It's troubling that part of the proposal seems to answer this concern by purporting that the New Millennium High School will have an ecology component in which students learn to treasure the environment. It's ironic that we try to teach exactly the opposite of what we show as a priority when we choose our favorite site based on how many complaints we're getting from the local inhabitants.

Recall the other sites that were taken into consideration during the past 15 years of attempts to build a new high school? There were two major factors which chipped away at the possibilities for a site. Many sites were ruled out because of noise and safety issues caused by the airport location. The other factor was that NIMBY attitude, "not in my backyard." Various sites were ruled out because local residents organized against them. So we are left with a site at which there are no neighbors to complain, one which is apparently not in the flight path.

If we buy into the plan to combat the CC with our education funds and continue to pursue the slough site, our priorities are clear. We value the airport more than the slough. We value freedom from a high school in our own neighborhood more than the concept of students attending schools close to where they live. We would rather see our community spread across Highway 1 than stick to the community's growth plan. We would rather see our education tax dollars spent on political maneuverings and lobbying, than on the actual teaching of our children.

These infernal questions keep surfacing regarding the motivation of our community leaders when they lead us into this ironic quagmire in which our priorities get all mixed up! Why is the City of Watsonville so gung-ho for the Harkins Slough site? Is the fact that our school board members are elected by trustee area related to the fact that no trustee area was hospitable to a new high school, except the slough, where there are no neighbors with voting rights? Are board members so beholding to their constituents that they must make decisions based on their ability to be re-elected rather than the good of our students and community? Is the reason that we're only hearing one tune, that if the powers that be admit that there exists another possible high school site, the Coastal Commissioners will reject our plea that the rules be bent? What about the money that has already been spent and continues to be spent developing and supporting the site plan? Would the School Board actually use our money to purchase the Edwards property before the CC hearing, and if so, what will they do with that land if their plea is denied?

I support the construction of a greatly needed high school. This project should respect the constraints of the Coastal Act. I continue to object to the tactic of denying the existence of other possibilities.

Please, School Board, build us a high school. Get going down a feasible road. Make progress towards solving the problems facing our schools. And stop spending our kids' educational dollars on political maneuvering!

(Sandra Nichols is a Watsonville resident and a Bilingual Language Specialist. She can be e-mailed at nichols@cruz[illegible].com)

3g.

Jan. 17, 2000

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Charles Lester, Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060-4508

Dear Mr. Lester:

Re: Proposed Millenium High School Site, Harkins Slough Road, Watsonville

I am among the many citizens of Santa Cruz County who oppose the Pajaro Valley Unified School District's efforts to build a massive new high school at an environmentally sensitive site.

While I share everyone's concerns about the educational needs of this community, I am unalterably opposed to the construction of a high school at this site. A high school in this location would seriously impact adjacent wetlands, would encourage growth in inappropriate areas, would present safety hazards and traffic problems for the students, would encounter expensive construction and development problems, would take prime agricultural land out of production and poorly serve its logical attendance area. In addition, it would be a serious breach of both the letter and intent of the Coastal Act.

I am concerned that the community is being pressured to disregard the Coastal Act and existing Local Coastal Plan (LCP) to permit the construction of this intensive facility in this critical location. I fault the Pajaro Valley Unified School District for creating a crises situation that places the community and the Coastal Commission in the position that unless these assaults on the Coastal Act and the existing LCP are allowed, the educational opportunities of the community will suffer.

When this matter comes before the Coastal Commission in March, myself and others intend to make a vigorous presentation urging the Commission not to allow these major modifications to the LCP.

We (concerned members of the environmental community) have met with and urged the District (since the early 1990s) not to choose this site for a high school. We challenged the EIR for the project in court. (That litigation is still pending, on appeal.) We have repeatedly advised the District that bond issues for this project will not pass and they did not pass. (We did not publicly oppose them.) We have repeatedly urged the District to seek other sites and other service options or, at the very least, keep other options open because of the potential problems at this site. They have refused, dogedly and inaccurately saying that there is no other site in the Pajaro Valley to build this massive high school.

The longer the District continues on this reckless course, the longer educational needs will suffer.

Major points pertaining to the unsuitability of the site:

Environmental:
*The site abuts sensitive wetlands wildlife habitat containing endangered species.
*Immediately south of site is a California Department of Fish and Game Wildlife Area.
*This area is slough habitat, which has all but disappeared in California.
*Site and access road construction would damage area.
*Large populations of students would add trash and pollutants to area.broken pipes and sewage spills would impact sloughs.

Development and Growth inducing:
*Contrary to District claims, any alternative housing and/or light industrial development would be **severely restricted** and probably would not be built.
*The City of Watsonville sees the construction of the High School and it's related infrastructure as an opening to development west of Highway One.
*Infrastructure costs would equal or exceed cost of school, are presently unfunded, and would fall upon the taxpayers.

Alternatives to site:
*Alianza Elementary (was originally built as Mora High School)
*Frannich Property (near East Lake Center)
*Landmark Property
*Pinto Lake site
*Calabases site
*Buena Vista site

State Funding District claims to have:
*The PVUSD application for the school site in the slough plus the application for hardship funds for the construction have been **REVOKED**. This per the project manager Corinne Lamar at CA State Dept. Education.

Traffic and Safety:
*Only two ways to access site, Lee Road and Harkins Slough Road
*Harkins Slough Road and bridge inadaquate for projected traffic.
*Necessary road improvements are not funded.
*Almost all students must cross freeway to get to school
*Lee road is a truck route for industrial area.
*Location makes non motorized access impractical.
*Noise and danger to children from low flying aircraft from neighboring airport
*Proximity to landfill is potential source of pollution and disease for children

Sincerely,

Meade Fischer
270 Hames Rd. #72
Corralitos, CA 95076
(831) 763-2660

1/10/00

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

California Coastal Commission
Central Coast District Office
725 Front St. Ste. 300
Santa Cruz, CA 95060

Attn: Dr. Charles Lester, District Manager

Dear Dr. Lester,

I have before me the copy of a letter you wrote to Dr. John Casey, Supt. of the Pajaro Valley Unified School District(PVUSD). It is dated May 12, 1999 and includes your summary remarks concerning the selection of a proposed site (i.e. Edwards Property) for construction of a new high school in the City of Watsonville west of Hwy. One. Your letter sets forth conclusions reached by you and other members of your staff, after nearly six years of investigation, vis-à-vis the advisability of using the site under consideration. You state as follows:

> ".....Commission staff will be compelled to recommend that the Coastal Commission deny the required LCP amendment if the (school) District continues to pursue the high school project at the Harkins Slough Road (Edwards) site."

You invite the District to look for a different location "consistent with the California Coastal Act."

That ought to be the end of it, but, alas, it is not. The PVUSD, in conjunction with the City of Watsonville, developers, builders and special interest groups, is conducting a full-court-press on Pajaro Valley residents. (Even some of the school Trustees are going door to door with propaganda flyers.) What they could not accomplish through normal and proper channels, they are now unashamedly and unabashedly pursuing through purely political ones. In fact, so brazen is this school district that it voted unanimously to relieve an already strained budget of another $50,000 taxpayer dollars in order to hire professional "consultants" (i.e. lobbyists). These hired guns are probably schmoozing intimately with various Coastal Commissioners, even as I write.

Builder Barry Swenson, from no motive of personal gain, and out of a sense of community-spiritedness, you understand, has donated one of his empty office units downtown for the exclusive use of pro-Edwards property proponents. Out of these headquarters organizers are conducting a full-blown local campaign in order to influence a desired outcome at total variance with the one expressly recommended by the Commission's Central Staff. Retired State Senator Henry Mello and ex-County Supervisor Ray Belgard have gotten on board with the effort as well. These Edwards-site-activists are betting that the Coastal Commissioners can be had, if massaged properly, and enough political pressure is brought to bear. I hope that that is not true.

Have intervening developments or circumstances altered any of the following perceptions, viz. that a high school in the Coastal Zone is not permitted under the present LCP; that such a planned structure is not consistent with either the letter or spirit of the Coastal Act; that CC staff declares the adjoining wildlife wetland habitat environmentally sensitive, and that building a new school nearby would impact very negatively upon it; that they are joined in that opinion by Dept. of Fish and Game Regional Manager Brian Hunter as expressed in his letter dated May 20, 1999; that threats of waste runoff, other school-generated pollutants, potential liquefaction problems and ground settling, not to mention seismic features associated with the property, are all sources of worry; that the LCP allows only 10% impervious ground coverage, and the City asks for 50%; that the LCP provides for a 10% maximum slope gradient and the City wants a waiver to allow 25% slopes; that enormous (unbudgeted), off-site costs will be necessarily incurred, including road widening, overpass reinforcement and widening, freeway ramp construction, flood control measures, etc.; that huge new traffic problems would result; that the Watsonville airport lies scarcely a mile from the proposed site, and that existing code requires at least a two mile separation; that the site lies right in the path of the airport's left-hand turn pattern; that around 100 acres of good crop lands would be taken out of production in an area where at least 50% of the residents are dependent upon agriculture for a living?

School and City officials allege that the Edwards land is the only viable high school site alternative left for them to select from. A good number of people disagree. By acting irresponsibly, the PVUSD has painted itself into a corner. They've already shelled out 3.5 to four million dollars on site planning and preparation for this particular piece of land. They should have waited until at least the property had changed hands before awarding all those arquitectural contracts. The Edwards property still belongs to Edwards. And their is no evidence of a "contingency escrow" agreement such as some school officials allege exists.

Executive Officer, Bruce Hancock, of the State Office of Public School Construction (OPSC) informs me that the PVUSD has no "in house applications" for hardship funds filed with that office. An application made back in March of 1999 was "revoked" at the end of October, when the District failed to reply to a "15 day" letter.

There are other site alternatives that should be considered. I will name them: 1) Alianza Elementary School, (originally a Catholic high school.) 2) Franich Property on East Lake, 3) part of the Landmark subdivision, 4) the Pinto Lake site, 5) the Calabasas site, and 6) the Buena Vista site. All of these potential sites are east of the freeway too.

I urge the Coastal Commissioners to consider carefully the conclusions their own professional staff people have made after six years of careful analysis. I urge Commissioners, furthermore, not to be led to believe that another viable high school alternative site does not exist, in the event that they reject the City's land use waiver application. There are other and better alternatives, believe me.

Yours truly,

Tim Moore
747 Bronte Ave.
Watsonville, CA 95076
(831) 763-2007
teemor@got.net

CC: Coastal Commissioners

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JAN 1 0 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Murry and Delia Schekman

317 Brentwood Drive
Watsonville, Ca., 95076
December 21, 1999

Members of the California Coastal Commission
725 Front Street Suite 300
Santa Cruz, Ca. 95060

Re: New Millenium High School

****

Dear Members of the California Coastal Commission,

I have a unique perspective when it comes to the building of a new high school on the West Side of Highway 1 in Watsonville. I am the first principal of Everett Alvarez High School, in Salinas. We opened our new high school's doors in August of 1995. I have three children in the Pajaro Valley Unified School District, one at MacQuiddy elementary, one at Lakeview Middle School and our oldest is a 10th grader at Watsonville High School. I have also been an employee of the PVUSD with experience as an Assistant Principal at Watsonville High School. I felt the overcrowding at Watsonville High, but the students felt it even more.

When I shop at new Target or the new Staples in Watsonville, my consciousness isn't raised with regard to the issues facing the wetlands in and around Harkins Slough. If I am a graduate of New Millenium High School, built at the proposed site, I will have a heightened awareness of the issues facing this beautiful area.

As a Principal of a new high school in Salinas I am aware of how educators, parents and the community can shape the minds of young people in a most positive way! We work hard at EAHS to help our students understand the complexities of the agribusiness industry and the issues we face in the Salinas Valley with regard to land use. Our students do have an appreciation and understanding of the concept *prime agricultural land.*

As a parent of students in the PVUSD I can only ask that the Coastal Commission reflect on the "ecological" needs of our teenage population. When I worked as an Assistant Principal at Watsonville High School in the mid 80's we noted that our school's enrollment dropped to the "comfort" level of the buildings, a scary notion. I continue to be concerned about the enrollment levels at many of the schools in the PVUSD. Clearly, the greatest over crowding problems are at the high school level.

Our community has the opportunity to build a new high school and help our young people fully develop at three comprehensive high schools! The community in our district will insist that the new high school be built and run to help students fully understand the complexities and issues facing the wetlands of the Central Coast of California. If light industry and housing is acceptable in this same area, the building of a needed third high school for the Pajaro Valley Unified School District should also be acceptable.

There are so many reasons as to why this project should be approved. I've listed a few and many members of our community have listed others. But the most important reason is simple, the educational reason.

Thank you for your consideration.

Sincerely,

Murry Schekman

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DEC 14 1999
CALIFORNIA
COASTAL COMMISSION

Ronald H. Tyler
120 Heather Ct
Santa Cruz, CA 95065

RECEIVED
DEC 15 1999
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

November 22, 1999

California Coastal Commission

Dear Commissioners,

This letter is in support of the Harkins Slough Road site for the new Pajaro Valley Unified School District High School. I am familiar with the site, having studied the impact of drilling the test holes on the existing crop.

The soils are: Diablo Clay, 15-30% slope, Storie rating of 38 and SCS ClassVI; Tierra-Watsonville complex, 15-30% slope, Storie rating of 28 and SCS class IV; Watsonville Loam, 2-15% slope, Storie rating of 36 and SCS class IV; Clear Lake Clay, 0-2% slope, Storie rating of 43 and SCS class IIW; and Pinto loam, 2-9% slope, Storie rating of 62 and SCS class III.

All of these soils are excessively wet for crops during wet winters. I have observed the farming of this parcel for the past 28 years. Several crops have been grown, but yields are below average and crops have been drowned out in wet winters.

I don't know what this parcel is renting for, but the rent for an adjacent parcel is 1/3rd of that received for the valley floor soils. This is a good indication of the productivity of these soils.

I was a member of the "measure J" Agricultural task force [the growth management initiative passed by the Santa Cruz County voters in 1978]. The task force left this area out of the agricultural designation, as well as parcels in the vicinity, as they are much less productive than other areas surrounding the City of Watsonville. They were later placed in an agricultural zone by the Board of Supervisors. The Task Force felt that this was a better direction for the city to grow as it would have the least impact on the agricultural productivity of the county.

I was a Farm Advisor for the University of California for 35 years, the last 20 as Farm Advisor and Director of Agricultural Extension for Santa Cruz County.

Sincerely Yours,

Ronald H. Tyler

Ronald H. Tyler
Farm Advisor, Emeritus

bcc: Coastal Commission Attn: Dan Carl

Nov. 22, 1999

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NOV 23 1999

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Editor, Editorial Page
Santa Cruz County Sentinel

Dear Editor:

The following is a letter for the editorial page that I hope can be printed in its entirety. If this is impossible, I would appreciate a call from you to 662-3598 in Aptos. I am a retired teacher who taught almost a decade in Watsonville at E. A. Hall School.

Sincerely,

Sylvia Previtali

Sylvia Previtali
611 Cliff Dr.
Aptos, CA 95003

COPY

PVUSD trustee Rodney Brooks misleads his readers in the letter of Nov. 21, 1999, "Community Support for High School Will Help Convince Coastal Commission." Everyone agrees that a new high school is needed. The issue is not land use being denied by the Coastal Commission, but that Harkins Slough is simply not the place for the new high school. Our public school students deserve better.

I beg readers not to support the petitioning and lobbying by the PVUSD in its effort to convince Coastal Commissioners to allow the building of the high school in Harkins Slough.

Mr. Brooks implies that "a light industrial park, etc." will cover the Edwards site anyway if the high school isn't there. This is a common misconception. According to the Local Coastal Plan, before any development is considered, environmentally sensitive areas at the site would be eliminated from consideration. Slopes greater than 15% would be eliminated. Then, only 10% of what is left would be considered for development. Still another findings phase would have to be hurdled.

On the other hand, the high school would cover a much larger portion of the Edwards site. The school district plan calls for changes to the Local Coastal Plan. The high school plan would allow development on up to 25% slopes, plus 50% maximum developable coverage of the site.

Mr. Brooks mentions a "curriculum theme" of the wetlands, which seems to me to be ill thought out. The building of a huge school and subsequent use would immeasurably damage the Harkins Slough, as well as the adjacent wildlife reserve, a

COPY

p. 2. PRENTACE LETTER TO SCRUZ CO SENTINEL NOV. 22, 1999

restoration project. (Regarding restoration, throughout the world, people are desperate to restore valuable sloughs, stream ecosystems, wetlands, fish and wildlife habitats, coastal habitats and tidelands because of damage done by irresponsible development.)

The picture I have of this high school is that it's like an unwanted child, pushed away from hearth and home until it now seeks refuge in the far-off and isolated Harkins Slough. How ironic that the very people who fought for the last decade to keep the high school out of their neighborhoods, now are being asked to sign petitions blaming the Coastal Commission for not allowing the building of the high school. (Are we that terrified of our youth? If so, banishment is not solving anything.)

Well, the Aptos Secession cadre will rush to sign the petitions, since they can't wait until the new high school is built so they can continue their selfish quest for a district split.

From the standpoint of student safety, the Harkins Slough is a dangerous place. Visualize school busses, student and family cars, bicycles and pedestrians using those narrow lanes. Signs say, "Flooded. Road Closed Ahead. Subject to Flooding." The overpass is open to the freeway below. There are no signals. Hundreds of semis rumble out from plants on Lee Road. The train crossing is unregulated. Bad odors permeate the air from the slough system, fertilizers and pesticides. The noise of airplanes overhead is deafening. (The airport manager reports up to 60,000 takeoffs per year.) In this beautiful rural community, architects' plans for the new high school call for special soundproofing, plus non-reflective windows to keep birds that frequent the slough and wildlife reserve from flying into their images.

Finally, the Environmental Impact Report calls for mitigation measures for engineer-reported "differential settlement" of the soil, "proximity to several active faults" which may cause "high to very high seismic shaking", and "liquefaction on the lower lying portions of the site." Enough said.

You may believe the City and the school district will solve all these problems. I called the City and was told that they don't want to appear to be "inducing development," so little more than the basics is planned for the new high school--a sidewalk, a bike path, a sewer just big enough. No new traffic signals are planned, and the open freeway overpass is the jurisdiction of CalTrans. The PVUSD has rounded up their wagons for the duration. They cry, "We'll lose forty million dollars if we don't build here and now!"

The safety, support and respect of our young people is more important than money.

William Nichparenko – 550 Hudson Lane, Aptos, CA 95003

To: Editor of the Sentinel, Tom Honig
From: William Nichparenko - 688-7946
Re: Jamie Mark's article in 8/17/97 paper.

Ms. Marks misses the mark when she tries to bargain for building a high school next to Harkin's Slough. Her logic continues to be popular from the point of view of dollars out of pocket to the city of Watsonville. Recently however, attention has shifted to the study of ecosystem markets and other structures that appear to represent more closely the reality of economic life.

These ecosystems, including Harkin's Slough, provide us with nature's services, such as air and water that we take for granted. The monetary contribution of these services needs to be considered when making any long-term decision. In her book, Nature's Services: Societal Dependence on Natural Ecosystems, (published in February by Island Press), Stanford ecologist, Gretchen Daily, collaborated with more than 30 ecologists and economists in order to put a value on the services of ecosystems, thereby enabling responsible people to calculate the worth of the services in their plans.

The question is HOW do we factor in the loss to EVERYONE (not just local Watsonville residents) of these natural services when we cover 50 acres of wetlands with buildings and parking lots?

Sincerely,

William Nichparenko

CC:Coastal Commision
LAFCO

RECEIVED
AUG 21 1997
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

COPY

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AUG 1 1 1999

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

August 11, 1999

Santa Cruz County Sentinel
Attn: Editor, Letters to the Editor, Opinion Page

In Steve Bankhead's recent editorial, "In Watsonville, gains don't come without sacrifice," he writes that there is a problem in finding land to develop, and that "this predicament is only one negative result of the infill and limited-growth requirements being placed on us by the county government."

Regarding this shortage, it looks to me as if sometimes people encourage development in areas that may be particularly unsuitable or environmentally protected or unsafe for development because they are very picky about what gets built in their back yards.

Take the PVUSD high school site search in Watsonville, for example. How many neighborhoods rejected that public school before it ended up proposed on the other side of town, across a freeway, in part of a slough, next to isolated fields, and past streets that flood? Weren't there as many as ten possible school sites rejected by Watsonville area citizens over a decade's time?

Mr. Bankhead writes negatively of someone who "proposes that we build it [the new high school] on our airport site, and sacrifice one of the few unique assets our community possesses." Well, I am one among others who proposed the idea of building the high school on the airport site, because of that central location and proximity to city services and homes. However, I suggested moving the airport, not "sacrificing it."

A friend who also thinks the airport would be a good place for the high school suggested building an entire complex there housing technology corporations plus the high school. It would be a high tech/academic park. She suggested recruiting more high tech corporations to Watsonville. With the ongoing spread of Silicon Valley into "Silicon Beach" in Scotts Valley and Santa Cruz, there is every reason to believe that high tech development will continue into Watsonville.

Microsoft could be courted, for example. Microsoft currently has a shortage of workers. Watsonville has a shortage of jobs. With a high school right next door to a Microsoft satellite, our youth could be trained on the spot in technology that would wonderfully prepare them for up-to-date careers.

Microsoft presently is investing millions in an "Access to Technology" program to aid organizations "that implement innovative and effective programs to increase access to technology, especially in disadvantaged communities." This info is from press releases from Microsoft in July, 1999, that also announce $25 million funding specifically for various nonprofit organizations in disadvantaged communities. "Gateway Business and Community Coalition Inc." of Watsonville, directed by Dennis Ortiz, is one of the first recipients of some of the funds, along with a community within Chicago. Glad to hear about that--I guess I missed it in the newspapers.

Sylvia Previtali
611 Cliff Dr.
Aptos, CA 95003
Tel: 831-662-3598

Tel: 831-662-3598

bcc. Dan Carl
Coastal Commission

COPY

RECEIVED

July 27, 1999

AUG 1 1 1999

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Dan - I took in 10 copies of this letter on afternoon of the "amend" Council meeting - gave to seats of City Council.

City of Watsonville
Mayor Oscar Rios
City Council

Dear Mayor Rios and Members of the City Council:

As a teacher I signed a State of California document promising that I would report to legal authorities anything that I thought would endanger or was endangering a child.

I am reporting to you today that I believe that if you vote to amend the Local Coastal Plan to allow the building of a high school in Harkins Slough, you will be aiding in putting Watsonville youth in harm's way.

As a retired teacher and as a parent, these are possible dangers to young people I see at that site:

1. Instability of the land on which the buildings will stand.
2. Possibility of severe damage from earthquake. (Look at 1989 earthquake damage to Marine Lab in slough and to freeway over-crossing in slough.)
3. Limited street access creating difficulty in evacuating students and teachers in case of emergency.
4. Uncontrollable slough runoff causing year-round flooding of both access roads.
5. Liquefied soils making it difficult to build bridges, widen roads for safety.
6. Horrendous traffic problems at freeway intersection because it is access to high school and access to freeway south.
7. Dangers to walkers and cyclists on Harkins Slough Rd. and Lee Road. because of lack of walkways, bicycle paths. (Recent student fatality in Santa Rosa because of lack of pedestrian walkway.)
8. Dangers to drivers on Lee Road and Harkins Slough Road because of deep ditches, narrow roads, water coming up to road asphalt, blind turns, freight truck traffic, agricultural machinery traffic.
9. Dangers to young drivers in principally industrial area of Lee Road, Beach Road and Highway One.
10. Health dangers from pesticides, fertilizers, slough bacteria.
11. Health dangers from constant dampness of the surrounding slough.
12. Danger from aircraft crashes from airport that is less than one mile from site.
13. Isolated site creates greater danger to bussed students on longer rides.

Please carefully consider these issues before voting to change the Coastal Plan.

Sincerely yours,

Sylvia Previtali

611 Cliff Dr.
Aptos, CA 95003
Tel: 831-662-3598
c: CA St. Dept. of Education

Sylvia Previtali
Teacher E. A. Hall Middle School, 1985-1992

bcc: Dan Carl
Coastal Commission

Tel: 831 662-3598

COPY

June 29, 1999

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AUG 11 1999

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Editorial Page
Santa Cruz County Sentinel
207 Church St.
Santa Cruz, CA 95060

Dear Editor:

I believe the Harkins Slough is not a good choice for the Pajaro Schools much needed high school.

The Coastal Commission, Fish and Game, Wetlands Watch, Sierra Club are some of the organizations that oppose building a school there. Questions have been raised about drainage and flooding problems, unstable soil, proximity to the airport, lack of established city services and systems--including through streets, sewer, water, electricity, gas, police, fire protection, municipal buses. The school will be far away from many students' homes.

I've spent time at the site. There is noise from airplanes and freeway traffic. There are also beautiful and unusual bird sounds. There are "Flooded" signs along Harkins Slough Road and Lee Road; in fact, Lee Road is closed with a gate because of flooding. At places the slough comes right up to the asphalt. I'm concerned that people will be exposed to fertilizers and chemical spraying from the surrounding fields.

Why not use the airport site for the school? It seems to me that building a new airport perhaps to the south of Watsonville would be more cost-effective than building a school plant in an area that is so obviously inappropriate. I'm sure more people would be better served.

Sincerely,

Sylvia Previtali

Sylvia Previtali 831-662-3598

611 Cliff Dr.
Aptos, CA 95003

bcc: Dan Carl,
Coastal Commission
(Appeared in Sentinel
Date?)

Newspaper Clippings
5/1995-2/2000

5/23/95 A-10

PV trustees consider plan for buying land

By JOHN BESSA
Sentinel staff writer

WATSONVILLE — Buy now, save later. That's the theory behind a land-buying plan the Pajaro Valley school district trustees will consider Wednesday.

And with new requirements for schools to qualify for state building funds, the "land bank" program would make it easier for the Pajaro Valley district to compete for shrinking dollars, said Richard Meyer, district director of government relations and construction.

"The obvious advantage is if you're able to earmark land, you're able to put a lot of people on notice that you don't want it gobbled up by development. The other advantage is that you buy it at a lower rate than it may go for, say, five years down the road," Meyer said. The district expects to pay about $4 million for four school sites.

The already-crowded district will need to build another high school and as many as three elementary schools to meet expected growth over the next 10 years, Meyer said.

The district's prime high school site is near Lee and Harkins Slough roads. One elementary school will likely be built on the Franich property east of town, while the other two will be west of Watsonville.

The district has a good track record in securing state school building money. Pajaro Valley has been in the top 10 percent of 500 districts statewide competing for bond-supplied state building funds, receiving $64 million since 1986, Meyer said.

But the competition has grown more intense since a 1994 shortage of building funds and shake-up of the way it's disbursed, Meyer said.

In the past, school districts could get state money before starting a project. The money covered all aspects of school construction needs, from planning and design to land buying and construction, said Dan Santo, managing director of California Financial Services, the group setting up the land bank proposal for the district.

Now, the state wants districts to either put in half the building costs of a school, or make all the costly preparations and have land ready to build on before providing building money, Santo said.

"The state's had no money since 1994. Now the state's saying we're only going to fund when you're ready to construct," he said.

Priority goes to districts with at least 30 percent of its K-6 students in a space-saving year-round school program. The Pajaro Valley district has met this requirement, Meyer said.

This is how a land bank works, according to Santo:

- District officials locate an appropriate piece of land, negotiate a price with the landowner, and sell certificates of participation, a type of long-term financing, to generate money to buy it.
- The district will set up a nonprofit corporation to hold the land until it is needed. The state won't reimburse districts for land held longer than four years.
- The district will develop building plans.
- The district, ready to construct a school, will apply for state building money.

By that time, Santo said, "they should be first in line."

The money the district gets would pay for construction as well as what is owed on the land or the appraised value, whichever is lower, he said.

The whole process could be completed in four months, Santo said.

Santo said the total costs for organizing the land bank, including attorney and consultant fees, is about 7 or 8 percent of the amount of money spent, or about $300,000 in this case, but that no deal has been signed with the district yet.

The Pajaro Valley school district Board of Trustees will meet at 7 p.m. Wednesday at Starlight Elementary School, 225 Hammer Drive, Watsonville.

Oh, let our people grow

SANTA CRUZ folks just don't get it.

That seems to summarize what many residents of Watsonville think, especially as they watch the rest of the county fiddle while their town seems to be burning with problems like unemployment, overcrowded housing, and skirmishes over development.

I ran into Watsonville City Councilman Oscar Rios last week, and he talked over last week's column on Watsonville's desire to annex outlying property for jobs and housing needs.

Rios is a born politician and he can talk, but his central message was this: "We need help."

I thought about this some more as I worked on the series of stories that appeared in yesterday's Sentinel about the decimation of the frozen food industry in the Pajaro Valley. That industry has been a symbol of Watsonville's changes and troubles since the explosive Watsonville Canning and Frozen Food Co. strike started 1985.

I first met Rios back in 1986 during the strike. He'd come here to agitate for the workers. We even ran a photograph back then of a younger Rios pictured in a protest at the police department during the strike. Since then, of course, he's gone respectable, and has joined other Pajaro Valley leaders in asking the county for some relief from policies and laws that make growth and development of farm lands and other land nearly impossible.

That was last week's topic — should Watsonville be allowed to annex open lands adjacent to the city for development and housing.

I received some really thoughtful answers, and more than several anonymous ones. The unsigned letters or anonymous calls mostly echoed this piece: *"I doubt more jobs would do Watsonville any good. If people insist on coming to this area that are illiterate in English and seemingly incapable of birth control, perhaps prohibiting sending money to Mexico would cut the population down to size."*

These people who "insist" on coming here are the same people who plow the fields and pick the crops so you can have food on your table.

FROM reader **Stephen Bankhead** of Watsonville: "Watsonville needs jobs, but not the low-income positions usually created by retail development. Light industrial and manufacturing companies could provide the decent wages which make housing naturally affordable.

"... But efforts to create a more diverse job market by expanding Watsonville's west-side industrial region are frustrated by Measure J's restrictions on agricultural land use.

"... Once land is converted to agricultural, it's virtually excluded from other uses. And with every plant closure, the number of jobs provided by that land plummets. Watsonville doesn't want to abandon agriculture, but agriculture seems to be abandoning us.

" ... Gary Patton talks of 'preservation,' but 'reservation' better describes the status of Watsonville under current growth restraints. Our city can solve its unemployment problems, but only if the county provides us the freedom to help ourselves."

Santa Cruz land use consultant **John Swift** represents a piece of land the city is eyeing. Not surprisingly, he supports annexation of at least this property. Swift makes the point that this land is already surrounded by city limits. The county has policies that prohibit urban development from encroaching on prime farmland.

But in this case, the urban development is already there. "The reality is that urban encroachment does impinge upon agricultural operations. and that has happened in this case."

By e-mail, I heard from Santa Cruz reader **Dave Wade**: "I read both the piece by Gary Patton, and the response by Ray Belgard. They both made me uncomfortable. I am an environmentalist by profession and education. Yet I think Belgard is correct when he points out that Patton's vision would ultimately make the county unaffordable for all but a lucky few. ... but Belgard missed the mark a good number of times as well. Development on ag lands should only occur rarely, and generally only after the city has filled in on lands already within its boundaries, or for cases of overriding pubic need.

" ... The temporary jobs from new construction are likely to have little benefit to unemployed persons in Watsonville, and in any case, are no substitute for lost career jobs in the food processing industry.

"Has Watsonville demonstrated a need to annex new lands? Can't it provide jobs and housing within its existing borders? Will the development proposals currently being floated for the area actually provide jobs and housing to those in the community who need them? It's not clear to me that these questions have been answered."

Bruce Mathias of Aptos said the issue relates to the dispute over Aptos schools.

"Watsonville's plans for development are a disaster for Aptos school children. All of the schools in the PVUSD are already overcrowded. ... Watsonville shouldn't be allowed to build one new home without the plan and the money for the many new schools that will be necessary to accommodate the thousands of new students that will be added to the district.

"... If Ray Belgard really wants to help Watsonville, he should go to Washington D.C., fall to his knees and beg like a dog for immigration reform. Without big cuts in immigration, every problem Watsonville has can only get worse."

Don Miller can be reached by voice mail at 427-6906, by fax at 429-9620, by e-mail at miller@santa-cruz.com, or at P.O. Box 638, Santa Cruz, Calif. 95061. Please give your name (and spell it if you're calling), where you live, and a phone number in case we need to reach you. Remember that your remarks may be published.

Opinion

Santa Cruz County Sentinel
Sunday, Feb. 4, 1996

As we see it

Don't abandon Watsonville to no-growth policies

■ The decline of the frozen food industry is one more reason the county should heed Watsonville's plight.

IT'S A CLASSIC dilemma for Santa Cruz County.

On the one hand is the need and desire of most residents to preserve what makes this county special: its beauty, its open spaces and its farmlands.

But juxtaposed against this long-cherished vision is the plight of Watsonville, and especially its workers.

In the special report in today's Sentinel on the decline of the Pajaro Valley frozen food industry, by reporters Tracy L. Barnett and Marianne Biasotti, and special projects editor Don Miller, Watsonville is portrayed as being at the mercy of global market trends and corporate decisions that a small town could never hope to conquer on its own.

The pre-NAFTA move toward Mexico by frozen food packers was the beginning of the end for a local industry that had long drawn immigrants and provided a step up on the ladder toward the American dream.

Just as that was happening — perhaps because it was happening — a strike against two of the biggest packers in Watsonville tore the town apart from 1985-87. The strike, as a former Watsonville frozen food executive says in today's report, became a social "cause," and at times a "war."

But out of it came a recognition that power in Watsonville had at least begun to shift from the families that controlled the cooling sheds and packing plants to the Latino majority, many of whom had come there to work the fields and chop the vegetables on assembly lines.

The strike ended, but at a big cost: the biggest frozen food plant in Watsonville was forced out of business, and a newer, smaller operation replaced it.

More troubles followed. Pillsbury/Green Giant decided to move its operations to Mexico and Ohio, costing 270 people their jobs.

This was happening as a wave of mergers overtook the industry. Illinois-based conglomerate Dean Foods started buying up most of the remaining business in town.

Then, in November, came the news that Dean Foods was closing down Norcal-Crosetti, the biggest part of what was left of the frozen food industry in town. Although the work force was less than half its 1980s' peak, at least 500, maybe more, workers won't be bringing home paychecks starting next week.

Watsonville has been down this path before.

To understand, it's helpful to see it from Watsonville's vantage point.

Watsonville and the rest of the Pajaro Valley have never seen themselves tied to the northern part of the county. It's a city and area more closely allied with northern Monterey County, with Salinas and Castroville, places where agriculture is king.

But city leaders find themselves at the mercy of policies mostly crafted in Santa Cruz by a political majority elected with strong commitments to environmentalism, open space and farmland preservation, and slow growth.

Watsonville officials have long tried to deal with overcrowded housing and an unemployment rate usually at least twice that of the rest of the county.

They've tried to find jobs for their citizens and to deal with the resulting social problems that come from dwindling paychecks or no paychecks at all. Families fall apart; kids get in trouble; businesses are affected, since people who aren't working usually aren't shopping.

It's one thing to read about "corporate downsizing" or "merger mania;" it's quite another to be a casualty of these trends.

The city wants to annex property surrounding it. It hopes to develop another shopping center on its west side, in hopes of providing jobs and sales tax revenue.

But farmers and environmentalists are adamant. Allow Watsonville to annex or develop even marginal farmlands, they say, and the unique quality of the Pajaro Valley will be spoiled forever. Start with even one property, and the genie will never be stuffed back in the bottle.

We believe that's a draconian outlook that lacks compassion for people caught in a trap. Many came here to work in the same fields that the anti-growth contingent have fought to keep green. But when these people need housing, and when the economic disparity with the rest of the county grows ever more unconscionable, then many in the North County look the other way.

At the same time, we agree with voices in the Pajaro Valley who say that the city should not turn its back on its very core: agriculture. Watsonville and county leaders need to recognize a crisis is on hand for displaced workers and for the city, and they need to seek solutions that play to the area's strength. The marketplace may yet lead to a revival of some new form of the food processing industry, perhaps resembling what has happened in Salinas, where fresh-cut, pre-packed lettuce mixes and other raw vegetables are the hot items in a cold business.

WATSONVILLE is caught. Farmers have moved toward more labor intensive crops in recent years, such as strawberries. That means more people. At the same time, land zoned agricultural stays in that designation, no matter if it's still being farmed. The city says it does not want to destroy its top industry, agriculture, and should be able to add non-essential or non-farmed land for housing and development.

This cannot be seen as totally without merit.

The county cannot say it supports agriculture on the one hand and then turn its back on the people who work the fields and canneries.

Several months ago in this space we called on the Board of Supervisors to hold a public hearing in Watsonville to listen to residents and business people about their economic problems. We also said it would be smart for the board and the Local Agency Formation Commission (which regulates annexation in the county) to consider what regulations are strangling Watsonville.

We repeat that call.

The real issue is this: County politicians and planners need to listen to the people of the Pajaro Valley and then forge a policy that does not abandon workers, families and young people to a bleak future.

Pajaro district parents discuss school bond

By BOB LINNEMAN 2/13/97
Sentinel staff writer

WATSONVILLE — If voters are to pass a bond measure to build new schools and improve existing facilities in the Pajaro Valley district, the district must do a better job of bonding with its constituency.

This was the message delivered to the Board of Trustees Wednesday night in a lively session where two newly released surveys were discussed and debated.

Voters in Aptos, for example, want assurances that money from the bond measure would be spent to upgrade the schools there before they'd even consider a ballot measure.

"Why should the first priority be a new state-of-the-art high school in Watsonville when the facilities in Aptos need work?" asked Aptos resident Lisa Kramer. "We still have a crisis of overcrowding at Aptos High School, and that needs to be resolved. I won't vote for a bond unless funds are guaranteed to help Aptos High."

The two surveys, one commissioned by the Pajaro Valley Unified School District and the other done independently by the Aptos school district committee, both suggest majority support exists for a bond measure, but not enough to ensure a two-thirds vote of approval needed to pass.

"Right now, given the status quo, a bond couldn't pass," said Marq Lipton, who conducted the Aptos survey. "With the information we're giving to the board, whether a bond passes or not de-

Please see PAJARO — BACK PAGE

Pajaro school bond

Continued from Page A1

pends on what the district does with the information in the two surveys. The public has real reservations about the way the district uses its funds. We have the potential to pass a bond, but right now support is a mile wide, and an inch deep."

Of all voters surveyed in the Aptos poll, 55 percent would vote to pass a bond. Of likely voters surveyed, 60 percent would vote to pass. However, these figures are based on 82 percent of those surveyed saying they would vote in a bond election and 18 percent saying they wouldn't.

The Aptos survey was done with volunteers and cost the Aptos committee $500. No public funds were used, Lipton said.

The district survey, done by Price Research of San Ramon at a cost of $15,000, showed 59 percent of those surveyed would vote to pass a bond. But this figure was achieved only after a battery of questions were asked. When the question of a bond was asked at the beginning of the interview, only 42 percent said they would vote to support.

Another Aptos parent, Bruce Mathias, pointed out that the majority of the district's growth comes from the Watsonville area. He added that Aptos homeowners should not be required to build new schools for the growing city of Watsonville.

"If the board is really serious about a bond, you should beg the city of Watsonville to stop the Tai annexation," he said of a proposed annexation that would clear the way for more housing. "We're not interested in subsidizing Watsonville's growth by building Watsonville schools."

The board was asked to form a committee to address these issues — but action was put off for two weeks.

Santa Cruz County Sentinel

Watsonville, Calif. Tuesday, March 4, 1997 129th Year — No. 311

Board votes to borrow $10 million

COP financing part of construction plan

y SEAN GILLESPIE
AFF WRITER

WATSONVILLE — With only one rong voice against it, the Pajaro alley School District Board of ustees Monday night approved ans to borrow up to $10 million pay for the initial cost of building two new schools for the 18,000-student district.

The board voted 6 to 1 to approve the School Facility Bridge Funding Program, which allows the district to sell certificates of participation (COP), a debt-financing instrument to fund the new elementary and high school it plans to build in the next few years. Trustee Sharon Gray registered the lone vote against the plan.

"I am philosophically opposed to COPs," Gray said after the meeting, which was a continuation of the late-night Wednesday meeting that was cut short when Gray announced at 11 p.m. that she was leaving because of the late hour. School board meetings usually begin at 7 p.m.

Gray described the financing plan "as a way of actually taxing the public without having a vote."

The School Facility Bridge Funding Program is the financing plan the district is using to make it a more attractive recipient for state funds for a new elementary and high school. Money generated by the sale of COPs would be used for buying the land to be used for schools and for detailed architectural designs that demonstrate to the state significant progress in planning the schools.

The state tends to fund projects in school districts whose plans show the most progress, officials say.

The PVUSD board expects to pay for the schools with 50 percent state

See BOARD, page 8

BOARD

From page 1

funds and 50 percent local funds raised through a publicly voted-on general obligation bond which probably will be on the ballot in November. From this money the district would repay COP investors their original money plus interest. The COPs could cost the district as much as $30 million over a 35-year period of repayment.

The risk incurred by the COP selling process is not being able to pay back the money if the bond issue is not passed by the public in November or for some reason the state chooses not to support the school projects. Trustee Doug Kaplan said the district's option at that point would be to sell the land for the schools and use the proceeds to pay back investors.

However, Kaplan said COP funding was "the best of a bad lot" when it came to financing plans for school construction.

A bond figure for placing on the November ballot hasn't been set, but best estimates, with 50 percent state payment taking into account, are that voters would be asked to approve a construction bond package of $24 to $30 million.

The district has been overcrowded for years, and this year's enrollment jumped to 18,202. That is a 3.46 percent increase from last year. Speculation among the board members is that the enrollment increase is due, in part, to the class-size reduction program in grades one, two and three. Children are coming from private schools to take part in the program which has reduced class sizes in the three grades to 20 students per teacher, they said. Nevertheless, additional schools are needed, they said.

"I haven't heard any other better idea to build a new high school," said board President Dan Hankemeier after Monday's meeting. Regarding Gray's misgivings about paying back as much as three times the initial loan amount over time, Hankemeier compared it to a house mortgage where the buyer usually pays much more than the actual cost of the house.

"I desperately know we need more facilities," Gray said. "But I just don't think this kind of creative financing is the way to go about it."

She said that some other districts which have used the COP financing method have had spare land to sell if their planned funding fell through. Gray suggested that the Pajaro Valley district present a separate general obligation bond to the public to vote on, instead of issuing COPs.

"There's no guarantee that would pass," Hankemeier said, adding there is no apparent construction funding alternative to COPs. "We don't have much of a choice."

Also at Monday's meeting, the board appointed Trustees Willie Yahiro, Jane Barr, and Gray to its School Facility Advisory Committee which will "prioritize the school facility and equipment needs and costs; determine the required short-term and long-term funding/revenue sources; and recommend the type and amount of a potential local bond measure."

The other four board members will appoint one community representative to serve on the committee, which can take up the proposed high school and elementary school as well as other construction and repair needs in the district.

Coastal concerns may sink PV site

By BOB LINNEMAN 3/27/97
Sentinel staff writer

WATSONVILLE — The California Coastal Commission raised concerns Wednesday night about the site of a proposed third high school in the Pajaro Valley Unified School District.

Steven Monowitz, a planner with the Coastal Commission, urged the board to consider other sites before moving forward with the planned school at Harkins Slough Road and Lee Road in Watsonville.

Because the proposed site is west of Highway 1, it falls under the Coastal Commission's jurisdiction and would require the city of Watsonville to include it as an amendment to the city's coastal program. It would also require a coastal development permit and approval by the Coastal Commission.

Monowitz was the lone speaker at a public hearing on the high school's draft environmental impact report. He was surprised more speakers did not turn out. Conspicuous by their absence were representatives from Wetlands Watch, an advocacy group for Pajaro Valley marshland — where the new school would be located.

Monowitz said because the area has no infrastructure in place such as water, power or other amenities, another site in an already developed area would be better.

"I'm just waving a red flag here," Monowitz said.

He told the board the draft environmental report does not adequately address coastal issues such as the preservation of agricultural land, protection of environmentally sensitive habitat and infrastructure.

He suggested the board consider alternatives, such as the site of the current Watsonville Community Hospital which will be moving into a new facility on Airport Boulevard next year.

PV Trustee Willie Yahiro, however, said the Harkins Slough site was determined to be the best option for a school by a district-sponsored committee which looked at several sites, including the hospital.

Yahiro said the state board of education has already determined the hospital site is not an option because of seismic considerations resulting from earthquake damage in 1989. That's the same reason the hospital is moving.

Monowitz said the proposed Overlook Shopping Center would also be ideal. However, the city is moving forward with plans to allow the construction of a Target store on that site, among other businesses.

Yahiro said the board will now work with the Coastal Commission on "mediating" some of its concerns with the Harkins Slough site.

A final environmental report will come before the board in May. The cost of the new school is expected to be about $30 million.

In other business, the board approved a resolution to seek more funding for the class-size reduction plan. The program was implemented this year with class sizes in grades 1-3 being reduced to 20 students per teacher.

The additional funding the district seeks would help pay for portable classrooms.

Parents keep kids at home over spraying

BY LARRY PARSONS
Herald Staff Writer

A 50-year-old border between a Watsonville elementary school and neighboring berry fields has become the latest flashpoint in the battle over pesticides.

Parents, fearful their children could become ill from the methyl bromide used to fumigate nearby fields, have kept hundreds of pupils home from Amesti Elementary School during the past two weeks.

Some teachers at the 650-pupil school also have stayed away from the campus following recent pesticide applications, which started Sept. 25 after state officials gave farmers the go-ahead.

"I'm not boycotting the school. I'm keeping my kids home for their health," said Lorraine Scott-Behrends, who has three children who attend the school.

"We want our children in school, but we want the school to be a safe area," said her husband, Jim Scott-Behrends.

The largest number of students — about 250 — stayed home after the first application, but high absences continued after another application this weekend, said Terry McHenry, associate superintendent of the Pajaro Valley Unified School District.

"We haven't run a check today, but we were down about 100 on Monday and down some Tuesday," McHenry said.

McHenry said the school is caught in a crossfire between state health officials who say the pesticides pose no harm, and parents and staff members who are "getting scare stories."

"Part of the concern is that most of the schools in this valley are within some proximity of farmlands," McHenry said. "And people run three or four strawberry crops a year. This is getting out of hand."

Already, the school district stands to lose $20,000 to $25,000 in state funding because of the high number of absences, McHenry said.

"I don't want to make an issue out of that," he said. "Our concern is for the safety of the kids."

State officials ordered an expanded buffer zone between the school and the pesticide-treated fields after spray opponents challenged the pesticide permit, said Veda Federighi, spokeswoman for the Department of Pesticide Regulation.

"We just don't see a problem," Federighi said. "Obviously, the parents feel differently. . . . It seems the only thing they want to listen to is that methyl bromide be stopped entirely."

The challenge to using methyl bromide next to the Watsonville school was the fourth appeal heard by state officials this year on the controversial soil fumigant. The other three involved neighborhoods in Castroville and Ventura County, Federighi said.

Monitoring performed near the Watsonville fields after the first application showed methyl bromide concentrations well below safe levels, she said.

But those assurances don't convince Lorraine Scott-Behrends that her children would be safe from harmful exposure to pesticides in their classrooms.

"They also assured people that DDT was safe for a long time, and that there was no harm from smoking and nuclear power," she said. "I don't think the fact that people have been doing it a long time is a persuasive argument."

Register-Pajaronian
3/27/97

Coastal commission warns district about school site

By SEAN GILLESPIE
STAFF WRITER

WATSONVILLE — There might be a pothole ahead in the Pajaro Valley Unified School District's road to a third high school.

The California Coastal Commission's Steve Monowitz told district trustees Wednesday that the initial draft of the proposed high school's environmental impact report inadequately addresses the preservation of agricultural land and natural animal habitats.

Monowitz, a coastal planner for the commission, also said the report inadequately addresses the potential for further commercial and residential development on the property.

"We believe there needs to be additional review on these issues," Monowitz said.

The new high school is being proposed for property at Lee and Harkins Slough roads west of Highway 1. The land in Watsonville west of the highway falls under the jurisdiction of the Coastal Commission, and the city is required to have a Local Coastal Program for the management of that land.

See PVUSD, page 3

PVUSD

From page 1

Watsonville's current LCP allows only agricultural use west of the highway but it could be amended, Monowitz said.

Use of the Lee and Harkins Slough property — which has yet to be purchased by the district — must be approved by the Coastal Commission. The school is expected to cost nearly $30 million.

The PVUSD could find resistance from more than just the Coastal Commission, Monowitz said in an interview. The state Fish and Game Department, the U.S. Fish and Wildlife Service, and the U.S. Army Corps of Engineers might have qualms with the school's environmental impact.

Monowitz said the district should consider alternative sites, but after the meeting Trustee Willie Yahiro said that all available properties were scrutinized and ranked during the selection process.

The site selection committee — which included representatives from the Local Agency Formation Commission and Wetlands Watch, among other agencies — found that the Lee and Harkins Slough property was clearly the top choice, Yahiro said.

Yahiro said Wednesday was the first sign of resistance to the school location shown by the Coastal Commission.

"At no time (during the site selection) did they say stop," he said.

Monowitz suggested that the district consider the site soon to be vacated by Watsonville Community Hospital for its third high school. But Yahiro said the state department of education has already eliminated that site, at Green Valley and Holohan roads, from contention because of seismic activity and overhead airport traffic.

Monowitz also suggested that the future site of the Overlook Shopping Center, west of Ramsay Park between Main Street and Harkins Slough Road, would have been a good spot for the school.

"We need to work with (the Coastal Commission) to see how to mitigate their problems," Yahiro said.

The final draft environmental impact report will be completed by May and is scheduled to be open to board discussion at the May 14 and 28 meetings.

On another matter Wednesday, the board voted 5-1 to conduct a study to redefine the district's classified jobs. Trustee Doug Kaplan voted no, saying the board should wait to see how the district's reorganization plays out. Trustee Jamie Marks was absent for the vote.

Pajaronian Editorial
Sat., March 29, 1997
TG/LO/RH

th of ...ly rev...

e where the Spirit of Watsonville committee is a... ...eworks show to its holiday celebration this year. An extra das... of sparkle for a show that already shines!

To PVUSD officials:

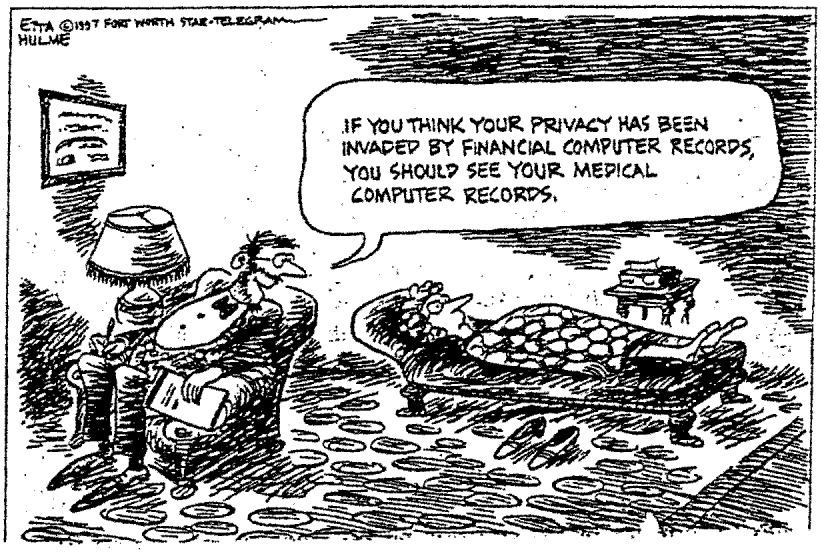
The Coastal Commission is concerned about your high school construction plans. State and federal fish and game bureaucrats and the U.S. Army Corps of Engineers also are concerned about the planned location. Think they're as concerned about the extra cost in time and money their involvement will mean for you?

To Pajaro Middle students:

Congratulations to the 109 of you who recently became the latest bunch to pass the English proficiency exam, qualifying you for certain courses at the high school level. Trust me, the scholastic foundation you're building for yourselves will serve you well in the future.

To the community:

Happy Easter to everyone. May each of you be safe and blessed this day and always.



Committ...

By ANTHONY AVINA

In recent weeks, the Register-Pajaronian has published opinion pieces written by a member of the district's instructional staff. No regard has been given to whether these pieces have any validity. Why then are they printed in the guest column?

The latest piece was basically focused on the writer's belief that the educational system is dysfunctional. The writer notes that the Office of Civil Rights found that PVUSD had good policies and program. She furthur notes that the district is addressing scholastic achievement and equal access issues in the district, but these efforts are only on paper. This is certainly a mischaracterization of the obvious efforts in classrooms across the district to improve student achievement.

So, what about standards in the district? When I became superintendent, I convened the task force that produced the Language Arts Performance Standards (LAPS). The district's expectancies had previously been developed, but they were not user friendly.

My direction to the task force was to develop the LAPS and to use a format that would facilitate their use. That was two years ago. Today, these standards not only exist, but teachers have been trained in their use, and they are being utilized.

Proposed site for new school leads to clash

By MICHAEL MERRILL
STAFF WRITER

WATSONVILLE — Construction opponents clashed with school board members Wednesday during a public hearing on the environmental impact of a proposed third high school for the Pajaro Valley Unified School District.

The proposed site, west of Highway 1 and near the intersection of Harkins Slough and Lee roads, is opposed by several environmental groups and Coastal Commission officials because of its proximity to wetlands and the Monterey Bay.

Environmental attorney Bill Parkin called the school district's plan to build the new school west of Highway 1 an attempt to gain a foothold in the coastal zone.

"This project does not comply with the coastal law," Parkin said. "I think this is about politics. There is a need for a high school, but it should not be built here."

Frojon Banwell of the Surfrider Foundation said that a site near Alianza School would be better and that he believes the board is engineering "a domino march to the sea."

Banwell also said that it appeared the board had already made up its mind. "Why have a public hearing?" he asked rhetorically.

Steven Monowitz, another opponent of the proposed site, is also a planner with the California Coastal Commission. "This is not the least environmentally damaging site. This project needs more study," Monowitz said.

The new school is needed to alleviate chronic overcrowding at both Watsonville High School and Aptos High School, school officials say. Its construction would be financed by bonds, which would require voter approval.

Estimated cost of the project is $42 million, half of which would be state funds and the rest proceeds from bond sales. The district plans to put the bond financing plan up for a vote in November.

Monowitz told board members Wednesday that if they go ahead with the proposal, the Coastal Commission would demand several new studies. Board President Dan Hankemeier called that comment a veiled threat, saying the studies would be intended only to stall the

See SCHOOL, page 5

SCHOOL

From page 1

construction project indefinitely.

Trustee Jamie Marks asked Monowitz what the Coastal Commission's position was on jails in the coastal zone. "We currently have a jail that is much farther into the zone, but it was not opposed by the Coastal Commission because it had an overriding greater good for the community," Marks said.

"Capitola and Santa Cruz are right up against the ocean," the board member continued. "To say that something six miles inland is a threat to the environment seems like you are screaming the sky is falling, and I find it objectional."

In answer to Monowitz's suggestion that further study is needed, Trustee Willie Yahiro said, "I was on the committee for 18 months and every possible site was reviewed and eliminated. We have already come up with the site. We are not going to change it now and unless you can suggest a better one. It is up to you to cooperate with us."

At this point red-faced and stumbling for words, Monowitz said that he had not been briefed on the details of the original site search and could not suggest an alternative site.

Hankemeier said he felt it was inappropriate for the Coastal Commission to assume an obstructionist posture this late in the game.

"We have been working on this project since 1986 — it's time to get a high school," Hankemeier said. "We are already overcrowded by at least 1,000 kids between the two existing high schools.

"The Coastal Commission is a government organization," the board president added. "Their role is to help us determine the best use of the coastal area, not to block it."

Later, Monowitz said the commission is not trying to block construction, but instead "ensure its consistency with the Coastal Act standards."

He added that the city of Watsonville needs to amend its local coastal program to allow for the proposed use of the site, and then the Coastal Commission needs to certify the amendment. If the school district doesn't address the coastal act requirements, then the responsibility will fall upon the city, he said.

Another public hearing on the high school construction is set for May 28.

New high school site catches flak in Watsonville

9/13/97

By BOB LINNEMAN
Sentinel staff writer

WATSONVILLE — Saying it's more about politics than education, environmental attorney Bill Parkin denounced the Pajaro Valley school district's plan to build a new high school in the coastal zone west of Highway 1.

Parkin alleged at a school board meeting Wednesday night that the city of Watsonville wants to see the high school built at the Harkins Slough Road and Lee Road site to pave the way for its plan to annex property into the city in order to build 1,800 units of housing among other projects.

"It would clear the way for more development and more annexations," Parkin said.

Pajaro Valley Trustee Willie Yahiro took exception, saying the Harkins Slough site is the district's final option.

"Every possible site has been ruled out but this one, by the state or by others," Yahiro said. "We went through an extensive process, a year and a half of work, to select this site. We're not going to change the site, and it's not based on what the city wants or what anybody else wants."

Yahiro's remarks prompted two representatives from the Surfrider Foundation, which also opposes the site, to nearly up and leave the hearing.

"It sounds like it's a done deal," said Frojon Banwell of the Surfrider Foundation. "Why have a public hearing?"

Banwell voiced his concerns to the board. "We can't afford to look back in 10 years and find out who left the gate open," he said.

Banwell called the high school proposal and the proposed annexation of the nearby Tai Property "dominos to the sea."

Rob Hartzell, also of the Surfrider Foundation, added the organization does not oppose a new high school in Watsonville, just on this site in a wetlands area.

Another public hearing on the issue is scheduled for May 28 when the final environmental impact report is released.

As you see it

May 14

No new high school

The Pajaro Valley Unified School District is starting its push for the new high school to be built. They've already spent our tax dollars on obtaining the property and hiring an architect, but they're ignoring the fact that they have to have our vote to actually build it.

The assumption on their part is that they, in conjunction with the city of Watsonville, can continue to swallow up prime agricultural property to build and build and build. The goal is to be the low-income housing mecca of California and we're supposed to pay up big bucks to finance all those families who will be given special incentives to move here. Someone needs to yell loud enough so that someone will stop this insanity. We do not need more families to move into Watsonville. We need to give special incentives to major corporations who will in turn support the families who are already here. Let's spend our money on attracting employers instead of building a new high school.

Let's give Monterey County students back to Monterey and free up space in Watsonville High School, which will free up space in Aptos High. It's logical, but no one in the South County wants to listen. Why is that? Could it be greed? Hall District Elementary and Pajaro Middle School students are the responsibility of Monterey County and they should attend North Monterey County High School.

We do not need a new high school, we need to give Monterey students back to Monterey. Is anyone listening?

Carolyn Robinson
Aptos

Santa Cruz County Sentinel 5/20/97

Old Watsonville Community Hospital building for sale

By DONNA KIMURA
Sentinel staff writer

WATSONVILLE — Since Watsonville Community Hospital moved to a brand new site last month, the old building has been put up for sale.

The asking price is $8 million.

"There has been a variety of interest in the old building, but nothing confirmed," said hospital President and CEO John Friel.

One potential tenant that has shown early interest is the Pajaro Valley Unified School District.

It is no secret that the largest school district in Santa Cruz County could use more space.

District offices have been spread out on different campuses, explained Terry McHenry, assistant superintendent for business.

"We want to get out of the way of the kids," he said.

While the district is not in the market to buy, school officials would like to talk to whoever the buyer is to explore the possibility of leasing part of the four-story building.

The district only needs about half of the 140,000-square-foot building.

The idea of using the old hospital stood out because no other locations have been available, according to McHenry.

The district's administrative offices are located on the Watsonville High School campus. There are also district offices at Alianza Elementary and other campuses.

Moving the offices would provide more room for the schools.

Officials stress that the interest has only been preliminary. No plans have been made.

In the meantime, the hospital is working at attracting a prospective buyer.

"The interest level has been slow and localized," said Don Reimann, senior vice president for Colliers Parrish International. "We expect it to pick up now that the property is vacant. People will not feel they are interfering with the operation of a health care facility."

The sales campaign, he said, is just beginning.

The hospital is listed on Colliers Parrish website, which states the property is also offered for lease at a suggested rate of $110,000 per month.

The website allows for potential buyers from all corners of the world to find out about the building, Reimann said.

The site, he said, allows for a variety of uses.

The only business that won't go in the building is another hospital that would compete with Watsonville Community Hospital.

Information about the former Watsonville hospital building can be seen on the Colliers Parrish International website at www.colliersparrish.com/wch.

Register-Pajaronian

JARONIAN

If. Thursday, May 29, 1997 130th Year — No. 73

Board takes next step toward third high school

Coastal Commission remains troubled by proposed site

By MICHAEL MERRILL
STAFF WRITER

WATSONVILLE — Plans for a third high school in the Pajaro Valley school district moved one step forward Wednesday when board members voted to adopt an environmental impact report on the proposed construction site.

The $42 million project still needs funding approval from voters and the acceptance of the environmental-minded California Coastal Commission, which remains concerned the school would be the seed for urban sprawl west of Highway 1.

Trustee Sharon Gray, saying the board should study six pages added to the environmental report, cast the only dissenting vote. Trustee Willie Yahiro was absent.

The new school is needed to alleviate chronic overcrowding at both Watsonville High School and Aptos High School, school officials say. Its construction would be financed by bonds, which would require voter approval.

Estimated cost of the project is $42 million, half of which would come from state funds and the rest from bond sale proceeds. The district plans to put the bond financing plan up for a vote in November.

Lee Otter, chief planner for the Coastal Commission's central coast district, told board members that his agency remains concerned about the proposed site, west of Highway 1 in the coastal zone near Harkins Slough. He said several other problems must be resolved before the Coastal Commission could support the project.

Predicting "urban sprawl" if the high school is built in an environmentally sensitive area, Otter warned that in its present form, the commission could still not support the project.

"Highway 1 serves as a de facto urban barrier. This project is a leapfrog out of the existing boundary," Otter said. "We want to keep the city, city and the country, country."

Other problems cited by Otter were the need to extend utilities and build another highway overpass. He

See SCHOOL, Page 3

Protesters urge elimination of pesticide use at schools

By MICHAEL MERRILL
STAFF WRITER

WATSONVILLE — Fifteen teachers, parents and students protested at the door prior to the Pajaro Valley school board meeting Wednesday, then went inside and demanded the board implement a chemical-free maintenance program.

Some of the protesters refused to be identified, saying they feared retribution by school officials. Protest organizer Marilyn Garrett, herself a PVUSD teacher, said she has already received several letters from district officials admonishing her for her campaign against pesticide use.

Because other matters needed to be addressed, discussion of the district's Integrated Pest Management Program (IPM) didn't begin until 11:30 p.m. Several speakers requested that the board immediately adopt a plan to eliminate the use of toxic chemicals on school grounds.

Cecile Mills told the board she believes exposure to toxic chemicals is responsible for health problems that forced her into early retirement from her teaching career.

"Pesticides can be carincogenic, cause nerve damage or they can disrupt endocrine activity or

See PESTICIDE, Page 3

SCHOOL

From page 1

warned that in order to pay for these expenditures, additional development will be necessary to broaden the tax base.

Trustee Doug Kaplan pressed Otter for a definitive declaration of the commission's intentions and to define the conditions it deems necessary in order to support the project. Otter responded by saying, "If we become convinced that this is the least environmentally damaging site, and we can be assured that the utilities would not be accessible for other uses."

Otter concluded his comments by offering to instruct his staff to improve their communication with school officials and to help evaluate alternative sites.

"I want to reassure you that we want to help you get this third high school done," Otter said. "I pledge to make my staff available to your staff."

Kaplan responded with a strongly worded admonishment. "We currently have 2,000 students in a school that was built to house 1,400," Kaplan said, referring to Watsonville High. "Your tone was polite but your message was that you will oppose the construction of this high school. The highest priority is the education of the next generation."

Stan Rose, consultant for the state Department of Education, told board members they are running out of time and could not afford the luxury of additional studies. "Time is important and you must move quickly," Rose said. "I have never worked with a group that has been more thorough but time is not on your side anymore. You have to get in line for funding."

Project opposition was voiced by Rob Hartzell of the Surfrider Foundation. "As history shows, sometimes the best intended plans have resulted in the worst sort of long-term consequences," he said. "The education of future generations is a noble intention, but what kind of a lesson are our children going to learn" by paving over farmland and encroaching on wetlands.

The environmental impact report was developed by the consulting firm Evicom. Evicom President Joe Johns said that the report contained 62 mitigations to lessen the environmental impact of the project. Among those are a plan not to increase water runoff and to divert that runoff into the city's storm drain system. He said the project has been designed to handle a severe flood.

Johns cited a letter from the Santa Cruz Farm Bureau, which said that the site would have the least impact on local agriculture than any other one that was studied.

Project architect James P. DiCamillo assured the board that all 62 mitigations could be incorporated into the design and did not pose major problems. "When I read the environmental impact report, there were no mitigations that could not be met."

Parents, teachers and students toted protest signs at the PVUSD's board meeting at Starlight Elementary School Wednesday.

Michael Merrill

PESTICIDE

From page 1

cause chronic health problems," Mills said. "Because growing bodies are more susceptible, cancer can initiate more readily in children.

"When known carcinogens and neurotoxins are present, it makes sense to eliminate them. By starting with the toxins under your control — Roundup and Tempo 20WP — you can accomplish this."

Ken Olds, PVUSD director of maintenance and operations, said the district has reduced its use of the weedkiller Roundup. He said that curtailing the use of all chemicals was not practical and encouraged the board to adopt the IPM as drafted, with a plan for reducing the use of chemicals through a carefully monitored program.

An overview of the IPM plan, prepared by Olds, said the purpose was to reduce exposure to pesticides to the least possible limits and to continue to reduce pesticide use where appropriate.

PVUSD teacher Irene Lusky told board members that she was shocked by how many of her students have respiratory problems. She said she believes the use of toxic chemicals in the school are in part responsible.

Karen Kite, a teacher at Amesti School, urged the board to adopt alternative methods such as caulking around cabinets, steam-cleaning carpets, planting slow-growing native shrubbery and using bait traps for rodent control.

Trustee Doug Kaplan suggested the board approve the IPM and designate one or more schools for non-toxic pilot programs. "Lets just give staff instructions to adopt the program. There is no need to take more time studying the problem. Let's just do it," Kaplin said.

Several board members urged caution, saying the plan needs more study and cost analysis. "Cockroaches and weeds can cause allergies and respitory problems too," Trustee Jamie Marks said. "If these things get out of hand, it can cost more in the long run."

Trustee Jane Barr concurred with Marks. "There is a trade-off," Barr said. "We are not going to replace a carpet if there are head lice in it."

The board then directed the staff to prepare a cost analysis before approving the IPM, and to survey individual schools and parents. Marks said that if a school wants to adopt a chemical-free policy, it would need to inform the board how it intends to go about it and to show what the board's liability would be if the plan fails.

5/29/97

New PV high school plan moves ahead

By BOB LINNEMAN
Sentinel staff writer

WATSONVILLE — A proposed new high school at Harkins Slough Road and Lee Road moved one step closer to reality Wednesday night, but a fight with the California Coastal Commission still looms as the biggest obstacle.

The Pajaro Valley Unified School District board voted 5-1 to accept and certify the environmental impact report for the site and move forward with plans to build the district's third comprehensive high school there.

Trustee Sharon Gray voted against the resolution, citing additional study she wants to do, and Trustee Willie Yahiro was absent.

Wednesday's vote came after the third public hearing on the proposed site, west of Highway 1 in the coastal zone. As it has in previous public hearings, the Coastal Commission raised its concerns about building the new school in an environmentally sensitive area.

Lee Otter, a regional planner with Coastal Commission, said at this time he could not recommend approval to the 12-member commission — which could ultimately sink the project.

He said he's not opposed to the site per se, but wants to make sure it is the least destructive site available. "We just want to be sure," he said.

Otter has requested to review about 13 other sites that were considered to see if perhaps the district missed anything. He also wants to explore sites that were not discussed in what has now become a seven-year fight for a third high school.

The next step in the process would be for the school district to seek an amendment of the city of Watsonville's coastal plan to allow the development. If the city opts to do that, the proposal would then go before the Coastal Commission for final approval.

Otter said once it gets to the commission, a decision will be made within 60 days.

He also said work still needs to be done in order for him to feel comfortable with recommending approval. "Our concerns are with urban sprawl," he said.

Otter and the Coastal Commission were not alone. Two representatives from the Surfrider Foundation and a representative from the Environmental Council of Santa Cruz County also voiced opposition to the site.

The school site is located in a wetlands and agriculture area, and opponents fear its construction could open the door for massive development of the west side of Highway 1 in Watsonville.

"I strongly recommend you be cautious before jumping on board with this site," Otter told the board. He suggested a meeting with district staff, the city of Watsonville, Santa Cruz County and the Coastal Commission staff to hammer out some of the problems.

Trustee Doug Kaplan made a passionate plea to Otter and the Coastal Commission to consider the interests of the overcrowded school district and its students first. He also assured Otter that the school board is environmentally sensitive and would continue to be.

"I beg you to work with us on this site," Kaplan said, "to allow us to fulfill our commitment to the students of this district."

The new high school is by no means a done deal. Even if Otter and his staff eventually relent and the Coastal Commission approves the site, a bond measure to be voted on by the public would still be needed to secure funds to build the school on the 55-acre site.

PV board split on Avina replacement

Sentinel staff report

WATSONVILLE — The Pajaro Valley Unified School District will not name an interim superintendent to replace Tony Avina, who will be leaving the district for Whittier at the end of this month.

Instead of naming an interim to replace Avina, the PV school board opted to leave the position open until a permanent replacement could be found.

In the meantime, the current administrative team will continue to run the day-to-day operation of the district. The current team includes associate superintendent of business services, Terry McHenry; assistant superintendents Ylda Nogueda, Catherine Hatch and Clem Donaldson.

"The Board of Trustees is pleased that our administrators have agreed to this arrangement," Board President Dan Hankemeier said. "We have a lot of confidence in this team to carry out the work of the Pajaro Valley school district."

There is no word on how the board will proceed in hiring a new superintendent. Trustee Jamie Marks said she hopes the board will take its time, while Trustee Willie Yahiro has indicated the board needs to move quickly.

Avina agreed to a contract with the Whittier Union High School District two weeks ago. He will take over as superintendent there on July 1.

JUNE 1997 VOLUME 21 NUMBER 7

Between the FURROWS

SANTA CRUZ COUNTY FARM BUREAU

❖ Education Edition ❖

New High School Site Backed

FARM Bureau has endorsed the placement of a third high school for Pajaro Valley Unified School District at Harkins Slough and Lee roads.

Farm Bureau member Bill Ringe, who was on the committee that selected the site in 1992, explained why the Harkins Slough location was preferred over others that were considered.

"We were given criteria (from the state) to look at, some of which I disagreed with -- such as it had to be 40 acres or more," Ringe said. "But the number one thing was safety. It probably held more weight than any other criteria," Ringe said.

The 55-acre site is within the city limits of Watsonville, and also in the Coastal Zone. Portions of it are currently being farmed, but the majority of the land is of low-quality agricultural soil, according to the recently completed Environmental Impact Report. About 15 groups, including the Farm Bureau, have responded to the EIR.

In all, about 13 sites were considered for the 2,200-student high school, and eight properties were evaluated by the selection committee. Safety considerations eliminated the site now slated for Overlook Development (Console property), as well as two sites on Calabasas Road. The Overlook site was too close to Ramsay Park, which the state officials said would create a security problem. One of the two Calabasas sites was ruled out by the Division of Aeronautics as being too close to airplane take-off parterns, and one of the sites is still a productive greenhouse, employ-

See Site /Page 7

Walking in the Principal's Shoes

Switching jobs for a day isn't always easy, but thanks to the efforts of Schools Plus, Farm Bureau President Elia Vasquez had a chance to spend a day as principal of Rolling Hills Middle School in Watsonville.

Vasquez shadowed Principal Rebecca Garcia as they visited a seventh grade science class, En-

See Principal/ *Page 7*

Elia Vasquez talks with RHMS seventh grader Alejandro Caballero.

In This Issue

USDA Cost-Share Program is Available ... Page 4

Our man in Washington, D.C. ... Page 8

High School Site

From Page 1

ing 50 to 100 people.

The Watsonville Hospital property at Green Valley and Holohan roads was struck for several reasons. Its small size (15 acres) and its direct impact on agricultural lands next to it were factors, as was the soil which liquefies during earthquakes.

Also, the traffic in and out of the high school would impact agricultural transportation more than other locations that were considered. Ringe said it was particularly important to have fruits and vegetables transported to coolers in a timely fashion.

In the late 1980s the school district had considered agricultural land on upper Green Valley Road for the third high school. But intense neighborhood and farm opposition forced the Pajaro Valley School Board to reject the Green Valley site in 1991 and begin looking for a more suitable location.

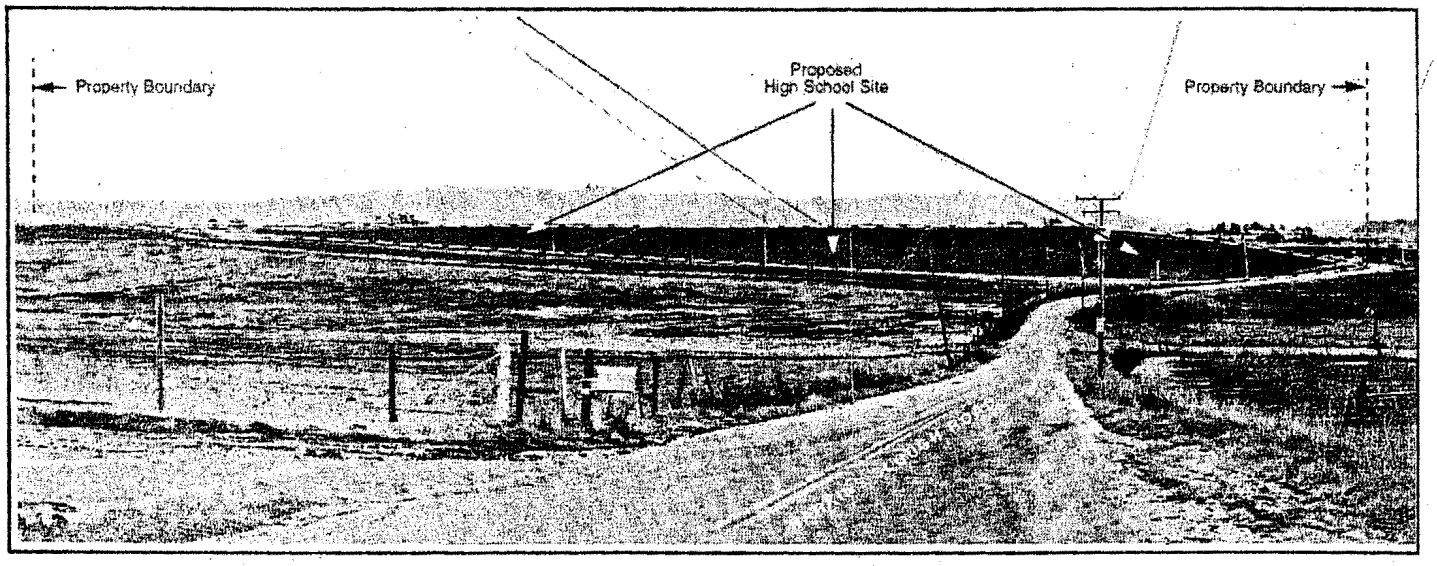
A selection committee was formed including representatives from Farm Bureau, Watsonville Wetlands Watch, LAFCO, City of Watsonville, County Planning Department and Green Valley residents.

"Everyone on the selection committee had to give up something to get a site selected," said Ringe. "The slough people weren't happy because the bottom part of the property was a slough, but they felt there could be enough mitigation to protect it. Also, the topography of the property would keep the buildings located on the top portion, away from the slough," Ringe said.

"In terms of agriculture, the property was being used for some row-crop production, but the school wouldn't impact the ag community as much as other locations because buses and cars wouldn't be running beside it," he said.

Another big factor in favor of the Harkins Slough site is that it would be closer to where the growth in Watsonville is occurring. "It's close enough for kids to walk and ride their bicycles to school," Ringe said.

A lot of Watsonville's growth has been along South Green Valley Road, where single-family homes and townhomes have been built. ❖



View of the Proposed High School Site, as seen from Highway 1

Principal/

From Page 1

glish language development class and even a meeting of classified (non-teaching) workers.

Vasquez learned the protocol about discipline issues in a talk with Campus Supervisor Bob Spidle. And she got a good look at the new sports fields, which have been installed with help from Jim Peixoto and other community volunteers.

Because she lives near Rolling Hills, Vasquez said she was interested in visiting the campus. "I've seen less graffiti and there are fewer students hanging around after school," she commented.

Principal Garcia said she thought some of the change was due to better schoolwide discipline and the uniform policy. All students must wear black and silver or gray clothing. ❖

Suit filed to block high school site

By BOB LINNEMAN
Sentinel staff writer

WATSONVILLE — Calling an environmental study "inadequate," two groups filed a joint lawsuit Monday to block the Pajaro Valley school district from building a high school in the Harkins Slough area of Watsonville.

The suit seeks a court injunction to throw out the school district's environmental impact report and require the district to embark on further study of the proposed site.

The suit, filed by two environmental organizations, the California Alliance for Resource Conservation and Watsonville Wetlands Watch, says the district did not do an adequate job in evaluating the environmental impacts a high school would bring to the area.

The PV district board approved the site at Harkins Slough Road and Lee Road at its May 28 meeting and certified the EIR, allowing the project to move forward.

"It's certainly a disappointment," said PVUSD trustee Doug Kaplan, who had not seen nor heard of the suit prior to being contacted by the Sentinel. "Evidently the people who are choosing to sue us have delivered the suit to the newspapers before delivering it to the district."

The district has been trying to build a third high school for seven years. Both Watsonville and Aptos high schools are woefully overcrowded, the district says.

After studies on 13 sites, Harkins Slough was recommended as the best place to build by a district committee.

However, environmental concerns feel the site located on the west side of Highway 1 in the coastal zone would be far too damaging and would open the floodgates to massive development and wipe out the intricate and delicate slough system.

"In an EIR, you have to consider the cumulative impacts in conjunction with other projects in the vicinity," said Bill Parkin, the attorney who filed the suit. "In this EIR, they don't even consider the Tai property as part of the cumulative impact. The district is obligated to discuss that."

The Tai property is near the proposed school site. The city of Watsonville is hoping to have that land annexed into the city so housing could be built. That decision is up to the Local Agency Formation Commission.

Richard Meyer, the school district's director of construction, did not return phone calls Monday afternoon seeking a response to the lawsuit.

PVUSD trustee Willie Yahiro, however, said he was optimistic a settlement could be reached before the case goes to court. His hope, he said, is to build a school that could blend with the environment and emphasize an environmental curriculum.

Parkin also raised other "inadequacies" in the district's environmental report, such as inconsistencies with the California Coastal Act and the loss of prime agricultural land. It also raises concerns with water quality, erosion and the district's failure to mitigate "significant impacts on biological resources surrounding the area."

"What is happening here is a lot of politicking," Parkin said. "It's the city of Watsonville's way of getting deeper into the coastal zone. Every little step helps them achieve that."

And Parkin and Wetlands Watch are determined to stop it.

"Watsonville Wetlands Watch has been involved since the original site analysis days," said Jim Van Houten of Wetlands Watch. "The school district continues to push this site at the expense of everything else."

Van Houten also sits on the LAFCO board and will vote on the city's proposed annexations of the area — including the Tai property. However, LAFCO is not involved in the decision-making process for the proposed high school.

"I can address this because it's not a LAFCO issue," Van Houten said.

The lawsuit filed in Santa Cruz County Superior Court sites the Watsonville Community Hospital location at Green Valley Road and Holohan Road as a more suitable alternative for a high school. But the district maintains the hospital site is not up to seismic code would actually cost more than building on the 55-acre Harkins Slough site.

"The school board just locked into the Harkins Slough site and that's why we're bringing the suit," Van Houten said. "We say this is a lousy place for a high school and they just keep forging ahead."

In addition to this suit, the school district also has the California Coastal Commission to contend with. The commission would have the final say on whether or not a school could be built in the coastal zone, even if the city of Watsonville amends its coastal plan to include the school.

Regional planner Lee Otter told the district in May that he would not recommend approval to the commission based on the current EIR.

Sentinel 7/2/97

As we see it

Local school districts learning tough lesson

■ PVUSD LAWSUIT: Latest environmental opposition shows hurdles new high schools are facing.

IT'S EASY to complain that local high schools are overcrowded, but it's darned near impossible to do anything about it.

That's the only conclusion we can take from the continuing difficulties faced by two local school districts hoping to build a new high school.

In the Pajaro Valley school district, it's been nearly eight years of struggle to build a third high school — and no groundbreaking is in sight.

Meanwhile, both Aptos and Watsonville high schools continue to burst at the seams. The overcrowding at Aptos is particularly troublesome, as the school built for 1,200 students now houses more than 2,000. The overcrowding there was one of the driving forces behind the Aptos secession movement, which could be rekindled if a new school doesn't seem likely.

A third high school must be built — the population is not decreasing. But where?

The site the district selected, on the west side of Highway 1 at Harkins Slough Road and Lee Road, has become a political and environmental lightning rod. Environmental groups filed a lawsuit Monday in an attempt to stop the district from building there. The groups cited a potential for urban sprawl and further development in the coastal zone as the main reason.

The school district seems willing to fight for this location — one it whittled down from a list of 13. A $30 million high school is planned, and the district hopes to open for the fall semester in the year 2000.

A bond measure will be needed to finance the construction of the school, but it will be 1998 at the earliest before such a measure appears on any ballot.

The district also must deal with the California Coastal Commission, which isn't thrilled with the location either.

The story at the other end of the county is much the same. The Scotts Valley school district is still attempting to settle on a site to build its high school, a project that, similar to the Watsonville high school, has become sort of a wandering vagabond as the drawn-out saga continues. Scotts Valley has looked at lots of land, but has run into owners who don't want to sell — the Kaiser site — and neighbors who don't want it near them — the Graham Hill site — before settling on the current Glenwood location. But even the new site has potential environmental problems and no one yet knows how much these will add to the ultimate cost of a project that keeps getting more expensive.

The reasons for this mess are numerous. A lack of suitable land is high on the list. As more land is placed into permanent preservation, or as development creeps into environmentally fragile areas, the dearth of sites becomes an almost insurmountable hurdle.

Add to that the well-organized opposition from environmental groups, who often seem to have done more research than school administrators on the subject, and you've got another hurdle.

Finally, there is cost. Scotts Valley went early to the voters for money, and unfortunately had not yet tallied the complete costs of the project, which now has swelled to around $30 million, not counting the land. The district has about $24 million to spend. Construction costs have risen, as well, as contracting firms find themselves busy enough to come in with higher bids.

THE REALITY is that in Santa Cruz County, environmental issues cannot be taken for granted.

The latest troubles in Scotts Valley and in the PVUSD are a wake-up call to school administrators and school boards, which need to realize the battle they're in. Controversial or environmentally sensitive sites need to be justified with sound planning and environmental review. As long as that happens, we hope that environmental groups will come to the table ready to negotiate, so that the high schools this area needs so badly can finally be built.

ISTER-PAJARONIAN

Watsonville, Calif. Thursday, July 10, 1997 130th Year — No. 109

New high school plans unveiled

Courtesy WLC Architects

By MICHAEL MERRILL
STAFF WRITER

WATSONVILLE — Audience members and trustees alike were dazzled Wednesday by the unveiling of the Pajaro Valley's proposed third high school, an ambitious, 210,000 square-foot project for now dubbed "A New Millennium High School."

"We have designed a school which will be built on the turn of the century, one that is fresh, clean and wired for technology," architect James P. DiCamillo said about the school, which will accommodate 2,200 students.

The school, proposed for construction at Lee and Harkins Slough roads, is needed to alleviate overcrowding at the PV Unified School District's other two high schools, Aptos and Watsonville. Associate Superintendent Terry McHenry said their populations are growing by about 200 students per year.

The PVUSD now has about 4,000 high school students housed in buildings designed to handle a combined 3,200 students. The excess capacity figure of 800 could grow to 2,000 by the time a new high school is ready, district officials project.

The proposed school's split-level, "four house" design calls for a self-contained, comprehensive learning environment, including a media center and a performing arts auditorium. The cafeteria would offer indoor and outdoor "patio" dining, and would feature speed lines, ala carte windows and remote food island kiosks - "to assist children in attaining optimal physical and mental development."

The performing arts center includes a 550-seat "theater house," stage, dressing rooms, costume and prop storage, band room, choral room, a music library, lobby, ticket booth and control room. It is designed for an arts program that would include dance,

HIGH SCHOOL

From page 1

drama/theater, music, and visual arts, providing technology for computer graphics, music composition, video production and photography.

The physical education complex, complete with swimming pool, stadium and gymnasium, would accommodate aerobics, aquatics, badminton, baseball, basketball, football, golf, gymnastics, soccer, handball, track, weight training and wrestling.

The school, described by DiCamillo as "somewhat playful and inquisitive ... a place where students will want to learn," appeared to observers to have it all — except for the money to pay for it.

Original estimates were for the school to cost about $31 million, half of which would be paid by the state and the other half financed by revenue bond that would require approval of local voters.

Now, however, construction costs alone could top $33 million. Land acquisition and equipping the school with computers and other furnishings could raise the overall cost to $50 million, board members said.

Aside from direct costs, the district also faces a legal challenge from the environmental group Watsonville Wetlands Watch, which will mean legal fees and potentially higher costs if delays are prolonged.

Watsonville Wetlands Watch, which opposes the new school's location in the coastal area, filed suit June 30 in Santa Cruz County Superior Court. The California Coastal Commission also could become an obstacle to construction, with its officials saying they, too, oppose the coastal zone site.

Apart from costs, some board members wondered whether the new school's amenities are justified given the conditions of the existing schools.

"This is a beautiful project," said Trustee Jane Barr, "but can we afford to do this for a third of our students when we have termite problems to deal with for the rest of them?"

Trustee Jamie Marks countered, "Every student I have shown this to has said, 'I want to go there.' We need to start thinking about this being a facility for the whole community. Mistakes made 30 years ago by communities that were trying to pinch pennies are haunting us today."

Trustee Doug Kaplan said financing remains the board's biggest issue.

"This is a very sexy design, but maybe it's time to take a cold shower," Kaplan quipped. "I want to get this high school built, but at this point we have to take stock. We have a plan for a high school, but we don't have all the pieces yet. As a board member, I need to see the financing package that ties this whole thing together."

DiCamillo said the school is designed so that features can be eliminated or scaled down, but he warned the board that once the state "cuts the check," these features could be added later only if the district pays the entire cost.

Trustee Willie Yahiro also expressed his concern about selling the idea of such a beautiful school to voters. He said that the other two schools are in need of improvements. "Passing a bond at best is tough," Yahiro said. "Now you are going to ask parents to fund this school when Aptos High is still unfinished."

On another matter, the board created a new job classification, director of technology, in order to develop, implement and expand the district's hardware and software systems.

The dissenting vote was cast by Kaplan, who said that in order for the district to retain flexibility in the face of changing technology, these services should be performed by consultants, rather than create another permanent position.

A proposal to create another new position, high school associate principal, was deferred for further study when trustees Marks, Kaplan and Barr voiced concerns over creating yet another administrative level.

Designed to be a third tier between principal and vice principal, an associate principal would take over many of the duties currently being carried out by principals which are in excess of their job descriptions.

Aptos High School Principal Dave Hare said it would also allow increased training and growth in order to prepare vice-principals for the position of principal.

Board President Dan Hankemeier said he believed the public would not be comfortable with the creation of another administrative position. Barr seconded his concerns, saying, "If we need this person, what are the assistant principals doing?"

In other agenda items Wednesday night, the board took the following actions:

■ Awarded a $39,628 contract to the consulting firm Jacobson, Betts and Co. of Sacramento to study the district's classified personnel system. According to Trustee Roberto Garcia, the study is necessary to ensure the district is meeting state standards and regulations for classified employees.

■ Accepted a $2,000 grant from the Community Foundation of Santa Cruz County for school-age parent and infant development programs. The money will be used to purchase videos, textbooks and other learning aides, emphasizing the importance of breastfeeding.

■ Approved second reading of the job description for a certified personnel analyst, who will work under the direction of the assistant superintendent of personnel services. In the absence of the administrator, this person will supervise clerical, professional and other staff.

■ Increased the Gifted and Talented Education (GATE) program funding by $30,000. The additional money was provided by the state and will be used to improve services to the district's 1,100 GATE students.

Group sues over school in wetlands

■ Injunction: Plaintiffs say the Watsonville project breaks state environmental laws.

BY LEE QUARNSTROM
Mercury News Staff Writer

Environmentalists opposed to construction of a high school near the marshy wetlands area west of Watsonville are asking a Santa Cruz County Superior Court to stop the project.

In a lawsuit filed against the Pajaro Valley Unified School District, the environmental groups are asking the court for an injunction to halt the district from proceeding with the project proposed on Harkins Slough Road. The suit was filed Monday by Soquel lawyers William Parkin and Keith Sugar.

The plaintiffs — California Alliance for Resource Conservation and Watsonville Wetlands Watch — are asking the court to order the school district board of trustees to withdraw its certification of the environmental impact report for the project that has been proposed for a 55-acre site.

Opponents have argued that the project, which would create the district's third high school, would endanger the fragile ecology of the wetlands and

See HIGH SCHOOL, Page 2B

INDEX

Beware of fireworks

■ The combination of dry weather and fireworks can cause fires — and legal problems. PAGE 2B

California	3B	Editorials	6B
Obituaries	5B	Weather	8B

1B SJ Mercury
7/1/97

Group fights school wetlands site

■ HIGH SCHOOL
from Page 1B

would increase pressures to build on prime farmland in the area.

Pajaro Valley Unified officials, though, have insisted the site is appropriate for a campus needed to relieve overcrowding at their Watsonville and Aptos high schools. They decided on the Harkins Slough Road location after looking at and rejecting another dozen possible sites during an eight-year study of where the school should be built.

Richard Meyer, director of construction and governmental relations for the schools, said Monday that his district had not yet been served with a copy of the lawsuit, which had been filed earlier in the day.

But Meyer noted that there are still several important steps the district must take before the project gets under way.

He said, for instance, that the California Coastal Commission must first approve an amendment to Watsonville's so-called Local Coastal Plan. That process has been stymied by a monthlong comment period that began when Pajaro Valley Unified trustees approved the project's environmental impact statement on May 28.

Meyer said he and other district officials have met with Coastal Commission planners and have worked out ideas to relieve some environmental concerns coastal planners had expressed. Among those, said Meyer, were agreements to preserve open space, protect the wetlands, guarantee public access to the marshes and to establish a docent-training program, perhaps as part of an ongoing environmental education program at the new high school.

"This will be a very worthwhile environmental project," Meyer said.

In their suit, plaintiffs argue that the school district has failed to comply with state environmental laws. They charge that the project would cause "irreparable harm ... to sensitive marsh lands, wetland areas, wildlife habitat and agricultural resources."

The Pulitzer Prize for Journalism for Public Service · 1956 recipient

REGISTER-PAJARONIAN

Douglas M. Leifheit, Publisher

Darts and Laurels

By Pa Watsonville

To the Santa Cruz City Council:

I see where you decided to vote on that most urgent of matters affecting your citizens, a resolution on whether to end business the companies with operations in Burma. I have to say, your city's park maintenance, garbage pickup and fire protection and law enforcement services must be operating at maximum efficiency if you have the time delve into international affairs.

To fireworks sellers:

You worked long hours in those booths, trying to raise funds for various good causes. But half your sales receipts go to the fireworks company, plus the rental fee for their booth, and then the city charges over $500 for your permit. Hope you all made something, but I think other people made all the easy money.

To City Hall:

It seems the number of fireworks booth permits has doubled in recent years, reducing the potential profit of each booth. I'm assuming that was done to give more groups a chance to participate, and not for the 500 bucks you make off each permit. Have you considered reducing the number of permits back to a more reasonable number, and then issuing them on a lottery basis?

To the PVUSD school board:

That's a dandy of a high school design you're working with, and I'd have to disagree with those who say facilities for computer hookups, athletics and the performing arts are extra amenities that could be removed from the blueprints. Keep 'em in there. To my thinking, those facilities are necessary for delivering quality, well-rounded educations. Still, this proposed third high school is a Cadillac for a district that has two Chevrolets in the garage. It's going to be a hard sell to folks who might never get to drive it.

To Mike Tyson:

An eye for an eye, a career for an ear.

Still more options for school plans

To the editor,

We should thank the leaders of the two forces who are suing the PVUSD to stop their planned destruction of our coastal lands. They are not only protecting the future of our coastal lands, but are giving the local population a chance to rethink and perhaps put pressure on this board of trustees to look at other options for a new high school.

The old Watsonville Hospital site is by far the most appropriate location if one is to look at the Watsonville city limits, but there are two other options the board refuses to consider.

First of all, Santa Cruz County property owners are footing the bill to educate North Monterey's children. At this critical time of overpopulation, it would be appropriate to return their students to their high school system (which would relieve Watsonville High's population and in turn allow redistribution from Aptos High's crisis).

The last option would be to have Monterey County purchase property in the Pajaro vicinity and dedicate it to the PVUSD in return for the decades that we have footed the bill for their citizens.

Diane Siri, are you listening? Delaine Easton, are you listening? Santa Cruz property taxpayers, are you listening?

CAROLYN ROBINSON
Aptos

Let the PVUSD build its high school

To the editor,

Oh, boy! Now I have seen it all! Wetlands Watach and Parkin and Sugar are after the PVUSD now, trying to stop them from building their new high school.

I can believe these guys!

We desperately need another high school. Let common sense prevail.

FRANK BARTELLMAN
Aromas

7/12/97

School sites, pesky mites and angel flights

Steve Bankhead

Local columnist

Location, location, location: An argument against building a third high school at Lee and Harkins Slough Road was made in the July 12 Pajaronian by Aptos resident Carolyn Robinson. Of course, as a hardcore secessionist, she would oppose any solution to our school district's growth pains which doesn't include tearing it in two.

But now she's opposing the location out of concern for our coastline. That's an odd worry for a resident from an area which has developed every foot of its coastline right down to the high tide mark. Was the Seascape Resort more necessary than a school?

The nearby wetlands are a great concern, but a school would be no greater threat to them than current farming operations. As for the coast, that's three miles distant. In fact, the proposed site is two or three times as far from the coast as Aptos, Soquel or Santa Cruz high schools.

Oops! I forgot that Watsonville is governed by different rules.

I'm not convinced of the urgent need for housing at the adjacent Tai property. But the third high school is desperately needed, and if not at Lee and Harkins, then where?

Ms. Robinson's suggestions of using the old hospital as a high school would be most kindly described as fanciful. The structure is seismically flawed, and poorly designed as a school. And the site is far too small. Would the sports fields lie in the parking lot or the creekbed?

Instead of building a third high school, Ms. Robinson would handle Aptos High crowding by relocating Freedom and Buena Vista area students back to Watsonville High, and then busing Pajaro students nearly 10 miles to North Monterey County High in Castroville.

But I suppose that fits in with North County's preferred anti-growth method of keeping itself spacious: Hold and force people to the south, and then criticize our growth.

Let us spray: The Farm Without Harm coalition's failed attempt to block methyl bromide use by a farmer on Revilla Drive and its year-long fear campaign in local schools both use the endangerment of children's health as a debating tool ... Let's stop the spraying and protect our kids!

These efforts to blame pesticides for students' respiratory ailments remind me of a study conducted by the U.S. Centers for Disease Control and Prevention. It researched possible causes for the tripling of asthma rates among young people, despite an actual improvement in air quality.

Most puzzling was the asthma increases primarily being among minorities. Following that clue, the researchers finally concluded that the culprit wasn't airborne toxics or pollutants, but conditions within overcrowded and deteriorating neighborhoods. One-fourth of all asthma cases were directly linked to allergens of cockroaches.

Watsonville has crowded schools, crowded neighborhoods, and a school district being bullied by activists into reducing its use of sprays in controlling weeds and vermin. Sound connected?

The fact-based solution to our children's respiratory problems would seem to be more housing, more classrooms, and greater efforts against weed and insect infestations.

Let's start the spraying and protect our kids!

Alas, poor LLMAD: There are probably few local issues deader than the parks assessment vote. But I want to share something amazing I discovered during a postmortem dig through the city clerk's election records.

Most of it was predictable stuff ... many $18 yes votes being buried by larger parcels voting hundreds of dollars in no votes. The margin of defeat ($4,866) was provided by only three votes, from the owners of two large rental complexes and a local realtor.

The largest thing I own in Watsonville is my pickup, so I can't criticize those property owners for voting against the assessment. I'm not even sure I'd be able to vote differently in their situation. Instead, I'll simply reveal that amazing fact:

The largest single vote in the LLMAD election ($2,178) was a yes vote!

I first thought it might be a printing error. It wasn't. I couldn't think of any reason someone would vote such a large assessment against themselves unless they were simply civic-minded people who thought it was the right thing to do. A telephone call to them left me thinking that really was the only reason.

In my June 7 column, I predicted LLMAD would fail because Prop. 218 put too much weight into the votes of large property owners, and only true angels with a higher view of community interests would vote for a large assessment. Well, I now believe that angels exist.

The Chamber of Commerce gives man and woman of the year awards to residents who perform good work of a more visible nature, and that's wonderful. But I think some recognition should go to people who perform decent and selfless acts in such a quiet manner that it takes a nosy columnist digging through city archives to uncover it.

So, with all my dubious authority I hereby bestow Angel of the Year awa[illegible]n that couple who was willing [illegible]lunteer for a huge assess- me[illegible] the greater good of their co[illegible]ty. Their names are Frank an[illegible] Bybee.

[illegible]tunate that money doesn't ap[illegible] be their only priority in lif[illegible]se my award comes with no[illegible]rize. However, it does co[illegible] this heartfelt proclama- tio[illegible]

[illegible] to live in the same zip co[illegible]lks like you.

[illegible]kehead, a Watsonville b[illegible]n, is a contributing col- u[illegible]e Register-Pajaronian.

[illegible]UMBUS DISPATCH
[illegible]ht@dispatch.com
7-97

Lee and Harkins Slough roads is the best choice for the new high school

Jamie Marks
PVUSD Trustee

Several writers have suggested that the Pajaro Valley School District should have selected either the old Watsonville Community Hospital (WCH) site or property next to Ramsay Park as a new high school location. Initially, I, too, favored either of these sites, but after much research, it's clear they don't meet state guidelines.

The Harkins Slough/Lee Roads site that was selected by the school board is currently in the city limits of Watsonville (it doesn't need to be annexed). It meets state standards for a high school in terms of size, location and proximity to city services. And it has easy access to the freeway and streets. The state will not fund a high school at either the hospital or Ramsay Park sites. This means the district would have to cover 100% of the purchase and construction costs for a school at those locations (instead of 50%).

Over the past eight years, the hospital, Ramsay Park, and a dozen other sites were closely examined by a committee that included representatives of the County Planning Department, LAFCO, Watsonville Planning Department, Watsonville Wetlands, Farm Bureau, parents, trustees and administrators. Representatives from the State Office of Local Assistance (now OPCS) and California Department of Education (CDE) met with the group to review the selection process.

The Console land next to Ramsay Park was rejected by the state because it is too small for the projected high school (which requires 50 acres or more of usable land).

After careful examination, the CDE declared the hospital site as "educationally unsuitable." Although the hospital has spent millions of dollars to bring the old buildings to their current state of repair, they still don't meet the standards required by the state for housing students. The hospital site is less than half the acreage needed for a new high school, meaning that adjacent farm land would be needed to install athletic facilities, parking and additional school buildings. These facilities and buildings would be located under the 200 foot buffer to prime ag land—land which is generating several times the income, and many more jobs than the property at Harkins Slough.

The flight path of departing and incoming planes to the Watsonville Airport is over the hospital, creating an unavoidable conflict with the airport. Additionally, transportation to the hospital site is considered impacted at current levels, due to heavy agricultural and commuter traffic. The traffic generated by 2,200 students and faculty would create gridlock that neighbors would likely protest.

Some letter writers have suggested that the high school is needed to accommodate Watsonville's future growth plans. Actually, the school is planned for the students currently in elementary and middle schools.

Other writers have suggested our students don't need playing fields, but when neighbors turn their backs to soccer fields in their midst, who will provide them but the public schools? I believe it is essential that our youth develop strong bodies, as well as sound minds. It would be foolish to build a school without athletic facilities. The school has been designed to the state's minimum standards, with an area set aside for a swimming pool in the future. At present, there are no plans to build a pool, making it the only high school in the county that will not have a swimming pool.

While some people are concerned about the high school being in the Coastal Zone, there are many other facilities and housing already on the coast, including the County Jail, Buena Vista Labor Camp, San Andreas Labor Camp, Sunset Beach housing, Canon del Sol housing, La Selva Beach, Renaissance High School, Monterey Bay Academy boarding school, KOA, Pajaro Dunes and two landfills. If one were to look at a map, the high school is one of the farthest points inland of any area in the South County Coastal Zone.

Every generation finds itself facing the difficulty of providing adequate educational facilities for its young. The Pajaro Valley is at that crossroads today. It's time to accept the challenge.

Trustee wavers on new high school

By MICHAEL MERRILL
STAFF WRITER

WATSONVILLE — The continuing search for a new superintendent, employee layoffs and alternatives to a third high school were some of the issues addressed at the Pajaro Valley Unified School District meeting Wednesday.

On the proposed new high school, PVUSD Trustee Doug Kaplan requested the board look into alternatives to building a third high school, citing the difficulty in passing the bond necessary to finance it. He suggested the board consider expanding Watsonville and Aptos high schools to cope with swelling student enrollment. "What would happen if instead of a difficult bond issue, we propose two projects which each city can rally around?" Kaplan asked.

"That was the first option we looked at," responded PVUSD Trustee Willie Yahiro. "This has already been done, we have already checked those sites. To go back and start this process all over again places doubts in the minds of the public."

Yahiro said he was surprised that Kaplan would even suggest enlarging the two existing schools, "especially since over the years you were the one saying smaller is better. We are trying to make the schools better, not bigger," Yahiro told Kaplan.

Abbott Associates, an executive search company, notified the board that they had begun searching for a new superintendent. Search consultants Jake Abbott and Bob Trigg worked out a profile and criteria regarding the type of individual the board is looking for and explained the search process.

The trustees took several other actions at the meeting:

• The board voted to lay-off two teaching assistants due to lack of work and funds. "It's not easy to lay-off people, it's not something we do lightly," PVUSD Trustee Dan Hankemeier said.

• The board Authorized agreements between the PVUSD and Pajaro Prevention and Student Assistance, Inc. Under terms of the agreement, the district will work with the organization to provide programs designed to prevent the use of drugs, alcohol and tobacco among students. The project will be financed using funds from several state and federal organizations including the State Department of Education's Tobacco Use Prevention Education, $34,000; Federal Drug Free Schools and Communities program, $82,000; Office of Criminal Justice and Planning's Gang Violence Suppression program, $50,500; State Dept. of Ed./ Attorney General's Office, $45,000 and the school district's Kids Korner and Student Assistance programs, $172,518. The total budget for the project is $476,518.

• The board reviewed its new eighth grade graduation policy, implemented last year in an attempt to raise expectations for student achievement.

8/14/97 p 8 Pajaronian

8/3/97

Stereotypes handicap school planners

By DICK BERNARD

Making decisions based on assumptions is always risky. Projections do not materialize; factors thought relevant turn out to be non-operative. It's par for the course.

But making decisions based on assumed stereotypes invites more than miscalculation. It is the seedbed for growing a disaster.

Such is the case, in my opinion, for the PVUSD trustees and their decision to plan for and build a new high school on and near environmentally sensitive land. The district's underlying assumptions about the increases in student enrollment are certainly valid. Demographic studies from several different sources seem to confirm this. But this trend may wane as future economics cut into growth rates. And there is always the prospect of voter doubts about supporting another construction bond issue. All of this is a gamble at best. Arguments, pro and con, compete equally.

But what about decisions based on stereotypical assumptions? It is my observation, based on a decade of substituting in the district's two high schools and filtering out the subtext of public comment about education in the district, that the general public perceives two sets of student potentials (1) students in the Aptos attendance area are en route to cum laude/Phi Beta Kappa destinies. They are white and bright.(2) Students in the Watsonville attendance area, by contrast, are less advanced and are destined for the lower rungs on the achievement ladder. They are Latino and limited. Hence, the logic of a new high school is to accommodate the cramped elite and admit a smaller proportion of the limited.

Practical observation, however, tells me that the pyramids of academic performance at both schools are quite similar. The tops are at the same height; one base is wider than the other. A small segment of truly gifted students exists at each school. The AP (Advanced Placement for collegiate credit) classes testify to the very real academic achievements of these students. The bottom line is that the great majorities of students at both schools are struggling with the basics: reading, computation and especially writing.

> The logic of a new high school is to accommodate the cramped elite and admit a smaller proportion of the limited.

So what is the new high school for? Is it to replicate what already exists? Perhaps an alternative might better serve the larger elements of the two pyramids.

One attempt, now in vogue at WHS, is to separate out special targeted student populations, centered around concepts germane to the businesses of the larger community. These are called "academies." Well known at this point is the Video Academy, devoted to teaching the skills inherent in the creation and production of this form of communication which has the whole nation so much in its thrall. Videos sell. The possibilities for future employment in this field are better than average.

Another group, now in its planning stages, is the Agriculture Academy, designed to create between school and the ag community a closer bond emphasizing the technological and marketing realities in the Pajaro Valley. These and other academies centering around other technologies (auto and machine tooling) together constitute what amounts to a 1990s version of a vocational high school.

But rather than reconfigure these new elements into an already crowded school environment, it would make more sense to create two separately located vocational schools of, say, 500-600 students each, situated on smaller properties which do not, like the proposed new high school, require large parking lots, a big sports complex and expensive buildings.

The vocational school physical plant could include one or two buildings to house the teaching stations for the various disciplines. The "hands-on" training could be at sites elsewhere in the district with the direct cooperation and assistance of business enterprises in the community.

The two existing high schools would then deal with the general academic tutoring of students, a kind of "Basic Academy," if you will, to bring all students up to a new standard of competency, now lacking to such a high degree.

Meanwhile, the current Board of Trustees, having disposed of another superintendent, proposes a multi-administrative directorate to run things. In reality, it is a wide-open invitation for a policy-making body to delve into an orgy of micromanagement activities, each trustee running his or her own favorite school activity.

That's a separate disaster yet to be sprung on an already weary and disgusted public, not to mention the employees of the district whose collective morale is at a very low ebb.

■ Dick Bernard has been a substitute teacher in the Pajaro Valley Unified School District for the past 10 years.

About this page

THIS IS your page. Every Sunday, we will print a variety of opinion pieces, as well as letters to the editor and local cartoons, that address topics of interest to the community.

Your guest columns should be no more than 750 words, which is between 2½ and three type-written (double-spaced) pages.

Longer ones are subject to editing or rejection, so please make sure you stay within the guidelines. We want to make room for as many different opinions as possible.

Please include a short biography about yourself at the end of the column, as well as your full address and daytime telephone number for verification purposes.

The Sentinel's address is P.O. Box 638, Santa Cruz, Calif. 95061. The phone number is 423-4242. The newsroom fax number is 429-9620.

High school plans afloat

■ Expansions: District to consider options for Aptos, Watsonville growth

BY TERRI MORGAN
Mercury News Staff Writer

In the face of significant financial and environmental hurdles to building a badly needed new high school, Pajaro Valley Unified School District trustees will look into expanding the district's two existing schools as an alternative.

"We owe it to ourselves to discuss the possibility of expanding Aptos and Watsonville high schools to accommodate 2,800 students each," said Doug Kaplan, a member of the school board. "We could end up having two exciting local projects that the community will rally around and actively support instead of one project people will be reluctant to support."

District officials want to build a $60 million high school on 55 acres of agricultural land near Harkins Slough and Lee roads to alleviate overcrowding. They hoped to open the campus, which would initially serve 700 students, by the start of the 2000-2001 school year. At full capacity, the new high school would serve 2,200 students and employ 200 people.

"We have a real dilemma," said Kaplan. "We need to house our students, but we're facing a public that would be reluctant to pass a bond issue. This high

See DISTRICT, Page 2B

District to weigh proposal to expand 2 high schools

■ DISTRICT

from Page 1B

school would be in a coastal zone, and in this environmentally aware community, (getting approval for the site) makes this job more difficult."

As of last week, 2,123 students were enrolled in Aptos High School, which was built to accommodate 1,340 students. Another 2,338 students attend Watsonville High School, which is nearly 30 percent over capacity. Administrators estimate the district's high school enrollment could reach 6,400 within the next eight to 10 years.

In May, the school board voted to move forward with the new high school project despite objections from Coastal Commission staff regarding the proposed location, which is near an estuary. Because the site is in an environmentally sensitive zone, the district needs approval from the 12-member Coastal Commission board before breaking ground. A district planner for the commission warned the school board he would not recommend the project be approved because it would pave the way for additional urban development in the coastal zone.

In addition, consultants hired to survey voters within the district told the board earlier this year it would be difficult to win passage for a bond measure to help pay for the school construction. The cost of the project is estimated at $60 million, and the district would be responsible for paying half those expenses.

Pajaro Valley Unified School District board member Doug Kaplan suggested the district delay its plans for a third high school until the expansion option has been examined.

Kaplan suggested the district "push the pause button" on its plans for a third high school until the expansion option has been examined. Richard Meyer, director of construction for the school district, will present trustees with a report on the feasibility of expanding the existing high schools when they meet Wednesday evening.

IF YOU'RE INTERESTED

The school board is set to meet at 7 p.m. Wednesday at Starlight Elementary School, 225 Hammer Drive, Watsonville.

S.J. Mercury News 9/3/97 Section B

New 'mega schools' alternative presented

9/4/97

By MICHAEL MERRILL
STAFF WRITER

WATSONVILLE — An alternative to building a third high school — creating two "mega-schools" — was presented to Pajaro Valley Unified School District trustees Wednesday night. Action on the option was deferred pending public response, although expansion of the existing campuses would result in no cost savings and would raise new problems with funding and traffic.

James P. DiCamillo, Principal Architect for WLC Architects, designers of the third high school, was directed to design two complete

School enrollment — Page 8

overhauls of the district's existing schools. The redesign was requested last month by PVUSD Trustee Doug Kaplan in an effort to avoid the difficulty of passing a large bond — instead, the board could propose two projects which each city could rally around.

In order to do this, DiCamillo took the basic design of the proposed "New Millennium" high school and split it up between the two schools.

See PVUSD, page 8

At Aptos he proposed creating a new entrance and converting the existing multi-purpose building into a library.

If rebuilt, the school would in essence be two schools operating on one site, sharing facilities such as the cafeteria, gym and performing arts center. "This would not be a band aid, this would be a full-scale conversion," DiCamillo said.

DiCamillo confirmed that the conversion could be done on the existing site, but it would not result in a cost savings and it would create other problems as well.

He estimated the cost of the conversion at $18 million in construction, with a final cost of $22 million after furniture, landscaping, and ancillary additions. This would also create additional traffic problems on Freedom Boulevard, and he warned that by creating further delays the district would create additional delays in receiving state matching funds. "You will be taking a risk that state funding will still be available," DiCamillo said. "If not, you will have to build it with your own money."

The plan for Watsonville High School was also viable, but would not result in a cost savings either. Problems with expansion such as purchasing additional land in an urban area, increased traffic, and the need to build a new gym to accommodate additional students would result in a final cost of $23.5 million. "We can make a good school here, it can be done but with only 35 acres to work with, it will be cramped," DiCamillo said.

PVUSD Director of Construction Richard Meyer said additional environmental impact reports would be necessary and that would add a year to the process. He also warned that the board would face resistance from existing neighborhoods bordering the schools, and a host of fire, safety and municipal code mitigations. "When adding new construction to an existing site, all existing buildings on the site must be brought up to the same current code requirements," Meyer said. He warned that these changes could add another $6 million to $10 million to the final cost.

Saying it would not be practical to drop the district's already approved plan to construct a third high school and reapply with an entirely different plan, Meyer warned the board that they could lose state funds entirely for at least another year. "We are now in front of $3.8 billion in state funding requests. If we rescind ours now and come back with a different one, we will go to the back of the line," Meyers said.

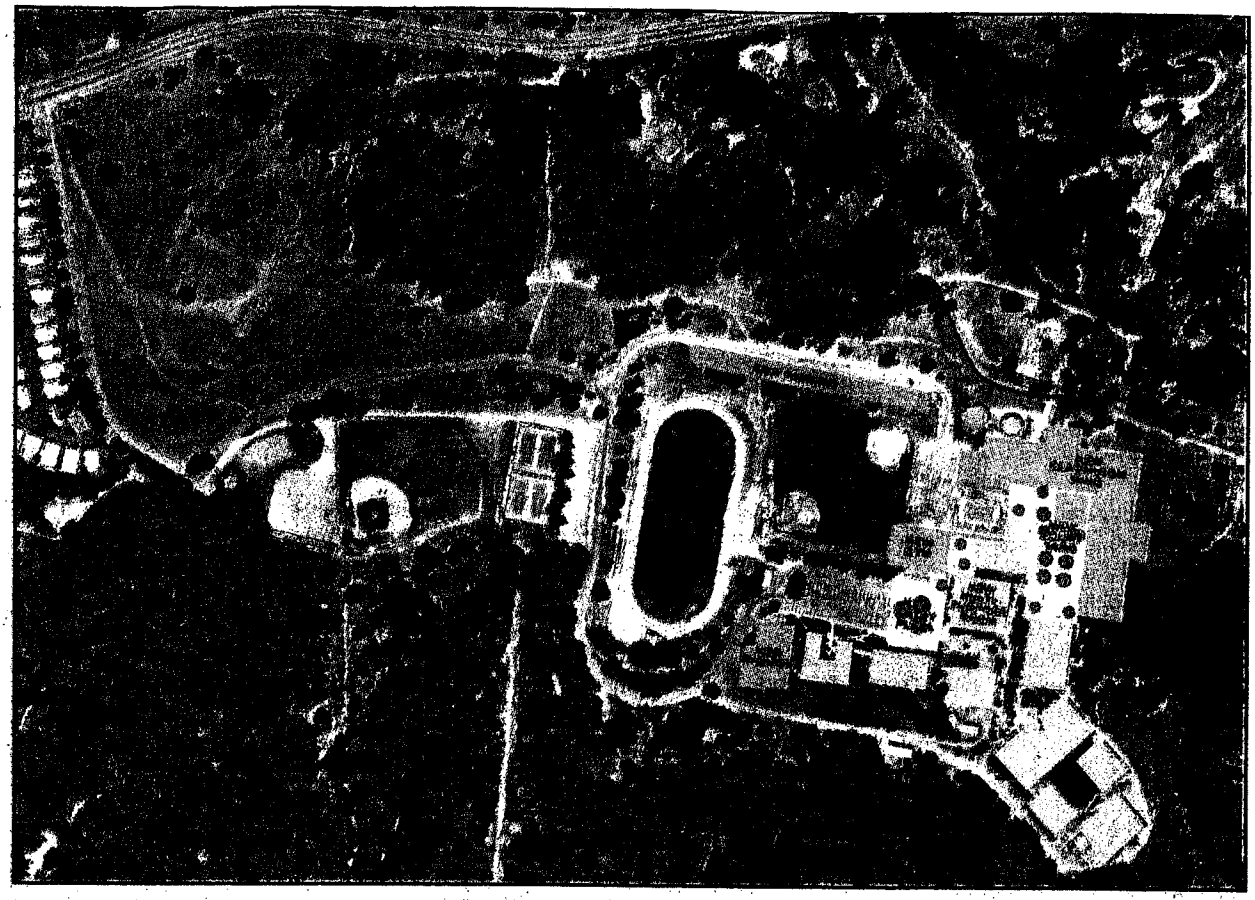
If completed, the two schools would then have the capacity to house a total of 5,600 students. Urging the board to stick with their original plan to build the third school, Pajaro Valley Federation of Teachers Executive Staff Member Rhea DeHart said, "Every study says that by 2010, the crunch will be unbelievable. Don't deceive yourselves, those campuses are jam-packed already."

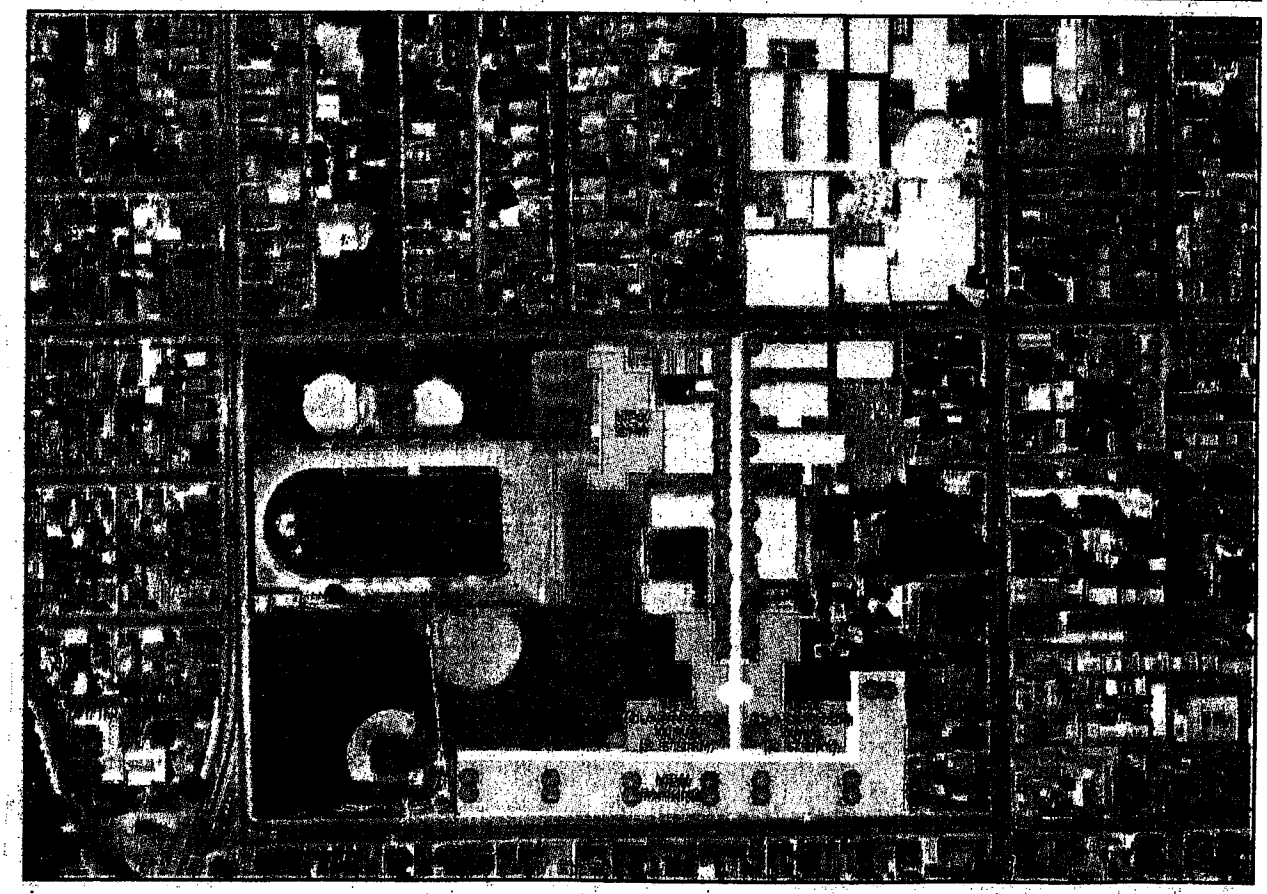
Trustee Jamie Marks said that although looking at an alternative was important, she could see that expanding the two existing high schools does not make sense. Retired WHS teacher Mas Hashimoto seconded Marks' comments. "I hope that you are convinced that we need to move on this new high school, on behalf of the children."

PVUSD Board President Dan Hankemeier also urged the board to stick with the original plan. "If we change our plans now, it will be four more years before we have to space to house our kids," Hankemeier said.

A final decision will be made after the results of a survey designed to measure public support of the project, which will begin next week, are tallied.

> 'If we change our plans now, it will be four more years before we have to space to house our kids.'
> — *PVUSD Board President Dan Hankemeier*





Graphics by WLC Architects

Concept site plans for expanding Aptos High School, top, and Watsonville High School. The existing high school buildings are marked in yellow, with the proposed new additions in pink. The plans were produced for the PVUSD as an alternative to building a third high school.

Pesticide use faces more challenges

BY BETSY LORDAN
Herald Staff Writer 9/30/97

Other California farming communities are following the lead of a Central Coast activist group that challenged a Monterey County grower's right to use pesticides.

Tonight, Watsonville residents will air their gripes about pesticide use on crops and appeal to state officials for tighter controls. It will be the fourth public review since the citizen group Farm Without Harm challenged a pesticide permit issued in June by Monterey County Agricultural Commissioner Richard Nutter.

A public review on pesticide applications near Amesti Elementary School in Watsonville will begin at 7 p.m. tonight at the Santa Cruz County Agricultural Commissioner's Office, 1432 Freedom Blvd., Watsonville.

Please see **PESTICIDE** PAGE A10

PESTICIDE

FROM PAGE A1

The other two public reviews were held last summer in Ventura County.

In Monterey County, berry grower Martin Rubio was required to increase the buffer zone around fields adjacent to Revilla Drive in Castroville. Residents also were promised they would be notified before the fumigant methyl bromide was applied, and limitations were imposed on the timing of the applications.

In Ventura County, two berry growers were required to increase their buffer zones and observe other restrictions. One grower said he couldn't turn a profit because of the increased buffer zone and announced he won't plant next year.

"What's new this year is that people are asking for public reviews," said Veda Federighi, a spokeswoman for the California Department of Pesticide Regulation. "And so far, they've focused exclusively on methyl bromide."

None of the reviews has convinced pesticide regulation officials to suspend methyl bromide permits granted by local agricultural commissioners, but all have led to tighter controls on the fumigant, Federighi said.

At issue tonight in Watsonville is a permit issued by Santa Cruz County Agricultural Commissioner David Moeller allowing a grower to apply pesticides in a field adjacent to Amesti Elementary School. Parents, teachers, organic growers, environmentalists and others are expected to converge upon Moeller's office to protest pesticide applications.

Earlier this month, protesters presented Moeller with a written request that methyl bromide and 11 other toxic pesticides not be applied on the field. Under California law, Moeller had 10 days to respond and was required to suspend pesticide applications until he reached a decision.

"It was a terrible inconvenience and economic loss to the grower to have this delay," Moeller said.

He upheld the grower's right to apply the pesticides, but by that time soil conditions in the disputed part of the field had changed to the point that the grower couldn't apply the fumigant, Moeller said.

The grower applied methyl bromide to other portions of the field as scheduled last week.

Meanwhile, using an obscure clause in the California Food and Agriculture Code, Farm Without Harm followed the same procedure it used in June and appealed Moeller's decision.

Paul Gosselin, assistant director of the Department of Pesticide Regulations, will attend tonight's meeting in Watsonville. After about a month, the department is expected to rule on whether Moeller's decision still stands.

Reorganizing South County Schools Still Being Debated

by Jim Johnson

Nearly two years after Aptos parents advanced a petition to split the county's largest school district in two, local school officials are still meeting with parents regarding a negotiated settlement to the secession threat.

The parents group submitted a petition to the County Office of Education, which passed it on to the state board of education more than a year ago. The state board postponed a decision on the matter in the hopes that a compromise solution could be worked out, asking County Superintendent of Schools Dr. Diane Siri to form a committee and try to reach an agreement. A timeline for restructuring the school district was set at the beginning of 1997, with the end of 1997 as the target for the implementation of reorganization plans.

After a summer of meetings, many who worked on the Expanded Committee said they thought little progress had been made, the timeline had basically been abandoned, and they still felt the district was much too far away from a solution.

The first meeting, on October 13, focused on the general frustration on the part of many of those involved. It was at that meeting that the second meeting, on Saturday, October 25, was scheduled. The second meeting focused on any and all reorganization proposals from those on the Expanded Committee.

Siri said the second meeting was necessary to give the process a jump start because there was general consensus that progress was not being made in a timely enough fashion.

"There were two things that people agree on, the district is committed to change, and the process needs to move along," Siri said.

Petition sponsor Barbara Palmer said many Aptos parents felt the process was taking too long and that the PVUSD administration was at least partly to blame.

"We've all been talking about this for a long time," Palmer said. "There is a general frustration from the parents. We feel the administration has chosen not to see this process through the way the board [of trustees] voted to see it through. The administration is going through this kicking and screaming every step of the way. ... Things need to be changed."

Palmer said the second meeting had at least produced some firmer commitments from district staff, commitments that reaffirmed Palmer's belief in the process.

She said the group had decided at the late October session to forward four basic plans for reorganization to the district administration for review by legal counsel.

The first plan includes creating two school facility improvement districts. The second proposal would form three clusters of schools within the current 18,000-student district. The third concept would give each school independent authority to set site standards. And, the final idea, would group and govern the district's schools by primary, middle and secondary campuses.

"We are now moving. We are off the dime," said Palmer.

Getting Going

Trustee Jamie Marks, who opposed the Aptos secession attempt, said she agreed that the process was dragging. Superintendent Tony Avina left earlier this year for another job in southern California. No permanent replacement for Avina has been found and a team of assistant superintendents, led by Terry McHenry, are filling in temporarily. However, Marks said that some of blame for the delay rests with the lack of solidarity among Aptos parents.

"Anything of this nature is complex and any time you get close to specifics, nobody wants to express their opinion," Marks said. "I found it difficult to work with the people from Aptos because every time I start talking about specifics, they start talking about something else."

Siri agreed the change in administration had slowed the work, but counseled against both making the timeline totally rigid or tossing it entirely.

"I think any time you have a timeline, it's a goal," Siri said. "It's tough work. It's very complicated."

Expanded Committee facilitator John Glazier agreed that the process had hit a lull over the summer.

"I was concerned because I felt things drifting, but I think they rekindled the sense of urgency [on October 13], which they needed to do," Glazier said. "Now we need to figure out how we can have the kind of autonomy we want."

Kaplan Said Committee a Bad Approach

Trustee Doug Kaplan said he believes reorganization never should have been given to a committee in the first place and should be given back to the trustees to work out.

"The community elected us as leaders and it's time we started showing some leadership," Kaplan said. "I would like to see a subcommittee of two Aptos trustees and two Watsonville trustees meet and hammer out a plan. If we're unable to hammer out a plan, let's go back to the state and ask for an election [on the Aptos secession proposal]."

However, Kaplan has been quoted saying he doesn't believe a solution that will keep the district together can be found.

"It's just like the Missouri Compromise," Kaplan said. "It's an attempt to preserve the unpreservable."

Palmer said the AUSD committee hasn't even been meeting in order to focus on reaching a reorganization solution, but added that the process needs to move along.

"Time is of the essence," Palmer said. "I was hoping by November 1 to have a start [to reorganization] begun. ... We have to have a resolution by the end of the year if the board of trustees wants a bond issue [to pay for a new high school]. I think we're all looking at a June ballot for a bond measure."

And, Palmer said burgeoning housing development in Aptos makes a new bond measure doubly urgent.

"I shudder to think what's going to happen to our schools," Palmer said. "We're already overcrowded. We don't want to let happen to us in Aptos, what they let happen in Watsonville." ❑

Second Watsonville High School

The Pajaro Unified School district has approved the Harkins Ranch Site for a new (second) Watsonville High School This site is west of Highway i and birth of Harkins Slough Road. It is in the Coastal Zone and involves both prime agricultural land and wetlands. The proposed school site is adjacent to the West Branch of Struve Slough and just above the 122-acre wildlife reserve owned by State Fish and Game.

Watsonville Wetlands Watch and others have filed a lawsuit challenging the Environmental Impact Report certified by the District. The suit challenges the EIR over a number of issues, including its conclusions regarding cumulative impacts, its finding that the land is not "prime" agricultural land, its conclusions regarding growth inducement, and its inadequate analysis of alternatives to the project. The EIR is also defective in that the conclusions reached are not supported by the detailed analysis in the document.

Watsonville Wetlands Watch is represented in this matter by attorneys Bill Parkin and Keith Sugar. The WWW position is that the site is not acceptable for a high school and that no amount of mitigation will make it acceptable. The PVUSD has been urged to abandon this site and examine other alternatives. Other alternatives include the old Watsonville Hospital site, the Landmark site (number 3 in the analysis study) and others, along with other options such as converting an existing school to a high school, expanding the two existing high schools or adding additional vocational schools in other locations.

WWW has urged the district not to commit further resources to the Harkin Slough project which has such a low chance of success. They argue that the District faces continued litigation against its EIR, opposition by the Coastal Commission and others over a required Coastal Plan Amendment, and opposition to the future Bond Issue that will be required to build the school even if other opposition fails.

Watsonville Wetlands Watch has offered to assist the district in its search for another high school site. WWW is waiting for a response from the District regarding this offer.

—Jim Van Houten

Scotts Valley School Update

Regarding the court hearing, as you may have read in the Sentinel, the judge was quite definite as to the inadequacies of the EIR on all counts. It will be interesting to see what the school district decides to do—whether they in fact do recirculate the draft EIR or whether they appeal the judge's decision. I would not be surprised at all if they appeal. Their lawyer is very tenacious and doesn't want to take no for an answer (perhaps that is characteristic of all lawyers).

A disturbing aspect of this project is that the school district awarded grading and pre-construction contracts (for approx. 4.9 million) last Wednesday based on the project described in the final EIR. We (Scotts Valley Citizens for Responsible Growth) are hoping they will replan the project so that the grading will be significantly reduced and the old grading plans will not be used. But in this regard the school district is still proceeding as if their plan is a GO! We are supposed to have another settlement meeting, though it has not been scheduled.

—Carole Kelly

Build more schools, survey says

94 percent in favor of new facilities

By MICHAEL MERRILL
STAFF WRITER

WATSONVILLE — The results of the Pajaro Valley Unified School District's survey were released Thursday, and not surprisingly the need for more schools and improved student achievement were at the top of most respondent's lists.

The survey, consisting of 14 questions, was administered by the La Selva Beach market research company Applied Survey Research. Applied Survey's Director Susan Brutschy described it as "...very comprehensive, and although not everyone was 100 percent supportive of the survey I found that most people responded in depth and thoughtfully."

See SURVEY, page 6

SURVEY

From page 1

In all, 1602 interviews were tabulated — 693 parents, 174 site council members and 735 district employees. 71.1 percent of the respondents were women and 28.9 were men.

Over 80 percent believed overcrowding is a major problem in the schools and 94 percent were in favor of building new facilities.

At the other end of the scale, only 31.5 percent said they were very satisfied with the curriculum and only 24.6 believed the district was adequately preparing its students for the future.

Another high priority was more local control at the schools, especially as it relates to academics. When asked, "Would you like to have more control over improving the quality of education at your school?" 88.3 percent answered yes. Only seven percent said they were very satisfied with the decisions made by the district and 35.5 percent said they were not at all satisfied.

Associate Superintendent Terry McHenry said the district will spend the next few weeks interpreting the results and then apply what they have learned in setting future policy.

Aptos High School parent and member of the Restructuring Committee Marq Lipton said, "This provides us with a very good road map for the Restructuring Committee. I didn't think there was this much consensus in the whole county, let alone the district."

There were a few surprises as well. When responses were separated into categories, only 49.6 percent of district staff said they were aware that the district is exploring ways to dramatically change current policies and procedures, as opposed to 69.5 percent of the site council members. The site councils are parent advisory groups set up at each school. Both parents and site council members said they were better informed on matters involving school facilities, student achievement and district decision making than district staff members.

Another apparent inconsistency was the responses to the question, "is overcrowding a problem at your school?" Even though over 90 percent said the district needs to build new schools, 34.3 percent of parents, 25.1 percent of site council members and 19.5 percent of staff said overcrowding was not a problem.

The last question on the survey was open-ended and elicited a wide range of responses. "If you could make three changes at your school district, what would they be?"

More communication and cooperation topped the list at 8.5 percent while not dividing the district came in last with only 0.3 percent.

One question which was not included on the survey was whether or not respondents would be willing to support a bond issue in order to build a third high school. McHenry said the district had considered including that question on the survey, but since that had been addressed on a previous survey it was left out. He also said that although the need for new schools was almost unanimous, whether or not a bond will pass depends on the community as a whole, not just parents and staff. "People will support a bond if the district can prove that it is moving in a direction that the community supports," McHenry said.

In the previous survey, conducted in early December, voters were asked if they would approve a measure on the ballot that would increase property taxes in order to raise $50 million to build new schools and repair and upgrade existing facilities. 43.6 percent of the county's voters said they were in favor, 45.9 percent said they were opposed. Of those opposed 28.2 percent said they would never vote for a tax increase no matter what it would be used for.

REGISTER-PAJARONIAN, Friday, November 14, 1997

PVUSD restructure committee finishes up

Three options presented to board

By MICHAEL MERRILL
STAFF WRITER

APTOS — After splitting hairs and fine tuning verbiage, the Pajaro Valley Unified School District's Restructuring Committee, which met Wednesday evening at Mar Vista Elementary School, finally came to a consensus — they agreed to disagree.

The committee has been meeting since May, trying to hammer out a way to decentralize the district and make it more responsive to local needs.

Originally charged by the board of trustees to "restructure the district so that local control can be delivered without affecting the geographical or legal identity of the current district," the committee faced strong division within its

See PVUSD, page 6

PVUSD

From page 1

ranks from members who support splitting the district.

What resulted is not one plan but three, one of which includes an Aptos succession even though that was not included in the board's original instructions to the committee.

PVUSD Trustee Doug Kaplan said, "If I was forced to make a decision this moment I would vote to create a district here in Aptos — I don't want to make that decision at this time." Instead he proposed sending the three separate plans in order to give the board and the new superintendent a chance to study them all.

"I propose putting the three plans in a package and shipping it to the board," Kaplan said. "We should leave it for the board's consideration with the active participation of the new superintendent."

The three recommendations are as follows:

• Two-district plan — Offered by Kaplan, this proposes two separate bond areas — Aptos and Watsonville — which if passed would also pass the request for two separate school districts. The Aptos District would include a new high school in Freedom.

Committee members say this plan would relieve overcrowding by creating a new high school in the Freedom area, putting the issue of the Aptos secession to a public vote and increasing the quality of education in both districts.

• SECAD/Chicago plan — Offered by Trustee Sharon Gray, this would give all 26 schools their own school boards. The PVUSD would remain intact as a governing body with a reduced role, but all decisions would be made at each school site.

Benefits include lower administration costs, greater local control and greater accountability to the public.

Potential problems include the complexity involved in electing officials, dealing with special needs students, deciding geographical boundaries and possible conflicts over authority.

• Cluster plan — Offered by committee members Jack Burkett and Vince Hurley. PVUSD would remain as one district with three clusters — Aptos, Freedom and Watsonville. "If this plan is adopted, there will be a need for agreement on which of the services will be provided by the site and which will be provided by the district," Trustee Willie Yahiro said. "At this point, we haven't worked through that part."

The committee voted unanimously to send the three proposals to the board with the stipulation that they would formally respond no later than Feb. 28.

Education

Secession Update

by Dick Little

Plans Underway to Secede from PVUSD

The Aptos Secession group is in the process of putting a program together that they hope will lead to Aptos' removal from the Pajaro Valley Unified School District. Secessionist leader, Barbara Palmer said the work is now underway so the process can be completed before June 1.

The Pajaro School District will have a $74 million bond issue on the ballot in June. The Secession group is on record supporting the measure and has all but guaranteed a positive vote from Aptos. "We'll know where we stand before we vote on the bonds," Palmer said.

Palmer said she will be meeting with people in Sacramento at the State Department of Education over the next month to make sure all basses are covered. She is hopeful the bonds will pass in June, and the secession issue can go to the voters of Aptos in November. "We will start the process and we will watch it all the way," she said.

There are reports in Aptos some people are grumbling about supporting the bond issue only to have the district come down hard on them when they attempt to secede. That's why Palmer said she is starting the process now. The Pajaro School Board has promised not to put up resources to fight the secession if Aptos supports the bond issue. Having the process completed before June will put the area in a position to get the issue to the voters by November.

In addition, Palmer said she will be working with the Watsonville City Council on the issue so they will remain "neutral" along with the school board.

"We have learned a lot," Palmer said. "The Pajaro Valley School Board will no longer fight us... When the state asked for information, it was 'slanted', " she said, "now we expect it to be 'neutral'."

A boundary committee is currently in the process of setting up boundaries for the new high school district: the main feeder school will probably be Rolling Hills Junior High, which currently feeds Aptos High.

The new high school is slated to be built on land next to Harkins Slough Road and Highway 1. The only organization opposed to the bond issue is the Sierra Club, primarily because they do not like the site.

Palmer said the way things are now, it's not likely Aptos will remain with the school district. "We've been working on this for three years... I can't figure a better way to improve education," she said.

She also said she is banking on the state making their recommendations on the secession in April or early May. She said County Superintendent, Diane Siri will be told within the next week to reactivate the Secession petition.

The state has told the secession group if they reapply they will be required to answer three basic questions about their new district: #1 program development, #2, available facilities, and #3,racial makeup of the district. Those answers are in the process of being developed and sent to the county superintendent.

5/4/98 131st Year — No. 52

Empty hospital for sale

Agriculture group, school district consider possibilities

By MICHAEL MERRILL
STAFF WRITER

WATSONVILLE — With the move of Watsonville Community Hospital to its new quarters near the airport, the question of what to do with the old facility is still being explored.

A reuse committee made up of hospital staff, community and business leaders had been looking into alternative uses for the building, but they ceased holding meetings last summer when an acceptable use for the site failed to materialize.

Hospital Vice President Barbara Shengai said the original goal of the committee was to set up a joint agency and continue to operate the old facility, but that did not come about. She said the decision to sell the building, which carries a price tag of $8 million, was made recently.

Damaged in the 1989 earthquake, the building was no longer acceptable under state standards for hospital use, but it is still viable for other uses which do not require such stringent code specifications. "For it to remain a hospital we would have had to replace the first floor," Shengai said. "That would have taken longer and been more expensive than building the new facility."

One group working on a proposal to purchase the entire property is the Economic Development/Agricultural Resource Center Steering

See HOSPITAL, page 3

HOSPITAL

From page 1

Committee, comprised of members of the local community, university and county officials and a representative of the U.S. Department of Agriculture, Rich Casale.

Committee member Dale Skillicorn said his group has put together a proposal for a center jointly operated by local, state and federal agencies in order to provide a West Coast center for agricultural related issues as well as a resource center.

"One of the things we would like to accomplish is the establishment of a species bank where endangered species would actually be grown to replace those lost to agricultural and commercial development," Skillicorn said. "Sites have already been identified throughout the valley."

Other uses of the facility would be to promote international agricultural marketing and research and to provide conference facilities.

To acquire the necessary funds, Skillicorn says his group has been talking to the USDA, the U.S. Department of the Interior and various local funding sources. "We have been working on this for a year," Skillicorn said, "and it is now coming together very quickly."

Another potential user of the building is the Pajaro Valley Unified School District. Currently the district's offices are located on Watsonville High School property and that space is now needed for school expansion. "We are looking at the hospital along with other possible sites," said PVUSD Superintendent John Casey. "The hospital is one of the options. We have no set timelines at this point but Watsonville High will have to eventually be expanded. When that happens the district office services will have to be relocated."

Shengai said there have been other agencies making inquiries into the purchase of the facility, but there are no solid deals on the table yet.

PV school bond falls short

6/3/98

But Cabrillo College's $86 million bond passes by 74%

By MICHAEL MERRILL
STAFF WRITER

WATSONVILLE — Measure A supporters took it on the chin last night after the Pajaro Valley Unified School District's $75 million bond measure was defeated. Even though 60 percent of the voters agreed that the schools are in need of repair, state law requires a two-thirds majority in order for a bond measure to pass.

Cabrillo College's $86 Measure C bond measure fared much better, however, not only meeting the state's minimum requirement but exceeding it by nearly 10 percent.

The Yes on Measure A Committee gathered at Margarita's Grill in Watsonville late Tuesday night to watch the results as they came in. The first results, at 8:30 p.m., showed the measure had achieved 52 percent after the absentee ballots were counted. PVUSD Trustee Willie Yahiro said absentee voters are traditionally conservative and this is where he expected the least support. He said he had hoped for about 55 percent in the early stages, which would have been an better indication that the measure would pass. "We would want it to be 55 to 58 percent but any majority at this point is a good sign," Yahiro said.

As the evening progressed, the numbers continued to rise. Campaign coordinator Brian Arbour posted the latest figures every 20 minutes. By 10:45 p.m. the vote had climbed to 55 percent and the group was cautiously optimistic.

Bond supporter Mas Hashimoto said it was frustrating to see that even though a majority of the voters supported the measure, that was not enough. "This is undemocratic," Hashimoto said. "Under these rules a minority can dictate to the majority. Everyone's viewpoint is not weighed equally."

Still, as the evening progressed the numbers continued to rise. By 11 p.m., the measure had garnered 57.3 percent of the vote and the group began to cheer. Although they had a long way to go and time was running out, there was still a chance.

At 11:30 p.m., Arbour announced that the tally was up to 59.5 percent. With over half of the precincts counted, victory was tantalizingly close, but it was beginning to look like the bond would fail.

See BONDS, page 6

BONDS

From page 1

Some people began to second-guess their campaign strategies and wonder if they had done enough. "We tried to demonstrate the needs in terms of housing," Yahiro said, "to show the public that we need help in the district. We also tried to get out the occasional voters, the people who were in favor of the bond but do not normally vote."

By midnight, the tally seemed to have peaked at 60 percent, a full six and two-thirds percent shy of a win. PVUSD Superintendent John Casey had already conceded defeat and only the most optimistic of the measure's supporters remained hopeful.

"We ran a good campaign," Yahiro said. "It was built on limited funds and a lot of shoe leather. If you look at the budgets of the other bond campaigns, ours was a shoestring, grassroots type."

With the bond's failure, district officials say they will just have to deal with overcrowding as best they can. "We are certainly disappointed that it didn't pass," Casey said. "It was painful to us and the many parents and supporters who worked so hard on it."

He said the district's work still lays before it and losing the bond measure will not stop them from doing the best they can with what they have. "We are not going to slow down at all working on student achievement and the development of good programs for our students," Casey said. "As to (the problem with) facilities we will have to wait and see."

Neighborhood concerns presented before city officials

By JOHN VIEIRA
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — The city of Watsonville is "on the right track" according to organizers of a five-day long "design charrette" which culminated in the presentation of their findings to a joint meeting of the planning commission, city council and parks and recreation commission Monday evening at city hall.

"Watsonville is in a period of strong transition," said Mayor Oscar Rios. "We were given an opportunity to have different people come in and see what we can do in terms of going forward."

The "design charrette" was conceived to create discussions between city staff members and Watsonville residents in creating a future vision for two city neighborhoods.

Discussions centered on the neighborhoods along Front Street and the levee and also focused on an undeveloped parcel of land — known as the Landmark property — located south of Harkins Slough to the railroad tracks near Highway 1.

The results of a vote compiled during a workshop on Thursday with residents along Front street indicate that most of the residents were concerned with safety and the abatement of drugs and gangs in the area along the Pajaro River. Receiving the most votes were the creation of a park on Front Street and the installation of traffic islands on Main Street to allow safer pedestrian crossings.

A similar vote taken on Saturday regarding the Landmark property also displayed similar concerns regarding the need to have parks and keep open space as well as narrow streets to reduce neighborhood traffic speed.

Watsonville High School sophomore students also presented their views gathered during a focus group conducted Friday regarding how to make the city a better community.

"There are too many drugs, gangs and bars around," said Phillip Battle, a high school student. "You can see them staggering along the street and for other drivers that can be dangerous."

All students present at Monday night's meeting also were in support of a new high school and stated that Watsonville High School has a problem with overcrowding. And Mario Cisneros, a high school athlete, expressed the need to have better parks for playing soccer and basketball. Finally, many students expressed the need for teen gathering places around the city, such as a coffee shop or a mall which would also increase youth job opportunities.

Council members and commissioners were presented with a report of the complied input from community members on their vision of the future of Watsonville.

"This process is the beginning of real difficult work," said Ramon Trias, an urban designer consultant from Florida.

John Vieira/Register Pajaronian

Watsonville High School Sophomores (from left) Erica Anaya, Rosa Hernandez, Roselio Zamora and Phillip Battle present their views on city design and improvements to a group of citizens at the Watsonville Community Center Monday evening.

Report on new high school meets little resistance

By MICHAEL MERRILL
STAFF WRITER

WATSONVILLE — An expected hurricane turned out to be a summer breeze when the Pajaro Valley Unified School District's new environmental impact report (EIR), on its proposed new high school near a wetlands area, met with no resistance from environmentalists.

There were some sparks, however, when the touchy subject of the Aptos secession was brought up.

Last year, when the first EIR report was aired for public comment, representatives from the California Coastal Commission, Watsonville Wetlands Watch and the Surfrider Foundation all vowed to fight to the bitter end. Last night, the only thing close to opposition was a suggestion from Bernard Feldman of Corralitos, who is a member of the group "Campaign to Save Pajaro Valley Farmlands and Wetlands," to consider locating the high school at the Watsonville Airport if it is closed down.

Previously, there was some resistance from the farming community but this time, Santa Cruz County Farm Bureau President Elia Vasquez gave the third high school her full endorsement. "The entire board is in favor of this location," Vasquez said.

See PVUSD, page 10

7/23/98

PVUSD

From page 1

After addressing the board, Vasquez said the new high school is so badly needed by the community, that it takes priority over conserving what has been deemed to be marginal farmland. "I would give them the land myself if I owned it," Vasquez said.

The new issues addressed in the recirculated EIR include additional information about drainage, the viability of agriculture in the surrounding areas and the cumulative impact of the school on the area. Trustee Jane Barr said the new EIR was called for because now that the school's site plan is in place, the board was better able to address previous concerns raised by environmentalists.

The new high school is still only a concept at this point because before it can be built, the district's second attempt to pass a bond in November must be successful.

Wednesday night the board passed a revised edition of a resolution passed during the last meeting regarding the district's role in the proposed Aptos secession.

Changes include the board agreeing to put the question of reorganization before the voters in a district-wide election and more specific wording on the conditions which must be met for the district's support of secession.

Aptos resident Ebby Volpa said without the changes to the wording, the bond will not be accepted by Aptos residents. She said the community wants the board's role in the upcoming secession attempt to be spelled out because "there is not a lot of trust in the district."

Another Aptos resident, Bruce Mathias, also urged the board to adopt the new wording and set off a heated discussion by upping the ante. "Also, to secure the Aptos vote, the board has until the 31st of this month to include another $5 million in the budget for Aptos," Mathias said.

Barr told Mathias he was putting another demand on the board that is impossible to meet.

"Hold another meeting tomorrow," Mathias demanded.

Barr then explained that the board could not legally hold another hearing to redistribute the funds before his deadline, because it would be a violation of the Brown Act to make such a move without prior public notice.

The board voted 6-1 to accept the new wording of the resolution, with Trustee Roberto Garcia casting the lone no vote.

The first draft of the district's academic standards for language arts was also released Wednesday. The 107-page document spells out in detail exactly what is expected from each student at every grade level and calls for periodic testing to be sure specific benchmarks are met. The standards were developed in conjunction with new state standards.

Assistant Superintendent Ylda Nogueda said the district's standards meet or exceed the state requirements across the board, but they are spelled out differently to make them more user-friendly. "We took the state standards and put them into a different format, one which could be easily explained and understood by parents," Nogueda said, "one that will work not only for teachers but for parents as well."

On Aug. 6, district administrators will meet with all school principals and explain the standards in detail. The documents will then go to each site for review by parents and teachers. Comments and suggestions will be gathered and then the writing committee will reconvene, examine the suggestions and formulate a final document.

7/23/98

10/15/98

District sued over new high school

Environmental review for proposed site challenged as inadequate

By DAVID PACINI
STAFF WRITER

WATSONVILLE — Pajaro Valley Unified School District officials face a new legal challenge to an environmental impact report submitted for a new high school on Harkins Slough and Lee roads, despite revisions made to the document intended to appease environmental opponents.

"We were happy that they addressed some of the issues," said lawyer Bill Parkin, who is representing Watsonville Wetlands Watch and the California Alliance for Resource Conservation. "But they didn't address them all."

The suit, filed Tuesday, charges that district officials have refused to consider viable alternate sites for the high school, despite the fact that the Lee Road site is located on prime agricultural land and adjacent to a wetlands area.

District officials hope to build a $42 million high school on a 55-acre parcel of a 115-acre site. The school would serve 700 students within two years.

Parkin said that the report does not adequately address cumulative and growth inducing impacts of the school and other proposed development and that the proposed construction violates both the California Environmental Quality Act and the California Coastal Act, as well as the city of Watsonville's Local Coastal Plan.

See LAWSUIT, page 8

LAWSUIT

From page 1

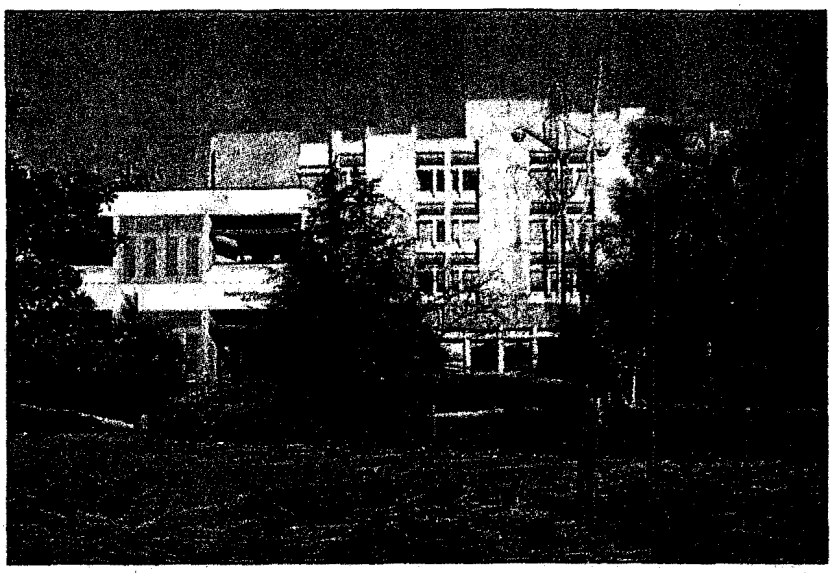
"The Coastal Act allows for covering 10 percent of a site with impervious surfaces, but this school will cover 50 percent of the site," said Parkin. "They say they'll amend the local plan to deal with that."

A lawyer for the district, Harold Freeman, said last week that the school site chosen by the district is the best one available and that he expects that the courts will agree.

"We think it's a sensible EIR," said Freeman.

Freeman also said that he doesn't expect the suit to complicate district efforts to apply for state bond construction money.

"Our assumption is a lawsuit would be resolved in time to get the money," said Freeman. "Even if a lawsuit did interfere we would move along as quickly as possible to get this in front of a judge."



Tarmo Hannula

Developers look to new uses for the old Watsonville Community Hospital.

Housing, business uses in the works for old hospital

Development plan presented to city

By VICTORIA MANLEY
STAFF WRITER

WATSONVILLE — Plans to convert the former Watsonville Community Hospital building and its surrounding land into office space, a warehouse and housing units are currently before city officials.

The facility, located at the intersection of Green Valley and Holohan roads, was put up for sale last spring for $8 million. Developer Don Gardiner of Lester, Roach & Gardiner in Watsonville began looking at the property and, in partnership with other entities, will likely acquire the property when escrow closes early next year.

Carl Sprague of Paccom Management Services, the agency which manages the properties developed by Lester, Roach & Gardiner, said the project is still very much in the planning stages.

Sprague is the broker for the potential buyer of the property, which is currently defined as Gardiner, et. al.

"There's a lot of studying going on right now," said Sprague, adding that there are currently more than a dozen agencies from San Francisco to Monterey conducting research into the structural engineering and architectural modifications that will need to take place.

Also slowing the process is determining how much earthquake retrofitting needs to be done to the building, he said. Damaged in the 1989 earthquake, the building was no longer acceptable under state standards for hospital use, but it is still viable for other uses which do not require such stringent code specifications.

Plans for the 22-acre site include creating office and warehouse space in the existing building, as well as 82 three-bedroom apartments of 1,000 square feet each on surrounding land.

Also, on about one-and-a-half acres on the immediate corner of Green Valley and Holohan roads, plans are to include a drive-through fast food restaurant and a service station with car wash.

See HOSPITAL, page 6

HOSPITAL

From page 1

"Don is very creative in terms of conceptualizing property," said Sprague. "He saw the building and had a vision for the site — now, we're seeing what can be done."

Lester, Roach & Gardiner is the same firm that developed Westridge Industrial Park, Crossroads Shopping Center and Crestview Apartments in Watsonville.

Planning commission OKs new high school

An artist's rendition of an aerial view of the proposed new high school for the Pajaro Valley Unified School District.

By JOHN VIEIRA
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — In a 5-2 vote, the Watsonville Planning Commission approved plans for building a new high school on Harkins Slough Road in the vicinity of Lee Road west of Highway 1, despite environmental concerns aired by the California Coastal Commission and the state Department of Fish and Game.

Casey

"We have to have a balance... with the Coastal Commission, the farmers... but our main concern has to be with our kids," said Planning Commission board member Dania Torres-Wong.

Although not officially named but referred to as the New Millennium High School, the third high school for the Pajaro Valley Unified School District will help to ease the overcrowded conditions evident at Watsonville and Aptos high schools.

The school district has perma-

See HIGH SCHOOL, page 3

HIGH SCHOOL

From page 1

nent facilities to house 3,200 students, but the combined enrollment of both high schools is close to 5,000. Almost 2,000 students are in portable units.

"I believe this is a very excellent site for our students," said Pajaro Valley Unified School District Superintendent John Casey.

The proposed high school will accommodate 2,200 students in over 220,000 square feet and will feature a 2,000-seat gymnasium, 500-seat performing arts center and a 300-seat multi-use room.

"If I move to another site, I'm going to have the same fights, the same lawsuits," said Casey.

In September 1998, the school district was sued by environmental groups stating that the Environmental Impact Report was faulty. In April of 1999, a Santa Cruz Superior Court ruled in favor of the school district and upheld the adequacy of the Environmental Impact Report.

"The Farm Bureau sees it as the best site of a high school," said Santa Cruz County Farm Bureau president Michael Theriot in support of the proposed new high school.

Still, letters from the state Department of Fish and Game and the California Coastal Commission indicate that they are still opposed to the school site.

"We have concluded that it [illegible] be very difficult if not impossible [illegible] mitigate the project impacts on the proper functioning of the slough system because of the close proximity of the school to the wetlands," said Brian Hunter, regional manager of the state Department of Fish and Game, in a letter to the school district.

"We do need a new high school, but this isn't the place for it," said planning commission board member Pedro Castillo, who voted against the plan along with Gustavo Gonzalez.

Funding for the new high school is expected to be approved by the state in the amount of $40 million, said McHenry. The funds will cover the cost of construction and interior furnishings of the school.

"If we don't get approval, we would be looking for alternative funding solutions which could include a local bond," said Casey.

10/25/98

Millennium High gets state clearance

David Pacini

Pajaro Valley Unified School District Superintendent John Casey shows off an architect's rendering of the new high school.

School still needs bond money

By DAVID PACINI
STAFF WRITER

WATSONVILLE — A state agency's approval Tuesday of the final plans for a new local high school makes the Pajaro Valley Unified School District eligible for $20 million in matching funds from the state, assuming a pending environmental lawsuit is quickly decided in the district's favor and voters pass two school bonds next week.

The Division of the State Architect in Oakland approved the final construction plans and specifications for the district's third comprehensive high school, district officials said.

Coupled with a recent Department of Education approval of the Harkins Slough Road site for the school, the proposed 2,200 student facility is on track for a 1999 construction start.

But the school still faces a number of obstacles to its timely construction.

"Plan checks through the department (sic) of the State Architect are complex, and this approval means that the planning committee and architects have done a good job," said John Casey, district superintendent, in a prepared statement. "Now the third comprehensive depends

See SCHOOL, page 3

SCHOOL

From page 1

on the passage of Measure E, passage of the state bond, and our completion of the process of acquisition of the site.'

In addition, the timely construction of the school depends on whether an environmental lawsuit filed against the environmental impact report for the school is resolved quickly.

The suit, brought by Watsonville Wetlands Watch and the California Alliance for Resource Conservation, alleges that the district did not explore alternative school sites that do not border on slough areas.

District officials counter that all possible sites were carefully evaluated over the course of a 10-year period by a committee that included a representative from Wetlands Watch.

In addition, they said, the proximity of the school to the slough will give students an opportunity to study the unique ecosystem as part of an environmental studies program, much the same way that San Lorenzo Valley students study the coliform levels of the San Lorenzo River.

Casey also argued that the new school is urgently needed to ease the pressure on two of the district's high schools.

"This high school is urgently needed to ease overcrowding in the district's other two high school," Casey said. "Aptos High School, designed and constructed to house 1,400 students, is currently housing approximately 2,200 students. Watsonville High School, designed and constructed to house 1,800 students, hit its highest capacity of over 2,500 students this year. Projections indicate that by the year 2007-2008, the district must be able to house approximately an additional 2,000 or more high school students. Any delay will have a detrimental effect on the quality of education for PVUSD students who attend increasingly over-crowded schools."

The statement also said the district is targeting a September 2001 opening for the technologically advanced campus which will feature a 400-seat performing arts center, a data networked media center, a 2,000-seat gymnasium, and 10 state-of-the-art science labs. The school will also have a natural sciences study center on site, and the district will be acquiring a nine-acre portion of wetlands on the upper end of West Struve Slough for environmental preservation.

Wednesday, October 28, 1998

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Site for new high school approved

Watsonville plan hinges on passage of local and state bond measures

By MICHAEL MERRILL
Sentinel staff writer

WATSONVILLE —The Pajaro Valley Unified School District's plan to build a third high school made it over a major hurdle Tuesday when state officials gave it the green light.

The district must still run the gauntlet between an environmental lawsuit and two key school bonds that need two-thirds voter support, but that didn't dampen the spirits of Superintendent John Casey, who described the approval as very good news.

The Division of the State Architect approved the school's construction plans last week, while the state Department of Education approved the proposed Harkins Slough Road site Tuesday.

"These approvals represent major landmarks in the building of the new high school," Casey said.

The project now depends on the passage of Measure E, the Pajaro district's $67.5 million facilities bond, and the state school facilities bond (1A), as well as the district's acquisition of the site.

A suit filed by Watsonville Wetlands Watch contesting the district's environmental impact report on the project does not represent a major stumbling block, according to district Trustee Jamie Marks.

"The suit is regarding the EIR, not the site itself," Marks said.

She said the report will stand up in court.

"I am confident with this report," Marks said. "It solves all issues of buffers, setbacks, drainage and environmental preservation."

Because the site is located in the coastal zone west of Highway 1, it was initially opposed by several environmental groups. But when the site was officially chosen last summer, most of the resistance tapered off. The lawsuit represents the last environmental hurdle, district officials said.

Casey pointed out that even though the site is west of the highway, it is still within the city of Watsonville. He said its location in the coastal zone will actually be a plus for students.

"We can support environmental studies," Casey said. "What a great location. We have even offered to buy all 100 acres to keep and preserve."

The remaining threats to the school come in three forms:

- If Measure E fails and Proposition 1A passes, the district will not be able to access state matching funds. Casey said even if the local bond passes at a later date, in all likelihood the state money will go to districts that pass bonds in November.
- If Measure E passes and Proposition 1A does not, "We would be in-line for the next state bond," Casey said. "We can complete about 60 percent of our projects with our own money. In reality, there is a strong likelihood that 1A will pass."
- If Measure E and Proposition 1A both fail, the district board will meet Nov. 4 to look at alternatives, such as year-round sessions and extended hours, to deal with the district's growing student population.

11/4/98

Local school bond fails again

$67 million bond misses the two-thirds mark

By DAVID PACINI
STAFF WRITER

WATSONVILLE — The failure of the second local school facilities bond in six months should come as no surprise because both were too bloated with unnecessary items, said a Measure E opponent this morning.

Despite supporting the Pajaro Valley Unified School District's Measure E by a solid 61.6 percent margin, voters failed to reach the necessary two-thirds yes vote needed to pass the initiative.

No on E member Lisa Kramer said that voters were unmoved by a large scale campaign in support of the $67 million bond measure because Measure E looked too much like Measure A, which was rejected at the polls in June.

"People were voting the same way as they did last time," Kramer said. "Basically, it was the same bond and it was a bad bond. What the school district needs to do is honestly evaluate the bond. Last time they said if we just do a bigger push, we'll pass the bond, but voters have strong opinions on the problems in the bond."

Kramer said the bond sought too much money for things other than classroom space, like gymnasiums and performing arts centers.

"Why weren't there more classrooms available in the bond?" Kramer said. "We really did spend a lot of time negotiating with (district superintendent) Casey before they came out with it. If we could come up with something that would do what they say, we could have a much smaller bond and accomplish exactly what we need to do. We need to look at both sides of the district."

See MEASURE E, page 8

David Pacini

Yes on E campaign organizers Barbara Palmer (left) and Donna Maher watch early returns at the Seascape resort Tuesday night.

MEASURE E

From page 1

The measure's defeat prompted supporters to ponder how to solve what they say is a serious overcrowding problem in the district's high schools.

"Our opponents only have to get one third of the vote plus one to win," said PVUSD Trustee Willie Yahiro at a election party at the Seascape resort Tuesday night. "But the 'No on E' people have never explained to anyone what their solution is to overcrowding. They haven't come up with any good recommendations to solve that problem."

Marc Monte, the organizer of the yearly Reach for the Stars fireworks event that benefits schools, said those who voted no on the measure failed to see the big picture.

"When you put no on that ballot, you're saying 'I don't care about school kids,'" said Monte. "It's that small thinking that ruins the efforts of the (Rudolph F. Monte) foundation that's trying to bring people together."

Measure E supporter Mas Hashimoto, who taught at Watsonville High School for 36 years, said that getting a two-thirds vote on a bond was a tough challenge.

"For politicians, 55 percent is a landslide," Hashimoto said.

Hashimoto also said that walking precincts for the measure in the Bay and Pajaro Village areas renewed his faith in the good intentions of voters.

PV may try bond measure again

4/51
98

By MICHAEL MERRILL
Sentinel staff writer

WATSONVILLE — Pajaro Valley Unified School District trustees are 0 for 2 in their attempts to pass a bond measure.

On Wednesday they suggested a third time might be the charm. If not, the only option left to relieve district overcrowding is year-round schools and double sessions, they said.

With the failure of Measure E — the district's $67.5 million school facilities bond — still fresh in their minds, trustees on Wednesday pondered their options.

The next opportunity to ask voters to approve a bond is in March. If the district decides to go for a third attempt and fails, trustees said Wednesday night there will be no state matching funds available for the next six years. When Measure E failed to garner the required two-thirds majority support

Please see BOND — BACK PAGE

Bond

Continued from Page A1

Tuesday, $47 million in state money was pulled from the table, trustees said.

Trustee Doug Kaplan said before the board decides whether to pursue another bond measure, trustees must find out why voters twice within five months rebuked the district.

"We tried a second time and the voters said no," Kaplan said. "We need to know all the reasons. Is it lack of trust or is the cost too much?"

Kaplan said the district has three main needs: a third high school must be built, Aptos High School must be finished and a new elementary school must be built in Watsonville. He suggested the district reduce the bond amount so just those three projects can be completed before the state money dries up. If not, the district will have to find a way to fund the projects itself, which could mean massive cuts in school programs, trustees said.

Superintendent John Casey said the decision to try a third time must be made by December.

"Proposition 1A (the state's $9 billion bond measure) has passed," Casey said. "There is money at the state level for projects, but the clock is ticking. We need to either go for it or give it up."

Casey noted that there is a huge level of support for the bond within the district, just not the two-thirds majority needed for new taxes.

"We will end up with about 62 percent (of the vote)," Casey said. "When you look at it, only 38 percent were opposed."

While most of Measure E's most vocal opponents hailed from Aptos, preliminary numbers indicate that, just like in June, many Aptos voters were willing to pay the $49.50 per $100,000 in property value it would have cost them annually. The community held pockets of overwhelming support for the measure. The Aptos Public Library precinct rallied behind the bond and racked up an impressive 74 percent approval. Voters who cast their ballots at 9550 Monroe St. voted 72 percent in favor.

In Watsonville, voters in the YWCA precinct on East Beach Street and at the Watsonville Fire Station offered 74 percent support. Watsonville, however, also had the precinct with the second lowest level of support. Voters at the Pajaro Village Recreation Room, a senior retirement neighborhood, were the second lowest with only 50 percent in favor — eclipsed only by those voting at Christ Lutheran Church, 10707 Soquel Drive in Aptos. There the bond only managed to earn the nod of 45 percent of the voters.

Voters at the Casserly Community Center, another Watsonville district, managed only 51 percent. Freedom, Pinto Lake and Corralitos voters also rejected the bond, averaging 57 percent in favor. Most other Watsonville districts did not meet the two-thirds requirement.

One thing most residents and trustees agree on is that both Aptos and Watsonville high schools are bursting at the seams and running out of room to add more portable classrooms. And even if a third bond is successful, the schools may still need to go to double sessions, year-round schedules or possibly both until the third high school and a new elementary school are completed, trustees said.

Register-Pajaronian

11/5/98

131st Year — No. 207

PVUSD ponders a third bond

By DAVID PACINI
STAFF WRITER

WATSONVILLE — With state matching funds as an incentive, local school board trustees renewed their commitment Wednesday to passing a facilities bond, despite two failed efforts in six months.

"Whether the reason is lack of trust of the district, or too much (tax) money, or whether it's secession issues, we failed," said Pajaro Valley Unified School District Trustee Jane Barr. "It doesn't mean the need for a new high school goes away," she said at the board's regular meeting.

Voters Tuesday supported Measure E to the tune of about 61 percent, failing to muster the two-thirds needed to pass the $67 million bond. A $75 million bond failed by a comparable margin in June. Statewide, voters approved a $9 billion state school bond Tuesday, making funds available for construction and repair of schools for districts that pass bonds before the state money runs out.

"We need a new high school," said Trustee Doug Kaplan. "We also need to build (the) Franich (site) elementary school. We've already borrowed money for that. We need to get on the ballot as soon as possible to qualify for state money... We need a reduced package and couple it with a commitment from the state board to put the issue of secession before voters."

District Superintendent John Casey said that the most likely scenario is to hold a special election in June.

"We have to make a conscious decision," Casey said. "Either we go for it or we give it up. The consultants say the (state) money will be available for about a year and a half."

Trustees also briefly discussed the possibility of having the district's high schools, Aptos High and Watsonville High, adopt year-round schedules and double sessions to ease overcrowding.

See PVUSD, page 10

PVUSD

From page 1

The most contentious issue discussed at the board meeting was raised when Kaplan showed other board members charts related to the distribution of categorical funds throughout the district's schools. Those charts clearly show that a large majority of the state funds for students with special needs goes to Watsonville-area schools rather than Aptos-area schools.

"I ask you to spend a moment trying to see this through the eyes of an Aptos trustee," Kaplan said. "This is a district that's adopted site-based decision making. Schools are going to need discretionary money in order to make site-based decision-making work in the next few years."

Trustees Willie Yahiro and Roberto Garcia took issue with Kaplan, arguing that his presentation was misleading because the district has no control over the distribution of categorical funds.

Trustees also voted to fund two additional academic counselors, one for each of the district's high schools.

Pajaro considers using offices for class space

By MICHAEL MERRILL
Sentinel staff writer

WATSONVILLE — Faced with growing enrollment and a failed bond measure that would have financed a third high school, the Pajaro Valley school board is thinking about converting the district headquarters into classrooms.

Moving the offices elsewhere would create room for 25 classrooms, district officials told trustees at a special meeting Monday. The headquarters is located on the campus of Watsonville High School.

Associate Superintendent Terry McHenry said the district can expect 300 to 400 more high school students in the next two years. Because Aptos High School has no room to expand, the growth will have to be accommodated at already crowded Watsonville High, he said.

Options include moving the freshmen class back into the middle schools and creating an unprecedented four-grade middle school system, setting up additional portable classrooms in the Watsonville High parking lot and ball field or moving the district's headquarters into the old Watsonville Community Hospital on Green Valley Road.

The district currently pays approximately 70 cents per square foot for other office space in the Porter Building on Main Street. If it moves to a new location, and eliminates the need for that space, it appears any increase in rent would be counterbalanced by the savings in current rent and a reduction in the need for portable classrooms. Financially, moving to new quarters may not result in higher costs to the district, officials reported.

McHenry said two groups have come forward with proposals to provide space for the same amount or less.

Dave Smith and John Frye, executives with CDM Development, a development and property management company, urged the board to allow them to build a new facility for the district at Anna Street and Hangar Way.

Smith said the 6-acre site would accommodate a 67,000-square-foot facility on three levels.

The vacant Watsonville Hospital, would offer the district 93,000 square feet at a cost of about 53 cents per square foot.

Developer Don Gardiner, who oversees the Westridge Project Site and other properties in the city, said his company also would allow up to $400,000 in credit to customize the hospital.

The city of Watsonville is eager to find a use for the property and has agreed to fast-track the permit process if the district agrees to move.

Overcrowding solutions considered

Measure E failure forces trustees to explore other options

By DAVID PACINI
STAFF WRITER

WATSONVILLE — The failure of a local bond measure intended to help finance the construction of a new high school has local school board members casting far and wide for possible solutions to the problem, one of which would be to move the adult school to a new location and use the Radcliff building for a neighborhood school.

Pajaro Valley Unified School District President Sharon Gray said this morning that moving the adult school away from Radcliff to the old Watsonville Community Hospital site or to another location would inconvenience the adult school's students, many of whom walk to their classes.

Gray also said that some of the other options being considered include alternative schools, expanded hours for existing schools, double sessions, expanding Watsonville High School, and year-round schools with three-semester schedules.

"Three semesters might fit very nicely with our migrant population," Gray said.

Gray also said more research is needed before any decisions can be made.

"It all depends on the amount of money and how far down the line it's going to be before we get a new high school," Gray said. "The board wants staff to sit down and explore everything."

Gray said that the board heard presentations from two developers at a special meeting Monday on other options. One option is to have a new 67,000 square foot facility built for the district at Auna Street and Hangar Way. Another is to use the old hospital building for district needs.

In addition, said Gray, trustees talked briefly about moving the district offices to another location and using that building space for classrooms.

"Moving the district office is just one approach to solving overcrowding," said Gray. "We also have four or five district offices at Alianza that we could move to use to make room for students.

"We're nowhere near making a call on this," Gray said. "The board is exploring every last option we can to see that our kids are provided for."

12/10/98

New high school plans move ahead

By DAVID PACINI
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — Over the objections of environmentalists, trustees of the local school board unanimously reaffirmed their belief that the Harkins Slough Road site represents the best choice for the New Millennium High school.

"I saw in the paper where board members said the environmental concerns about this site have been dealt with, which is nonsense," said Surfrider Foundation representation Frojon Banwell at the Wednesday evening Pajaro Valley Unified School District board meeting. "Please do not ask us to put on blinders and look only at the school site itself. There will be impacts to the wetlands properties around it. You should recognize it now instead of having kids come to you in 15 years and ask, 'Why did you destroy our wetlands?'"

Banwell added that if the board seeks another bond for the school, the group will fight the bond measure because of the board's insistence on using this site.

Board members and a lawyer for the district, Harold Freeman, argued that no perfect site exists for the school, and that building the school at the Harkins Slough Road site will have the least onerous effect on the environment. They also said that 18 sites have been carefully considered over the course of about 10 years, and environmental groups participated in selecting the Harkins Slough site as the best one available.

See PVUSD, page 7

Register-Pajaronian

David Pacini/Register-Pajaronian

Trustee Roberto Garcia (right) and Marcia Meyer (left) thank retiring Director of New Construction and Governmental Relations Richard Meyer for his 10 years of service to the district. Meyer was credited at the Pajaro Valley Unified School District meeting Wednesday night with overseeing construction of Watsonville High through a difficult period of the district's history, which included earthquakes, floods, and rapid growth.

PVUSD

from page 1

They also discussed the shortcomings of another site suggested as an alternative, the Francheske property behind the Overlook shopping center, as too small for the district's needs.

"We've tried very hard to create a school that mitigates current impacts," said Trustee Jamie Marks, who added that students of the new school will be taught about the wetlands surrounding the facility. "If we don't take it on as our responsibility as educators to teach them about the wetlands, nobody else will do it. I think we have a good property here."

Board members also directed district staff to apply for hardship funds for the district and agreed with Superintendent John Casey's suggestion that figuring out why two recent school facilities bond measure failed is crucial to any future efforts to pass a bond.

"A bond will never pass without addressing secession," audience member Nancy Bensen told the board, adding that the overcrowding at Aptos High is more severe than the overcrowding at Watsonville High.

Trustees also heard a preliminary report from Assistant Superintendent Terry McHenry on possible places to house the 800 to 900 new students expected to enroll at Watsonville High next year. Putting portables on the school's softball field or using the district office space as classroom space were discussed as possibilities.

In other news, the trustees elected Willie Yahiro and Evelyn Volpa as president and vice president of the board, respectively, and made appointments to the board's various committees.

"Although he opposed me with sometimes bellicose and disparaging comments against my being president, I support his presidency," said outgoing board president Sharon Gray of Yahiro.

Pajaro trustees put off vote on eminent domain

By JOHN SANFORD
Sentinel staff writer

WATSONVILLE — Pajaro Valley Unified School District trustees on Wednesday postponed a vote on whether to use their power of eminent domain to acquire land for a third high school.

The resolution would have given the district the legal green light to invoke a state law that gives government agencies the right to acquire private land for the public good.

However, an attorney for the property owners, Ralph and Kathleen Edwards, asked trustees to postpone the vote until January to allow the Edwards' lawyer time to review a district staff report about the acquisition.

Choosing a school site has pit the district against environmentalists, who have filed two lawsuits contending that an environmental-impact report on the site, at Harkins Slough and Lee roads, is inadequate. District officials say the environmental groups are skewing the facts to stop construction on the land.

At Wednesday's public hearing, environmentalists were once again outspoken in their opposition, suggesting they would mount fierce opposition if the district attempts to pass another bond to raise money for construction of the school.

Supporters of the school were hoping for passage of Measure E, a bond measure on the November ballot that would have given the district $67.5 million for school facilities. It didn't.

The environmental-impact report was certified in 1997 but contested in a joint lawsuit brought by two environmental groups in July of 1997.

A second lawsuit was brought by the same groups in October, this time contending that a revised EIR was still inadequate.

Harold M. Freiman, an attorney for the school district, said a court date will probably be scheduled for March or April.

12/14/98

Group creates vision for Pajaro Valley

Consensus plan sought that brings together traditional adversaries

By DAVID PACINI
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — A group of about 20 people has begun to work on developing a long-term shared vision for the Pajaro Valley that brings traditional adversaries together, after seeing the process work well in other communities.

Participant and former Watsonville Mayor Dennis Osmer said this morning that the Pajaro Valley Community Visioning Group believes it can create more cooperation than government agencies have so far been able to bring about.

"The alternative (government and the General Plan) sure as hell isn't working," Osmer said. "That process brings people together — in court."

The visioning group, which includes members from many community groups, has so far avoided being taken over by any one special interest group, Osmer said. He also said that similar consensus-building planning groups have been successful in San Luis Obispo County and Bakersfield.

"What attracts me about it is it's something that's been very successful in a lot of communities," Osmer said. "We have to admit is that what government is doing in terms of planning for the future is simply not working. This is about bringing people together where the direction isn't decided ahead of time."

See VISIONING, page 6

VISIONING

From page 1

Osmer said that local government agency meetings have failed to nurture compromise and are instead "a place to beat somebody over the head with your plan. This (visioning process) is a place to bring people together to achieve a greater consensus if we do it right."

Osmer said the group's biggest potential pitfall is to become associated too closely with one fringe group or another.

"That's one of our biggest problems, is trying to achieve some direction facing the strength of these special interest groups," he said. "I think this is something that we should include people from the other end of the county in. It would be a way to get them to help out constructively in some of the problems we face. So far that hasn't happened, and it's still not a popular idea. I think it has to do with the magnitude of the task of starting this, as opposed to any bad feelings."

The group held an all-day meeting Sept. 26 to agree on the basic objectives of the process and talk about how to go about achieving them. That meeting was facilitated by Daniel Iacofano and Jeff Loux of Moore, Iacafano and Goltsman, Inc., an urban planning firm with experience designing visioning processes.

At that meeting, participants agreed on a list of goals, including protecting natural resources, providing for stable businesses that give back to the local community, diversifying the economy and creating a wide array of jobs with adequate living wages, and developing Watsonville as the vibrant hub of the valley with a strong downtown surrounded by neighborhoods that are self-contained with housing, schools, parks, shopping, and jobs.

12/17/98

Watsonville High to grow by 800 over next 3 years

Aptos High enrollment will stay the same

By DAVID PACINI
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — With overcrowding already stressing both its comprehensive high school campuses, the local school district will have to house 800 or more additional high school students in the next three years.

Local school board trustees voted unanimously Wednesday to accommodate all that growth at Watsonville High School and to cap enrollment at Aptos High School at its present level of 2,200 students.

"I'm asking the board to reinforce that we will use Watsonville High for the future needs of students until a third high school is built," Pajaro Valley Unified School District board president Willie Yahiro said. "Aptos is locked in at the level we are at now."

District Superintendent John Casey said this morning that officials developed a long list of options for housing the students until a third high school is built to accommodate them.

Trustees chose the option of putting portables on the Watsonville High campus as a way of keeping all the students on the high school campus and making the fewest number of changes in the use of existing district facilities.

Casey also said that the infrastructure at the Aptos High campus wouldn't support any more growth.

Trustees voted to send out a request for proposals on leasing or buying space needed for a number of purposes, either in one large facility or in several smaller ones.

Trustees also requested staff members to bring them more information on kinds of portables available. No decision was made regarding where the portables needed for 250 to 300 new students next year will be placed on the Watsonville High campus.

See ENROLLMENT, page 7

David Pacini/Register-Pajaronian

Terry McHenry of the Pajaro Valley Unified School District shows board trustees different locations portable classrooms can be placed on the Watsonville High School campus over the next three years.

ENROLLMENT

From page 1

Trustees discussed two sites on the campus for the placement of the portables: the space occupied now by district offices, and an area that encroaches on the softball field.

The request for proposals seeks a total of 70,000 square feet of space that will accommodate different purposes. The proposals are being sought by Jan. 11, in time for trustees to consider them at their Jan. 13 meeting.

Current enrollment at Watsonville High School is 2,500.

State Board of Education Sets January Date for Aptos Secession Hearing

by Jim Johnson

After a year and a half, and two attempts to pass a school facilities bond, the Aptos secession petition is back on the State Board of Education's agenda. Board President Bill Lucia confirmed that the petition will be heard before the board on Jan. 7 in Sacramento. Lucia said it is time to decide what to do with the petition.

"It's just time to consider what to do with [the petition]," Lucia said. "It's been hanging around for a long time."

A group of Aptos parents have been trying for years to form a new Aptos Unified School District. However, this means that the Pajaro Valley Unified School District would lose about half the district's facilities and about 40 percent of the district's students.

When the petition was first submitted to the state board in 1996, the board was poised to deny the proposal based on the lack of facilities in the southern part of the Pajaro District. After some debate, state board members decided to postpone a ruling until several issues could be resolved at the district level. School overcrowding and the need for a new high school in the Pajaro District were among the issues. Since then, two separate school facilities bond measures have been defeated.

Lucia said that the State Department of Education's staff recommendation will likely be for denial, considering that he believes nothing has changed about the petition.

"If we have an old petition with no new information, it would be hard for the board to support it," Lucia said. "I think [the recommendation] will be for denial. I don't think anything has changed."

If the state board does decide to look at the issue again, Lucia said it will probably ask for an updated analysis regarding the secession petition.

Secession leader Barbara Palmer expressed little optimism about the petition's chances at the state board because of the community's unsuccessful attempts to pass a bond. Palmer supported the bond and helped campaign for its passage.

"Unfortunately, I think we have a very slim chance without resolving the facilities issue," Palmer said.

Palmer said that she believes the state board may put the secession issue on the ballot to resolve the secession issue before another bond issue is put to voters. However, state board representatives have consistently said that without the assurances of a bond, voters should not consider secession.

Palmer said the Pajaro board is being very creative with attempts to solve the facilities issue short of a bond. She said that the District may be eligible for state hardship funds.

"They're looking at vocational schools, hardship funds, and moving the district headquarters and using that building for classrooms," Palmer said. "Hardship funds could build a third high school without going to the community for a bond. We were told we weren't eligible for hardship funds but there's an estimated 50 school districts that have tried to pass bonds that received those funds. Maybe we can get facilities that way."

Trustee Willie Yahiro said he thinks it's time to resolve the secession issue. Yahiro has opposed the secession attempt.

"I don't have a problem with it," Yahiro said. "I think it's good to bring it up to the state board level and get it resolved."

Trustee Jamie Marks said the Pajaro board won't support the petition at the state board because the facilities question has not yet been answered.

"We still don't have a place to put the kids," Marks said.

Aptos parent Lisa Kramer, who supports the secession effort but opposed the school bonds, said the petition's appearance on the state board's agenda came as a surprise to her.

> **It took everybody by surprise. ... It seems like an attempt to kill the reorganization.**
>
> **— Lisa Kramer**

"It took everybody by surprise," Kramer said. "It seems like an attempt to kill the reorganization."

The Pajaro Valley Federation of Teachers, the PVUSD teachers union, took the strongest stance against the secession petition's appearance on the state board agenda. The PVFT sent out a letter asking for help opposing the petition at the state board meeting. PVFT President Carolyn Savino and Field Representative Rhea DeHart signed the letter.

The letter said the petition did not meet the state board's criteria for reorganization and "is predicated upon the concerns of people who do not have the best interests of students as their priority."

Palmer immediately objected to the letter, calling it unfair and hypocritical.

"I worked so hard to pass a bond for all the children in the district and the PVFT chose not to work at all. These people [at the PVFT] have done more to create problems than to find a solution," Palmer said. ☐

The Mid-County Post

SCHOOLS

Pajaro Schools Look at Different Ways to Solve Overcrowding Dilemma

With No Relief in Sight, South County Schools Search For Alternatives to Add Classrooms

The Mid County Post ... January 5, 1999 – January 18, 1999

by Jim Johnson

After the failure of two separate school facilities bond measures last year, Pajaro Valley Unified School District officials are scrambling to meet the district's growing facilities demands.

Not only are district's existing schools overcrowded, but an increase of 800 students is predicted for the 1999-2000 school year. With no bond funds available to build new schools, or expand current facilities, district chiefs are being forced to get creative.

"The biggest problem is [where do] 800 kids go?" PVUSD trustee Willie Yahiro said.

The solutions suggested range from the long-term to the short-term. In the long-term, the district is applying for hardship funds under recently-passed State Bond 1A to help pay for a new high school and other projects. In the short-term, the district has decided to acquire more portable classrooms over the next three years, and is considering moving the district headquarters to accommodate them.

Yahiro said the school district wasn't entirely unprepared for the necessity of instituting short-term solutions to its overcrowding problems.

"Even if we had passed the bond [to build] a third high school, we would have been overcrowded, especially until the third high school was built," Yahiro said.

PVUSD trustee Dan Hankemeier said the school district is operating in a crisis status as far as facilities are concerned.

"Everything we do right now is a short-term solution," Hankemeier said. "We need the new high school, we need the new high school site."

Will Hardship Funds Replace Bond Monies?

According to Yahiro, he and fellow trustees Sharon Gray and Evelyn Volpa recently attended a conference on hardship funds. Yahiro said the district has applied for the funds.

"The [hardship funds] criteria haven't been developed by the state, yet," Yahiro said. "There's some hope there but not something we can count on."

Hankemeier said the school district may have a shot at the hardship funds because of its two failed bond attempts.

"Since we had over 50 percent of the vote and tried twice, there may be some state support to help us build a high school," Hankemeier said. "I do think it's a long shot."

Volpa said she is more optimistic about the possibility of acquiring hardship funds, especially for two proposed projects — the construction of the Franich Elementary and the conversion of Radcliffe school to an elementary campus.

Hankemeier said the district should know by January whether it qualifies.

Yahiro said another facilities bond may also be considered as part of a long-range solution.

Aptos parent Lisa Kramer is among those promoting the idea that an alternate site for the new high school in Watsonville should be sought. Kramer said the Harkins Slough site is currently the subject of a lawsuit by environmental groups and, as such, does not qualify for state matching funds. Kramer and others are suggesting a 52-acre site near the Overlook Shop-

ping Center as an alternative.

"There's housing and development going in there so there's roads and sidewalks and [other infrastructure]," Kramer said. "We're really promoting that site because we could get matching state funds. And, if it's annexed in the future, there would be no [need to gain approval from] LAFCO or the Coastal Commission. [The area] would be zoned light industrial."

Portables and More Portables

In the short-term, Yahiro said the board has adopted a three-year plan to bring in more portable classrooms at Watsonville High. The plan was adopted at a special board meeting a week before Christmas, Yahiro said.

> **At this point, moving the district offces is just a thought. There's a lot more information that will be needed as far as cost and cost savings.**
>
> **—Evelyn Volpa**

Other options discussed at the meeting included converting Alianza Elementary into a third high school, and converting Pajaro Middle School into a ninth grade school.

"We decided it was a good idea to not displace a lot of students and to put all the overcrowding at Watsonville High," Yahiro said. "Aptos High is capped at 2,300 kids. There's no more room there. We're adding 10 portables next year and adding 30 portables over the next three years at Watsonville High. Watsonville High might get up to 3,000 kids over the next three years."

Yahiro said the dilemma remaining is where to put the portables. The first 10 portables already have a location on campus but the additional 20 modular classrooms need a spot.

Yahiro said placing the portables on the Watsonville High football and baseball fields was proposed, but swiftly rejected.

Yahiro said the plan he supports is a wide-ranging one which includes moving the district headquarters to a more central location, such as the old Watsonville Hospital facility, and moving the portables onto that property.

Former Watsonville Hospital Site Again Under Consideration

Yahiro said the old Watsonville Hospital facility is ideally equipped for a district headquarters site. He said the old Hospital's cafeteria could be used to centralize the school district's food preparation services into one location.

Hankemeier said the old hospital facility would seem to fit the district's needs but there is more study to be done about the plan's fiscal feasibility.

"And, it would allow us to centralize everything," Hankemeier said.

The former Watsonville Hospital site was closed because of seismic damage sustained at the facility during the 1989 Loma Prieta Earthquake.

Yahiro said moving the district headquarters would require the district to send out a request for proposals about potential sites, which would have to include adequate office and classroom space, and be centrally-located in the district boundaries.

The plan would also include moving the alternative education classes from the Radcliffe and Alianza campuses to the new district headquarters, and making those schools K-5 facilities. That would eliminate the need to construct the proposed new Franich Elementary school.

"It has a domino effect that I like," Yahiro said, adding that the plan could be paid for with currently budgeted funds.

Yahiro said the school district has $500,000 to $600,000 in the budget to cover rent on any facility the district might choose for its new headquarters. Yahiro said the board expressed a clear preference to rent a facility rather than construct an expensive new one.

Volpa was a little more cautious in her evaluation of the plan.

"At this point, moving the district offices is just a thought," Volpa said. "There's a lot more information that will be needed as far as cost and cost savings."

Trustee Jamie Marks said she agrees that something needs to be done about the school district's overcrowding problem. What, she said, remains to be seen.

"We're going to have to do something like that," Marks said. "We have a lot of eighth graders who need places to sit. I am still unconvinced that we can afford [to move the district headquarters]. I don't want to be forced into moving everything to Watsonville Hospital. I don't know if that makes sense."

Marks said she is also opposed to putting the portables on the Watsonville High football or baseball fields, or the school's parking lots. But she said she would consider using the school's Agricultural program area as a possible site.

"If we could move the Ag program, that could work," Marks said. "I don't think we could take any parking space without causing the city a parking problem."

Aptos parent Kramer said it's about time the school district began planning for overcrowding, even in the short-term. Kramer was one of the organizers of the campaign against the district's last bond measure.

"It seems like we have some short-term planning, as opposed to before, when we didn't have a back-up plan," Kramer said. ❐

School district to use eminent domain on new high scl

By DAVID PACINI
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — Officials of the local school district will ask trustees Wednesday to force the owners of the Edwards property to sell it for the construction of a new high school.

Authorizing staffers to pursue taking the property through eminent domain will require a two-thirds vote of the seven-member board.

School officials argue the action is necessary because the district desperately needs a third high school and that the Edwards property has been found, after an exhaustive search, to be the single best site for the school. As required by law, officials have made an offer on the property.

According to officials, the Edwards property was one of the few suitable sites within city limits for the school. The district is expected to pay about $1.5 million for the property.

"There are numerous constraints on available land in the Watsonville area," the district's project description reads. "There exists only a fairly limited supply of land that can be developed, and of that which does exist, a great amount is on prime agricultural land. The State Department of Education also will not approve a school within two miles of an active airport. The location of Watsonville Airport thus further limits possible school site locations."

According to the district's project description, overcrowding at the di: schools tions." Ap house 1,4(dating 2,2(sonville Hi students, 1 year. By th expects to school stud s.

1/26/99

SCHOOL SITE

From page 1

The property comprises about 70.8 acres of an approximate 117.24 acre parcel in the west portion of Watsonville. The property is located north of Harkins Slough Road at the intersection of Lee Road, west of Highway 1.

The third high school proposed for construction on the site will consist of about 213,000 square feet in 10 one- and two-story structures. The design calls for 82 classrooms, an administrative office building, a library, a cafeteria, a gymnasium, and storage and faculty space. It would house 2,200 students. It would also include a nine-acre biological restoration area and will have a 200 foot agricultural buffer.

In other business, trustees will be asked to approve an interim plan to attract substitute teachers that includes a pay raise, from $82 to $126.28 for full days for substitutes who agree to work 90 days a year for the district. The plan also includes a raise for current district teachers who agree to substitute from $82 to $140.

School board forces property owners to sell

1/29/99

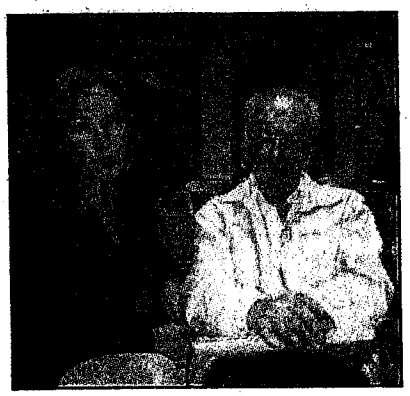
By DAVID PACINI
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — Saying it gave them no pleasure to do it, local school board members voted unanimously Wednesday to begin the legal process of forcing Ralph and Kathleen Edwards to sell part of their property to the district for a new high school.

"I started losing sleep over this issue some time ago and that continued through last night," said Aptos area Trustee Evelyn Volpa. "I do have a lot of misgivings about the site, but I also understand the parameters (faced by the district). Being a new board member, this is probably one of the worst decisions I'll have to make."

The vote on the action, known as eminent domain, came as district officials applied to the state for hardship funds to build a third high school in the district to alleviate overcrowding at Aptos and Watsonville high schools. The selection of a site is believed to give the district an improved chance at securing the state hardship funds, which it is eligible for after the failure of two bonds.

The district will pay about $1.5 million for the property.



David Pacini

Attorney Christine Haas (left) discusses the school board's vote Wednesday night with her client, property owner Ralph Edwards.

A lawyer for the Edwards, Christine Haas, argued that the seizure of the property would not represent the greatest public good and least private injury as required by law. Specifically, she said, the district's demand for almost 71 acres far exceeded its need and posed serious environmental threats to Harkins Slough.

"This isn't based on the greatest public good," Haas said.

See PVUSD, page 6

PVUSD

From page 1

"It's based on the greatest district desires. It appears to me that this hearing is a sham. Equity has to play a part in this process — it's just not fair to them. I request the district reconsider other alternatives."

Haas told board members that a better site, with flatter terrain upon which no pesticides had been applied for some time, exists right across the street, but school board officials said all alternative sites had been exhaustively examined, and that the Edwards site had the fewest problems.

Local resident Tim Moore challenged the district's legal right to seize the property for its use. "You don't even have the money to buy the property," Moore told trustees.

Moore accused the board of being in collusion with city officials in a conspiracy to develop land west of Highway 1, drawing an angry denial from Trustee Dan Hankemeier.

Trustees must find a way to house an expected increase of about 2,000 students over the next 10 years. The district's two high schools, designed to jointly house 3,200 students, now accommodate 4,560 students.

2/22/99

REGISTER-PAJARONIAN

School

It's time to address overcrowding

Juan Carlos Fonseca

Local columnist

The most pressing issue in our school district is the overcrowded conditions in which we find ourselves. Bond issues did not work, so we must turn to the state for help and press ahead. This means we must expand and build new facilities to accommodate our burgeoning population. We need a new high school and a place to build it.

As usual, the question of where becomes an issue. As you know, we now have a site. Many don't know exactly where or how this site came to be. Let me be your unofficial tour guide and present the who, what, where, when, how and why of what has been happening. This task has been a very difficult and complicated one for all involved. It should also be known that everyone involved deserves a lot of respect for taking on this thankless job. As all of you know, I have opinions. Let's get on with the tour.

The who part of this subject is the most precious, our children. They need a place to learn. For the last two years the school board has been looking for a site where they can erect a state of the art modern school that will be a showplace for our district. Willie Yahiro, our board president, and Dr. John Casey have studied various sites and have chosen the property.

This is a site I have a long history with and know very well. At this time the Edwards family owns and farms this property. Recently the board voted to acquire this property through eminent domain. As usual there are people who oppose this for many reasons. I will introduce you to them later in the column.

What has and is being done, is as follows. For the past two years, several sites have been scrutinized. Studies have been made and hearings held. Environmental impact reports were made. Three basic areas come to my mind, access, ecology and safety. I was told three EIRs were filed and a study from Caltrans found the site to be in a good location. A man from Sacramento, Dan Gargas, stamped a study made in 1997 saying that the site was a safe distance from the airport. This study is good and extends to the year 2002. In short, it appears that the process has been followed. Now we can apply for state emergency funds to build a new high school.

It is important to acquire the land now so that we may receive our funding in a timely fashion. I was told by Casey and Yahiro that this process has been an ongoing project for two years. I was told that there were notices posted in the paper and that the public has been invited to comment at all meetings.

The where issue is very interesting. I had the pleasure of some very informative conversations with Casey and Yahiro on this subject. Yahiro seemed to be the most knowledgeable. He grew up here so we were able to discuss the old site near Pinto Lake and many others.

For one reason or another all the other sites were found not to be suitable, leaving us with the site located at the intersection of Lee and Harkins Slough Road. This site also seems to have a lot of support from the city. I think that they see it as a growth area. Environmentalists think that this site is too close to wetland areas and are in opposition.

My personal opinion is that it is too close to the airport runway. I read that schools were supposed to be 2.5 miles away from runways. Many people who fly tend to believe the same as I do. I guess we are wrong. The city is of the opinion that this site is safe and has instructed Don French, the airport manager, to say that it is not dangerous, but of concern due to the traffic patterns. I asked Casey and Yahiro if they had flown over the site, they had not. They have a standing invitation with French to see first-hand their new acquisition from the air, and I am eager to hear what they have to say. I was assured that the site was thoroughly checked out and studied and that no danger exists. I stand corrected on this issue. I guess I was wrong.

Construction should start very soon. Our schools are filled beyond capacity. I am surprised that we have not gone back to double sessions or devised some flexible scheduling. At this time portables must be installed at Watsonville High School. Due to boundary changes there will be roughly 400 more students attending Watsonville High School alone. It is imperative that space be utilized like never before. This may even have to bite into athletic fields. Sacrifices must be made until the day we open that new school.

Before construction can start, however, there are more hurdles to clear. Very soon there will be a hearing about the wetlands issue and of course there is the Coastal Commission. If this site is passed or not, something must be done. We are already overdue, we are overcrowded now and the situation grows worse daily.

I hope this column has been informative. I tried to be as objective as possible. I have been criticized by some for not giving you all the facts. I had to leave out some facts in order to encapsulate my findings for this column. If you want to know more don't hesitate to call these numbers listed below. Superintendent Casey, 728-6200 ext. 503; Trustee Yahiro, 728-2210, bus. 728-1237; Trustee Barr, 728-3706; Trustee Garcia, 728-2128; Trustee Marks, 722-3185 Trustee Hankemeier, 728-1588; Don French, Airport Mgr., 728-6075; California Coastal Commission, 427-4863; Dan Gargas (engineer with Caltrans, Aeronautics Division) 916 654-4959, fax. 916 653-9531. Keep an eye open for my next column.

I have some exciting news about an idea given to me by Yahiro. This idea can settle the issues of secession and looks very promising. So until then, happy trails.

Juan Carlos Fonseca, a Corralitos resident and school teacher, is a contributing columnist to the Register-Pajaronian who writes on local education issues.

2/25/99

Hospital site OKd for school district offices

By DAVID PACINI
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — In a 4-3 vote, local school board trustees agreed to lease the old hospital site on Green Valley Road for district offices, but placed a $100,000 cap on the amount they would spend on tenant improvements.

Officials said the move is necessary because more room is needed on the Watsonville High campus, where district offices now sit, to house an expected increase of between 200 and 300 students next year.

A newly available alternative to the hospital site, the SCI building near the airport, was quickly dismissed as a poor option, largely because it could not be leased, only bought.

"We recommend you stay strong on the lease (not buy) choice," said Superintendent John Casey. Casey said leasing would allow district officials more flexibility in the future.

Trustee Sharon Gray, who voted against the lease along with Evelyn Volpa and Jane Barr, said it contained too many uncertainties.

"I went over the lease with a fine tooth comb and very frankly, this is the most loaded in favor of the land lord I've ever seen," Gray said.

School district offices moving to old hospital

By DAVID PACINI
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — School board members voted unanimously Wednesday night to move the district's administrative offices in order to make room on the Watsonville High campus for more students. In a separate vote, trustees voted 4-3 to lease space for district offices at the old Watsonville Community Hospital site.

"The reason I'm recommending the move to you, is if you take the district offices off (the campus) it's a good shake for the kids," said John Casey, the Pajaro Valley Unified School District superintendent.

District officials want the 25,000 square feet of space, now occupied by district offices and a warehouse, to accommodate portable classrooms for an expected 250-300 new students next year.

Trustees worried aloud that the move would be perceived by the public as an attempt by district officials to spend money on staff at a time when the district's two high schools are already overcrowded.

"I would have preferred a new high school, but we don't have a choice," said Trustee Jamie Marks.

A majority of board members — with trustees Evelyn Volpa, Jane Barr, and Sharon Gray dissenting — then gave district staff a green light to negotiate with the owners of the Watsonville hospital for district office space.

Preliminary negotiations have resulted in an offer of 73,638 square feet of space at $.52 per foot, resulting in a $38,357 per month — and $460,284 per year — cost. Operating costs and tenant improvements would bring the yearly cost to $557,486.

1/29/99

3/29/99

Neighborhood meeting focuses on Landmark

By JOHN VIEIRA
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — Residents, city officials, developers and environmentalists gathered together Saturday afternoon to create a vision for the Landmark property in Watsonville.

"It's just important to see what people think and what people want," said Al King, a developer.

The Landmark property is located south of Harkins Slough and continues to the railroad tracks near Highway 1. About 40 concerned citizens gathered at the Watsonville Community Center on Second Street Saturday afternoon to envision a neighborhood surrounding the Stone Creek Apartments, a 120-unit complex currently being built near the Landmark property.

"It's a good way to see what are the highest priorities," said Charles Eadie, assistant director of the Watsonville Community Development Department.

Foremost in nearly everyone's mind was a concern for the environment and a desire to keep area roads narrow to reduce traffic speed. After brainstorming their concerns and voting on which was most pressing, those at the meeting broke into groups and examined maps of the undeveloped property to create their vision of a neighborhood.

See LANDMARK, page 8

John Vieira/Register Pajaronian

Karell Reader (left), Felipe Hernandez (center) and Frank Barron (right) collaborate on designing a neighborhood development at the Landmark property site in Watsonville during a meeting Saturday afternoon.

LANDMARK

From page 1

For close to an hour, small groups consisting of residents, city officials, developers and environmentalist worked side by side in creating a new Watsonville neighborhood. The meeting room was a murmur of ideas, discussions and compromises in the formation of their community on paper.

"Everyone contributed a little," said Yoshiko Hiraga, a Watsonville resident.

At the completion of the workshop, each group gave a presentation of their newly envisioned community and discovered that each groups shared similar concerns.

"In having workshops like this, people learn that they have more in common than they think," said Dan Burden, who is director of Walkable Communities, Inc. and has facilitated "design charrettes" in 587 communities throughout the nation.

A joint meeting between the city council, parks and recreation commission and planning commission will be held at Watsonville City Hall from 4:30-6 p.m. and a community wrap-up session will be conducted at the Watsonville Community Center, on Second Street, from 6:30 p.m. to 8 p.m.

Ruling paves way for third PV high school

By TRINA KLEIST
Sentinel staff writer

WATSONVILLE — A third high school that would relieve severe overcrowding in the Pajaro Valley Unified School District moved closer to reality Friday when a Superior Court judge overturned an environmental lawsuit.

Judge Stephen McAdams ruled against Watsonville Wetlands Watch and the California Alliance for Resource Conservation. The groups had argued that an environmental-impact report filed for the proposed school did not address problems it could cause at nearby wetlands.

McAdams said the report was legally adequate, and that only the state Coastal Commission has the authority to decide whether the school plans pass muster under the California Coastal Act.

The school, yet to be named, would be built between Harkins Slough and Lee Road, west of Highway 1 at the north end of town. District Superintendent John Casey said he hopes to open the school to about 2,200 students for the 2001-2002 school year.

"I believe that the high school promotes environmental concerns very well with its environmentally focused curriculum," Casey said.

Friday's ruling was a victory for the district after a two-year legal tussle over environmental issues. If the environmental groups do not appeal the decision, district officials plan to approach the City Council in May to ask for a zoning change on the site, which is currently zoned for light industry.

Unified School District.

With the council's approval, the district would then go to the state Coastal Commission for final approval in June or July, Casey said.

The $40 million school would be built entirely with state money, and include facilities for teaching environmental science, said Casey, a former science teacher who majored in ecology.

Plans include 9 acres of habitat restoration, 10 acres of agricultural buffers, and an area where community groups can study the wetlands.

Students in the Rolling Hills Middle School attendance area would populate the new school.

District officials have been calling for a third school since 1986. Thirteen years later, Aptos High teaches 2,200 students at a campus built for 1,400; Watsonville High educates 2,400 at a facility designed for 1,800. The K-12 district continues to grow at a rate of about 600 students per year, and predicts needing space for an additional 2,000 high schoolers by 2007, according to court documents.

In 1992, a committee of environmentalists, county officials, farm leaders and educators selected the Harkins Slough site from 13 possibilities.

The two environmental groups challenged the district's environmental-impact report, prompting the district to write a second, more thorough study.

But the two groups challenged the second report, too, saying the site held superior agricultural land, which receives some protection under state law. However, soil experts called in by the district judged the parcel to be of "limited marginal agricultural viability" — a position sup-

Please see PV SCHOOL — Page A12

4/24/99

PV school

Continued from Page A1

ported by the Santa Cruz County Farm Bureau and the county Office of the Agricultural Commissioner, court records say.

The challengers also argued that the school construction plans did too little to protect wildlife habitat in the slough, and cited potential for erosion, toxic run-off, noise, light and other problems.

Another top concern was the school's potential for attracting development to the area, Christine Lyons of Wetlands Watch said. The site is surrounded by county lands that house a landfill and a jail.

Agriculture, with its pesticide run-off and erosion, causes the biggest impact on the Watsonville wetlands, which include a system of six interconnected sloughs, Lyons said.

A slough is a type of wetland, like a slow-running, marshy stream. The biologically productive region is home to a variety of waterfowl, small mammals, amphibians and insects. It is also a stop for migratory birds.

Sloughs also help filter water into coastal water tables. The Harkins Slough will play an important role in aquifer recharging in the Pajaro Valley's plan to increase local water supplies.

5/17/99

Study session set for new housing and school plans

By JOHN VIEIRA
REGISTER-PAJARONIAN STAFF REPORT

WATSONVILLE — Developers of the Franich Property and a new high school will present their preliminary plans before a joint meeting of the Watsonville City Council, Planning Commission and Parks and Recreation Commission Tuesday at 7 p.m. for input from the public and city officials.

"We're having the study session in order to allow the council and planning commission and parks and recreation commission to review the conceptual plan so that they can bring up any concerns at this time," said Watsonville Deputy City Manager Marcela Tavantzis.

The Franich Property is located on East Lake Avenue and is a total of about 49 acres. Proposed developments include a 14-acre park and about 23 acres for housing, of which nine acres will be affordable housing. Also, about nine acres have been proposed for a new elementary school.

The study session will also include information on the development of a new high school near Harkins Slough Road in the vicinity of Lee Road west of Highway 1.

Referred to as the New Millennium High School, the third high school for the Pajaro Valley Unified School District will help to ease the overcrowded conditions at Watsonville and Aptos high schools.

According to Associate Superintendent Terry McHenry, the school district has permanent facilities to house 3,200 students, but the combined enrollment of both high schools is close to 5,000. Almost 2,000 students are in portable units.

"The other two high schools are significantly overcrowded," said McHenry. "We're housing a large number of portables in both school sites but we're running out of room for that."

Funding for the new high school is expected to be approved by the state in the amount of $40 million, said McHenry. The funds will cover the cost of construction and interior furnishings of the school.

SC SENTINEL

7/20/99

July 8

Slough a poor school site

I believe Harkins Slough is not a good choice for the Pajaro School District's much needed high school.

The Coastal Commission, Fish and Game, Wetlands Watch and Sierra Club are some of the organizations that oppose building a school there. Questions have been raised about drainage and flooding problems, unstable soil, proximity to the airport, lack of established city services and systems — including through streets, sewer, water, electricity, gas, police, fire protection and municipal buses. The school will also be far away from many students' homes.

I've spent time at the site. There is noise from airplanes and freeway traffic. There are also beautiful and unusual bird sounds. There are "Flooded" signs along Harkins Slough Road and Lee Road; in fact, Lee Road is closed with a gate because of flooding. At places, the slough comes right up to the asphalt. I'm concerned that people will be exposed to fertilizers and chemical spraying from the surrounding fields.

Why not use the airport site for the school? It seems that building a new airport, perhaps to the south of Watsonville, would be more cost-effective than building a school plant in an area that is so obviously inappropriate. I'm sure more people would be better served.

Sylvia Previtali
Aptos

July 13

10/4/99

Q You have reported that once the water cleared on Harkins Slough it would be reopened between Highway 1 and Buena Vista. Well, the water's gone and this major thoroughfare is still closed. Any assistance you can afford the poor people living out that way would be appreciated.

— **Ann Shelley**

A I have new news for you and it's not good. Recent inspection of the bridge found the beams rotted after being under water for so long. Its condition makes it so it cannot carry the heavy weight of traffic. The county plans to go before the Board of Supervisors with various options. They may repair or replace the bridge.

In any case, it would be several years before it is opened again.

■ Questions or comments about your drive? Nancy Chin writes about commuting issues. Contact her by calling 423-6397, selection code 6040, or by e-mail: nchin@santa-cruz.com; by fax: 429-9620; or send letters to "Backseat Driver," Santa Cruz County Sentinel, P.O. Box 638, Santa Cruz, CA 95061. Reader comments are sometimes edited or not chosen for print because of space and/or clarity. Sorry, no personal replies.

Worries aired about Franich, high school sites

Public hearing addresses two proposed developments

By JOHN VIEIRA
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — Developers of the Franich Property and of a new high school fielded questions and concerns from the public and city officials during a joint meeting of the Watsonville City Council, Planning Commission and Parks and Recreation Commission Tuesday.

In regards to the Franich property, residents and commissioners were concerned about the flooding issues which have plagued residents along Bridge Street. According to developers, drainage ditches are being constructed along Bridge Street to retain and slow runoff water. Also the city is improving the pump station on the corner of Bridge and Blackburn streets.

"Our goal in working with the city was to create a pedestrian friendly community," said John Suppes, a developer with the Franich Property.

Using concepts developed during a series of city design meetings in March, the Franich development uses narrow roads to reduce traffic speed and incorporates landscaped planting strip between the street and the sidewalk for better pedestrian access.

The Franich property is located off East Lake Avenue and is a total of about 73 acres. Proposed developments include a 14-acre park and about 23 acres for housing, of which nine acres will be affordable housing. Also, about nine acres have been proposed for a new elementary school and there are about 16 acres of open space.

The proposed development will include 258 single family houses and 112 apartment units. Of the single family homes, 36 lots will be marked affordable and all of the 122 apartment units will also be deemed affordable.

Tuesday's study session also included information on the development of a new high school on Harkins Slough Road in the vicinity of Lee Road west of Highway 1.

"This is a wonderful location for a high school. It's one that the students and community can be proud of," said Pajaro Valley Unified School District Superintendent John Casey.

Although not officially named but referred to as the New Millennium High School, the third high school for the Pajaro Valley Unified School District will help to ease the overcrowded conditions evident at Watsonville and Aptos high schools.

"We see this as a project that is needed...it is very important to us," said Casey.

The school district has permanent facilities to house 3,200 students, but the combined enrollment of both high schools is close to 5,000. Almost 2,000 students are in portable units.

The proposed high school will accommodate 2,200 students in over 220,000 square feet and will feature a 2,000 seat gymnasium, 500 seat performing arts center and a 300 seat multi-use room.

"This is a high school for the new millennium. We're very excited about the project," said James DiCamillo, principal architect.

Funding for the new high school is expected to be approved by the state in the amount of $40 million, said McHenry. The funds will cover the cost of construction and interior furnishings of the school.

Planning commission OKs new high school

By JOHN VIEIRA
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — In a 5-2 vote, the Watsonville Planning Commission approved plans for building a new high school on Harkins Slough Road in the vicinity of Lee Road west of Highway 1, despite environmental concerns aired by the California Coastal Commission and the state Department of Fish and Game.

Casey

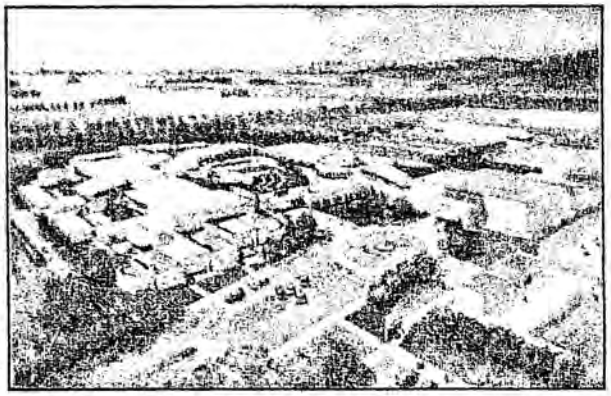
"We have to have a balance... with the Coastal Commission, the farmers... but our main concern has to be with our kids," said Planning Commission board member Dania Torres-Wong.

Although not officially named but referred to as the New Millennium High School, the third high school for the Pajaro Valley Unified School District will help to ease the overcrowded conditions evident at Watsonville and Aptos high schools.

The school district has perma-

See HIGH SCHOOL, page 3

An artist's rendition of an aerial view of the proposed new high school for the Pajaro Valley Unified School District.



6/8/99 REGISTER-PAJARONIAN

HIGH SCHOOL

From page 1

nent facilities to house 3,200 students, but the combined enrollment of both high schools is close to 5,000. Almost 2,000 students are in portable units.

"I believe this is a very excellent site for our students," said Pajaro Valley Unified School District Superintendent John Casey.

The proposed high school will accommodate 2,200 students in over 220,000 square feet and will feature a 2,000-seat gymnasium, 500-seat performing arts center and a 300-seat multi-use room.

"If I move to another site, I'm going to have the same fights, the same lawsuits," said Casey.

In September 1998, the school district was sued by environmental groups stating that the Environmental Impact Report was faulty. In April of 1999, a Santa Cruz Superior Court ruled in favor of the school district and upheld the adequacy of the Environmental Impact Report.

"The Farm Bureau sees it as the best site of a high school," said Santa Cruz County Farm Bureau president Michael Theriot in support of the proposed new high school.

Still, letters from the state Department of Fish and Game and the California Coastal Commission indicate that they are still opposed to the school site.

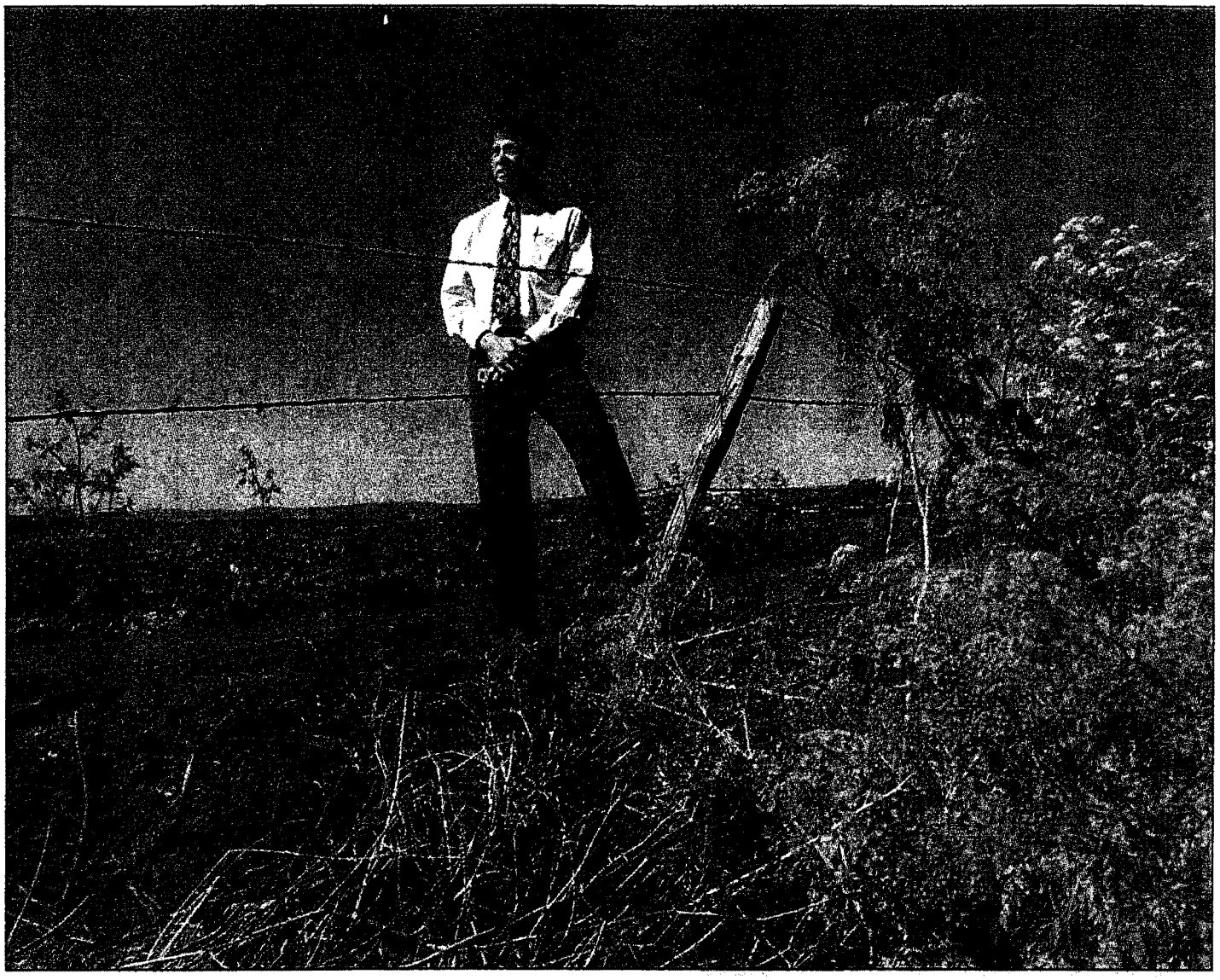
"We have concluded that it will be very difficult if not impossible to mitigate the project impacts on the proper functioning of the slough system because of the close proximity of the school to the wetlands," said Brian Hunter, regional manager of the state Department of Fish and Game, in a letter to the school district.

"We do need a new high school, but this isn't the place for it," said planning commission board member Pedro Castillo, who voted against the plan along with Gustavo Gonzalez.

Funding for the new high school is expected to be approved by the state in the amount of $40 million, said McHenry. The funds will cover the cost of construction and interior furnishings of the school.

"If we don't get approval, we would be looking for alternative funding solutions which could include a local bond," said Casey.

School site squabble



Shmuel Thaler/Sentinel

Superintendent John Casey and the Pajaro Valley school district face an uncertain future concerning plans for a second Watsonville high school.

PV plan faces opposition

■ Site for second Watsonville high school raises concerns.

By STETT HOLBROOK
Sentinel staff writer

WATSONVILLE — Officials at two state agencies are objecting to the proposed site of a second Watsonville high school because of environmental concerns.

Though the agencies aren't formally rejecting the site near Harkins Slough, they are strongly urging school district officials to pick another location because of potential damage to the sensitive slough.

Rejection of the plans would amount to a severe blow to the Pajaro Valley Unified School District, which has had a tough time finding a spot for a new campus to ease crowding at its existing high schools in Watsonville and Aptos.

Stiffening criticism from the state Coastal Commission staff and state Department of Fish and Game poses a significant threat to the plans — and a $40 million state construction grant — even though the city Planning Commission late Monday recommended approval of revisions to accommodate the project.

District officials want to build a 213,000-square-foot high school on a parcel west of Highway 1 on Harkins Slough.

The school would be attended by students from Aptos and Watsonville. Aptos High, designed for 1,400 students, will hold 2,100 students this fall; Watsonville

Please see PV — BACK PAGE

Santa Cruz County Sentinel
Wednesday, June 9, 1999

PV

Continued from Page A1

High was built for 1,800 but will house 2,800 in September, said Associate Superintendent Terry McHenry.

District Superintendent John Casey said choosing another site would only create more problems.

"If I move to another site, I'm going to have the same fights, the same lawsuits," Casey said. "All I know is I need a high school for 2,200 students."

The City Council is expected to approve the Planning Commission revisions July 27. The Coastal Commission, however, must approve any changes to the city's land-use plan.

"This is the hardest vote I'm going to cast," Planning Commissioner Dania Torres-Wong said before voting in favor of the project Monday.

While acknowledging significant environmental concerns, Torres-Wong said she supports the plan because of the need for more classrooms and the fact a Santa Cruz County Superior Court judge upheld the validity of the project's environmental impact report.

Commissioner Alice Bankhead said that without a third district high school, students would get substandard educations in crowded classrooms.

"We're condemning them to be field laborers if we don't pass this," she said.

Commissioners Pedro Castillo and Gustavo Gonzalez voted against the proposal.

In strongly worded letters to the school district, Coastal Commission and Fish and Game staff members said the school would "significantly" harm the environmentally sensitive slough and surrounding area.

Charles Lester, manager of the Coastal Commission office in Santa Cruz, said the agency has been critical of the proposed site since 1993.

"While our office continues to be very supportive of new South County high school facilities, ... we feel it is important to again convey our serious concern that the proposed project site is not appropriate for a new high school," Lester wrote. "We urge you to pursue a less environmentally damaging location."

Lester told commissioners that the school district's plan to deal with pollution run-off, noise and light that could affect waterfowl and other problems do not "do justice to the serious concerns."

Lester recommended exploring the Landmark site near the Overlook shopping center as an alternative.

School district representatives said they have bent over backward to minimize the environmental impacts.

"We've looked at every possible piece of property," said Harold Freeman, school district attorney.

Brian Hunter, Fish and Game regional manager, said the school would damage a corridor for migratory birds, invite public intrusion and reduce water quality in the slough. Amphibians crossing Lee Road also would be killed by increased traffic, while some animals would be disturbed by lights at night, he said. Sewer and water connections also would fragment the habitat, he argued.

The school district's environmental impact report, which was revised after a lawsuit, identifies four areas of significant impact, even with efforts to reduce those problems. The Planning Commission staff report on the project also admits the school would further degrade the wetland, impair views, induce growth and cause a number of cumulative impacts.

Acknowledging the environmental impacts, the district has adopted a statement of overriding concern, arguing the benefits of the project outweigh the costs.

The district has received a pledge of $40 million in state school-construction money for the project. The money is tied to the Harkins Slough site, which was the only location approved by the state Education Department.

"We're in a funding window," said McHenry, associate superintendent. "New construction money is dwindling. ... Once those funds are gone, there's no more."

Lester said the Coastal Commission is "frustrated" because its staff was not consulted during the site-selection process. Casey, however, said approaching the commission before winding through the local approval process would have been inappropriate.

School officials have been wrestling with the problem since 1986.

In 1987, Stephen Knego, then-school board president, lamented, "In our small valley, everything is either prime agricultural land, near the airport or in the coastal area. ... No matter what site we choose, there will be some problem to overcome."

Since then, school trustees have considered 13 different sites. Most were rejected because they were in the airport fly-way, the ground was unstable, they were in a fire-hazard area, sewer and water access was difficult or the site had prime agricultural land.

Opposition from neighbors and the Santa Cruz County Farm Bureau forced trustees to give up on a site off Green Valley Road in 1992.

The Harkins Slough site was revived when the district renewed its search in 1993 with the help of a committee of environmentalists and local officials. Nevertheless, two environmental groups filed suit to block the project. A judge ruled in April that the district could go ahead with its plans.

Casey said he will meet with the state agencies to explain what the district has done to seek a site and its plan to deal with environmental problems.

Santa Cruz County Sentinel
Wednesday, June 9, 1999

SANTA CRUZ COUNTY SENTINEL

OPINION

AS WE SEE IT

Watsonville high school must be built

■ LATEST SITE SETBACK: Community must get behind helping Pajaro Valley school district ease overcrowding.

IT'S DIFFICULT not to feel sympathy for the Pajaro Valley Unified School District and for the Watsonville-area parents of future high-school students.

It's clear, however, that after getting more bad news about building a second Watsonville high school, the district deserves more than sympathy.

The district has lost two straight bond measures, both last year, trying to raise money to repair crumbling schools and build a new high school. Both attempts got over 60 percent support, but fell short of the two-thirds majority required.

Then last week, the district was told by two state agencies that the choice of a high school site near Harkins Slough would most likely be rejected because of environmental concerns.

To some local environmentalists, this news was hardly a surprise, since they have been warning from the outset that they'll fight putting a school in the wetlands area.

Staffers from the state Coastal Commission and Department of Fish and Game told the district last week the school would "significantly" harm the slough area, which is in the state-administered coastal zone. The local Coastal Commission manager, Charles Lester, called the Harkins Slough site "environmentally damaging" and expressed dismay the commission hadn't been consulted when the district selected the location.

Even worse for PVUSD is the issue of funding. Pajaro Valley schools have received a pledge of $40 million in state school construction funds for the project, money tied to the Harkins Slough site, the only one approved by the state Education Department.

The district has been looking at sites since 1986, and most have been found unsuitable for reasons similar to the Harkins Slough site: they were in prime agricultural land, or in the coastal area, or had too many water and sewer obstacles, or were too near the airport. School district trustees have looked at 13 sites over the years. A site off Green Valley Road was abandoned after neighbors and the county Farm Bureau objected.

District Superintendent John Casey is beyond frustration. His two high schools are severely overcrowded — Aptos High should hold 1,400 students, but has 2,100, while Watsonville High was built for 1,800 but will have 2,800 in September — and the state money could vanish if he has to start all over. In addition, if the new high school isn't built, the demand of Aptos residents to secede from the PVUSD will gain new impetus.

Casey says ruefully that at this point any site the district would select will run afoul of environmental opposition and lawsuits. Meanwhile, other high schools in the county are being built or planned. Scotts Valley's school is under construction and a new private Catholic school in Watsonville has set an opening date in 2000.

But the public school district in Watsonville, an area with a heavily Latino and immigrant population, seems to be going begging.

So what can be done?

First, we urge Santa Cruz County voters to get behind a proposed statewide ballot initiative that would reduce the level of yes votes in a school bond measure from a two-thirds to a lesser majority. We believe a 55 percent or 60 percent figure is most fair to property owners and strapped school districts.

Second, we urge the City Council to uphold the city Planning Commission's recommendation to approve district revisions that would allow the school to be built.

We also urge the district to begin to form a county-wide citizen's group that will lobby the state agencies to work with the district to lessen environmental concerns about the project so that it can get built.

Something similar happened in Mid-County in 1993 in the Live Oak School District after the Coastal Commission staff recommended the plans to build Shoreline Middle School be rejected because of wetlands concerns. The district, with the support of many county leaders and an intense lobbying effort by parents, succeeded in persuading the commission members to overrule the staff recommendation and the school was built. The Harkins Slough site, however, is a bigger environmental concern than the Shoreline dispute, which was over filling a drainage channel that runs into Schwan Lake.

IF, IN THE END, the environmental issues cannot be resolved, then we suggest setting up a bipartisan panel of leaders around the county, including concerned environmentalists and farmers, to join with the district in identifying a site, and funding, for this vitally needed new high school.

To do anything less is to abandon the children of Watsonville, many of whom come from far less affluent circumstances than those fighting the various high school proposals, to a second-class education. What kind of environment is that?

S.C. 6/27/99 Sentinel

PACKED CLASSES

Pajaro Valley school district struggles to find high school site

Shmuel Thaler/Sentinel

Jim Hagan has 38 students this summer in his American history class at Watsonville High School.

By TRINA KLEIST
Sentinel staff writer

WATSONVILLE

PAJARO VALLEY school officials face a dilemma.

Thirteen years of struggle to find a site for a third district high school has failed to raise an option that pleases everyone. A site chosen by Pajaro Valley Unified School District officials, with community and county help, continues to face stiff opposition from state environmental agencies.

But the site comes with a $40 million state grant for school construction, which the district will lose if their plans don't win approval.

As the valley grows, it will only get tougher to balance the conflicting needs of housing, jobs, agriculture, the environment, state educational regulations and school funding.

The current site for the proposed high school, known as the Edwards property, is located on what is now a strawberry field at Harkins Slough Road at Lee Road, southwest of Highway 1. That location, within the protected coastal zone and edging a sensitive wetland, has prompted opposition from environmental groups, the state Department of Fish and Game and local Coastal Commission staff.

The state Coastal Commission could veto the project when school officials take their plan to the board early next year. Commissioners will eventually be asked to approve an amendment to the city's coastal zone land-use plan allowing a high school.

In what was perhaps a bureaucratic oversight, the property years ago was zoned for uses that could include open space or a park, but also manufacturing, industrial services and a vocational school. A public high school was not included in the list.

Jim Van Houten of the Watsonville Wetlands Wateh echoes the opinions of some state officials when he says the district should look at other options that would not affect nearby Harkins Slough. It is part of

Please see SCHOOLS — PAGE A4

■ *Petition drive seeks to make it easier to raise taxes to build and repair public schools — Page A4*

School

Continued from Page A1

the six-slough Watsonville Wetlands system, the target of a recent $200,000 grant from the state Coastal Conservancy to improve habitat.

"They (school officials) are playing chicken with us. They're saying, if you don't approve this, all those kids won't get an education," Van Houten said. The environmental protection the school has offered "is nothing. The impacts are going to be significant at that site for a high school of that size."

John Casey, superintendent of the 20,000-student Pajaro Valley Unified School District, said the school plans call for nine acres of slough habitat restoration, courses in conservation and agricultural buffer zones.

"The site will be developed. It's just a question of who will do it," Casey said. "That high school is the best possible neighbor for protecting that slough."

School trustees decided in 1986 that a growing student population required a third high school. Now, Watsonville High holds about 2,200 students, though it was built for 1,600. Aptos High holds about 2,100, though it was built for 1,800.

In 1988, the district looked at nine sites. Trustees settled on a parcel next to Pinto Lake, saying the property was the right size and had good access to existing roads. They approved it with little public discussion.

But opposition to the Pinto Lake site began to build.

The parcel alarmed many parents who worried their children could drown in the muddy-bottomed lake. Neighbors argued that traffic would become a nightmare. Environmentalists protested that building would harm blue herons at the lake, and lights and noise would disturb migratory bird routes.

Three years later, despite a state-required environmental impact report and approval by the state Department of Education, the district backed down.

In 1991, Pajaro Valley trustees created a committee with wide representation to look for a new site. The committee included members of the Green Valley Action Committee who shot down the Pinto Lake site, Watsonville Wetlands Watch, the Farm Bureau, Watsonville city planners, Santa Cruz County planners, and the Local Area Formation Commission.

Shelley Betz, chairwoman of the Green Valley Action Committee, said committee members met every two weeks for a year and a half.

"The first thing we did was go through the entire Pajaro Valley and identified all pieces of acreage big enough to build on," Betz said. "Then we started ranking them."

Committee members eventually looked at 13 sites, including some of the sites considered in the first search. They faced daunting limitations.

The state Department of Education requires 45 acres for a high school housing 2,200 students. State officials bar building near airports and beneath low-altitude flight paths.

The committee also tried to avoid parcels containing prime farmland, already at a premium in the valley. City and school officials wanted the school near projected growth. The site needed good access to roads and city services, but neighbors didn't want traffic from a big school clogging the valley's three main transportation arteries.

Here's the sites that were considered:

- Amesti Elementary School. Rejected because it could not be approved by the state. The site is under the flight path of aircraft performing critical maneuvers at low altitudes while leaving and approaching Watsonville Airport.
- Amesti Road at Green Valley Road. The state Division of Aeronautics expressed reservations about this site because of safety and noise concerns.
- Holohan at Green Valley Road. Aeronautics officials also disliked this site. It is currently planted with berries.
- The former Watsonville Community Hospital facility at Green Valley and Holohan roads.

State officials told the school district they could not approve the former hospital for a high school because it sits on a fault line and beneath an aircraft flight path. District officials this year moved some of their offices into the renovated facility, and plan to move some adult-education classes there in the fall.

The site was also rejected for its size. A school would have to expand into 16 acres of adjacent prime agricultural land.

- The 35-acre Console property and adjacent Ramsay Park was the only site that posed no noise or safety concerns. However, the school would have had to take over or share Ramsay Park to be big enough to pass state acreage requirements, which the city would not approve.

The property now houses the Outlook Shopping Center with a Target, Lucky and other stores.

- Harkins Slough Road at Lee Road. The state expressed reservations about this site because of safety and noise concerns, but it was eventually chosen for the new high school because of its location close to the city's planned expansion, access to utilities and roads, and large size.

Shmuel Thaler/Sentinel

Sandra Manzanilla is squeezed into a math class with nearly 40 students this summer at Watsonville High.

- Buena Vista Road at Rampart Road. Rejected because it is beneath the airport flight path.
- Fiesta Road at Rancho Road. State officials expressed concerns about noise from the airport and nearby Highway 1.
- Buena Vista Road at Manfre Road. Next to the airport runway, the site was rejected because it is under the flight path.
- The Koenig and Kato properties between Buena Vista and Calabasas roads. They contain prime agricultural land, but Coastal Commission staff in 1998 suggested the school district review their potential. The city plans to annex nearby properties and direct future housing growth toward that area.
- Calabasas Elementary School. Rejected because it is beneath the airport flight path.
- Santa Cruz County Fairgrounds. Considered for a temporary high school annex until a permanent facility could be built.
- The alternative Renaissance High School, at 11 Spring Valley Road, received little attention in official documents.

The committee narrowed its list to five, but also revived three properties considered in the 1980s, including the Franceschi property, also known as the Lohr site. It is part of the Landmark tract and slated by city planners for housing development. Betz said road and bridge building, sewer development and dirt fill to replace unstable soil would cost millions of dollars, beyond the school's budget and only affordable by private developers. City manager Carlos Palacios said housing on the parcel is key to other development plans in the city.

In their ranking, five out of eight site-selection committee members voted the Harkins Slough property the best possible site, and the committee's Wetlands Watch representative voted it the second-best possible option.

The Console property was ranked second, with high marks given it by Wetlands Watch, LAFCO and county representatives.

Committee members also preferred the Kato and Koenig properties, and sent all four options to the board for consideration.

Trustees chose the Harkins Slough site. The district recently won a Superior Court ruling that upheld their revised environmental impact report in the face of a challenge by Wetlands Watch.

Now, Coastal Commission staff want school officials to reconsider the Franceschi property as an alternative.

"The Landmark area ... appears to be an ideal location for pursuing an urban high school," Coastal Commission district manager Charles Lester wrote to Superintendent Casey in May. "Commission staff will be compelled to recommend that the Coastal Commission deny the required (Local Coastal Plan) amendment if the district continues to pursue the high school project at the Harkins Slough Road site."

Casey said that means starting at square one, with no environmental impact report and no money.

"If everything went perfectly and we found a site with no opposition and got the funding, it would be at least four to five years before a third high school would open" under that scenario, Casey said.

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Rezone for high school OK'd

Watsonville City Council will next take plan to California Coastal Commission, which has expressed misgivings about the site

By STETT HOLBROOK
Sentinel staff writer

WATSONVILLE — Citing a groundswell of support for a new high school, the City Council voted unanimously to change the city's land use plan to allow for the construction of a school on a 74-acre parcel west of Highway 1.

"We have to make difficult choices but I think this is the right one," said Councilwoman Judy Doering-Nielsen.

More than 40 people spoke in favor of the new high school. Only a handful spoke against it, citing environmental concerns.

While the council's vote brought cheers from the audience, the proposal appears to be on a collision course with the California Coastal Commission. The coastal commission staff has cited a number of misgivings about the environmental impact of the project and urged the Pajaro Valley Unified School District to look for an alternative site.

The project is located west of Highway 1 and north of Harkins Slough Road.

The coastal commission has the final say on the project since it is located with coastal zone and must conform with the Coastal Act.

The council's vote was made up of four separate actions, which included an endorsement of an environmental impact report on the school project and an amendment to Watsonville's Coastal Land Use Plan to create a new land use for the construction of a public school.

The land is zoned for a variety of uses including agriculture, single-family homes and light industrial uses. But the area is not zoned for a public school.

The school district prepared an environmental impact report for the project that found that even with major modifications, the school would still have significant impacts on the environment.

The EIR, which was revised after a lawsuit challenged its adequacy, identifies four areas of "significant" environmental impact: biological, aesthetic, cumulative, and growth inducing. Biological impacts include increased light and glare, increased human activity, roadkill, and increased rates of the introduction of exotic plant and animal introductions to the area.

But the school district, which faces severe overcrowding, argues there is nowhere else to build the school and the benefits of the new school outweight the environmental impacts.

To offset some of the impacts of the school, the school district has proposed to set aside a 9-acre biological restoration area and a 200-foot agricultural buffer on the north and west sides of the property.

The proposed facility is 213,000 square feet and will cover 50 acres of the the 74-acre site. The school, which has been named New Millennium High School, will contain 82 classroooms with a 2,200 student capacity.

The district expects to receive $40 million in state funding.

REGISTER-PAJARONIAN

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News leader of the Pajaro Valley

Council supports plans for new high school

By JOHN VIEIRA
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — Scores of students crowded into city hall Tuesday evening carrying signs and voicing their support for a proposed new high school off Harkins Slough Road.

In the end, their efforts paid off as the Watsonville City Council voted unanimously in support of building a new high school in the vicinity of Lee Road west of Highway 1.

"I believe this is the right place for a high school," said Councilwoman Betty Bobeda. "Having been with the city council since 1990, I can honestly say this is the most positive public hearing we've ever sat through."

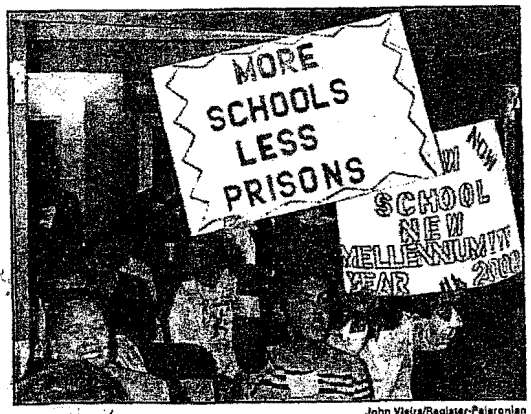
The crowded scene at city hall was nothing new for the high school students, who are all too familiar with adapting to overcrowded situations. For close to three hours, city councilmembers listened to testimony given from students about the high school's overcrowded conditions.

"I'll be in high school next year and I'm worried about my classes being overcrowded," said Eliana Viorato, an eighth grader at Rolling Hills Middle School. "I feel that if the high school is built, I'll have a better education."

While the majority of public testimony was in support of the new high school, some members of the public did raise concerns about the effects a new high school would have on the environment.

"The 2,200 students, plus faculty, support staff, and necessary delivery of supplies will generate traffic, congestion, pollution and monumental impacts on adjacent environmentally sensitive areas," said Jim Van Houten, of the Watsonville Wetlands Watch. "We, and others, have challenged the EIR (Environmental Impact Report) in court."

See HIGH SCHOOL, page 10



John Vieira/Register-Pajaronian

Students cheer while holding signs in support of plans to build a new high school near Harkins Slough Road at Tuesday's council meeting.

PVUSD and Coastal Commission go head to head

By DICK LITTLE
REGISTER-PAJARONIAN CORRESPONDENT

WATSONVILLE — The Pajaro Valley School District is about ready to take on the State Coastal Commission staff in a "winner take all" battle over the proposed High School Site along Harkins Slough Road. The Watsonville City Council unanimously agreed to make then necessary changes in the Local Coastal Plan so the project can forward.

The Commission staff does not like the idea of having a high

See CONFLICT, page 10

HIGH SCHOOL

From page 1

In September 1998, the school district was sued by environmental groups stating that the EIR was faulty. Last April, a Santa Cruz Superior Court ruled in favor of the school district and upheld the adequacy of the EIR.

"It's not prime ag land. In fact, it's zoned commercial and developers are starting to drool," said Craig George, executive director of the Coastal Agricultural Association.

Currently, Ralph Edwards, 76, who owns the land which the school district is looking to build the high school on, leases out the land to be farmed for flowers and strawberries but Edwards would like to sell the land to the highest bidder and is looking towards commercial developers who are interested in buying the land.

The Pajaro Valley Unified School District is willing to pay $1.5 million for 126 acres of farmland near Harkins Slough Road to build a new high school, but Edwards says that amount is too low.

"I request that the city council not forget Mr. and Mrs. Edwards in making their decision," said Christine Hass, an attorney representing Edwards.

Objections to the new high school has also been voiced by members of both the California Coastal Commission and the state Department of Fish and Game in letters to both the school district and the city of Watsonville. Those same environmental concerns were expressed during a meeting of the Watsonville Planning Commission June 7, when the high school plan was approved with a 4-2 vote.

"Watsonville has sloughs. We have prime ag land. And we need a high school," said Councilwoman Judy Doering-Nielsen. "We have to make difficult choices but I think this is the right one."

The new school has been unofficially referred to as the New Millennium High School and, if approved, it will be the fourth high school for the Pajaro Valley Unified School District, which is trying to relieve overcrowded conditions at its existing high schools and continuation high school in Watsonville and Aptos.

"It's been a tremendously long process for the school district to select a third high school site," said Pajaro Valley Unified School District Superintendent John Casey. "We need space. We need it now."

Currently, the school district has permanent facilities to house 3,200 students, but the combined enrollment of Watsonville and Aptos high schools is close to 5,000. Almost 2,000 students are in portable units.

The proposed high school will accommodate 2,200 students in over 220,000 square feet and will feature a 2,000-seat gymnasium, a 500-seat performing arts center and a 300-seat multi-use room.

Funding for the new high school is expected to be approved by the state in the amount of $40 million. The funds will cover the cost of construction and interior furnishings of the school.

With the approval from the Watsonville City Council, plans for the proposed new high school will no go before the California Coastal Commission.

CONFLICT

From page 1

school on the site, and they have made their position clear to the Council. District Superintendent, John Casey is scratching his head trying to figure out where the Commission staff is coming from on the issue. To him, the opposition doesn't make a lot of sense.

"Our project is much better for the neighborhood and those sloughs than most commercial or industrial uses that can be placed on the site," he said, "We've mitigated (all environmental problems) to the extreme."

Casey said the new school would have classes working on projects to protect the sloughs. He said the last thing educators want to do is damage the site, calling the special environmental programs planned for the school "unique."

But if the Commission says no, years of hard work and $40 million will go down the drain, according to the district officials.

"If we lose the site, we lose the high school," Assistant Superintendent Terry McHenry said.

Added Casey: "We (also) lose the $40 million (in state grants)."

The commission staff claims the school is more intense than the city's Local Coastal Program allows, and they claim the school would eliminate some agricultural land, obstruct the public's view and "destabilize the urban-rural boundary."

The confrontation between the school district and the Coastal Commission is pitting two powerful lobbying groups against each other as well. The teachers union is backing the project because of the growing problems with overcrowding at Aptos and Watsonville High Schools.

On the other side of the battle is the Sierra Club, claiming the project poses a serious threat to the Watsonville slough system. The club has consistently been against the site ever since it surfaced as the only available piece of land that will meet all of the state requirements for a high school site.

The teachers union and the Sierra Club played key roles getting Democratic Assembly members and Senators elected throughout the state as well as Governor Gray Davis.

"The state will approve the site (because the city council approved the Local Coastal Plan)," Casey said, which means construction can move forward unless barred by the Coastal Commission.

Coastal Commission Executive Director John Lester has had several meetings with District, and has suggested an alternative site further south in the Industrial Area. Casey says the alternative site is too small to meet state criteria. He said he found Lester's suggestions disturbing — "We're offended that our kids can't have what other kids in California have."

Tami Grove, the deputy director of the Coastal Commission in Santa Cruz, believes the project will have a tough time getting through the Commission.

"We have to look at the allowable use," she said. "How many (of the more than 20 allowable uses for the site under the city's Local Coastal Plan) can (actually) meet the criteria ... our concern is the high school site would be more intense than the LCP allows on the site."

As for the potential loss of the $40 million approved to build the high school, Grove made it clear she is sympathetic, but the Coastal Commission staff, "...can only speak to the provisions of the Coastal Act ... cost is something we (and the Commission) cannot consider."

She did agree that interpreting the Coastal Act is up to the Commission members, and they can interpret the Coastal Act "in a variety of ways."

SANTA CRUZ COUNTY SENTINEL

OPINION

AS WE SEE IT

New PV high school should be approved

■ HIGH SCHOOL: The young people of Watsonville deserve not being crowded into only two schools.

ON THE EVE of school's opening in the Pajaro Valley Unified School District Monday, teachers, students and administrators once again will deal with overcrowding at both Aptos and Watsonville high schools.

The district has come up with state money to help build a third high school, tentatively named New Millennium High School. Nearly everyone agrees the school is necessary to deal with an increasing student population.

The good news is that a site has been chosen — at Harkins Slough Road and Lee Road. The bad news is that self-described environmentalists are fighting against its locating there.

The opponents point out — accurately — that the property isn't zoned for a school. But they don't point out so readily that the zoning would include a variety of other uses that would have a worse impact on the land: industrial services, manufacturing and even a vocational school.

Officials say that it was a mere oversight that had zoning not include a use for a school.

Critics say that the school district should look elsewhere. The problem is that the district has looked elsewhere, and there just aren't a lot of good possibilities. And the Harkins Slough site actually would work well.

Environmentalists complain that a high school would have a negative impact on the slough. That's an argument we just don't buy.

In fact, Superintendent John Casey calls for a nine-acre slough restoration habitat. The significance of that is that the students will be able to learn about the slough and its importance in the coastal environment. Too many so-called environmentalists think of nothing except saving open space. Environmentalism is also about education, and people's knowledge of the natural world.

What better way to teach natural history than to have a significant environmental site right at the school.

Watsonville area students need a new school. Overpopulation in the Pajaro Valley has put stress on all governmental services, from water to schools. Too many people and not enough job opportunity is putting stress on every aspect of the South County economy.

Recent decisions by local government have prevented Watsonville from providing a more varied economy, and now people are opposing efforts to give young people there a better education.

It's time to actually help Pajaro Valley. It's time to give their youth some opportunities.

The city has already approved a rezoning that would allow the new school. But the next step is to ask for approval from the Coastal Commission. That agency's staff has already recommended rejecting the rezoning, a conclusion that we take issue with.

THE FINAL decision will be up to the elected commission members. Already, a variety of local elected officials have gone on record as supporting the school.

The public interest demands that a new school be built. Approving the school would be the best thing for the people of the Pajaro Valley, and would also protect the environment. When you examine the facts, it's an easy call.

News leader of the Pajaro Valley

8/23/99

Aptos secession report to be released to public

By JOHN VIEIRA
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — A draft report compiled by members of a committee organized by Pajaro Valley Unified School District to study the Aptos reorganization will be made available to the general public Sept. 1, according to district superintendent John Casey.

"We would welcome public input at this time," said Casey. "It gives the public an opportunity to give us feedback on the draft report."

The committee was organized in April to study the possibility of having Aptos become its own school district apart from the Pajaro Valley Unified School District.

"I'm pleased with the report. I hope that when people read this report they read it carefully and they make up their own minds," said Barbara Palmer, committee member and a past leader of the secession effort.

Casey

The report was originally scheduled to be presented to the board in July but because of the resignation of board trustee Jamie Marks and the district's proposal to have a third high school built near Harkins Slough Road, presentation of the report has been postponed until January at the earliest, Casey said.

The California Coastal Commission is scheduled to review the proposal of a third high school in December at the earliest. According to Casey, much of the report is contingent on approval of the third high school and, therefore, a final report will not be presented until that approval.

The issue of an Aptos secession has been a controversial one within the school district for the past several years. And with voters selecting a new trustee due to the resignation of Jamie Marks, the issue has surfaced once again.

In related news, Rodney Brooks, who is running for Marks' seat, has announced that Betsy Woolpert has replaced Ann Soldo as his campaign treasurer.

LOCAL

S.C. SENTINEL 9/2/99

Report eyes Aptos schools split

Consultant suggests PV voters might have a say

By TRINA KLEIST
Sentinel staff writer

WATSONVILLE — A draft report analyzing a controversial split in the Pajaro Valley Unified School District details the possibilities for secession, but leaves the final decision up to voters and the state Board of Education.

The report, released by school officials Wednesday, concluded that the potential for Aptos-area parents forming a new district would hinge on the construction of current plans to build a third high school, which itself faces an uphill battle with the state Coastal Commission.

The $40,000 report was compiled by a consultant and reviewed by a committee selected by Superintendent John Casey after school board members agreed to look at the issue in January. Their decision followed five years of often bitter public debate with Aptos-area parents demanding secession as a way to secure greater local control over schools and improve test scores.

Casey has asked for public input on the draft. However, no action on it is expected until after the November election, when voters will elect a new Aptos-area member to the current board. That member will take office in December.

"(The report) is not complete yet, and I think it's premature to talk about it," said Dan Hankemeier, one of two school board members on the committee.

Secession advocate and committee member Barbara Palmer said the report proves that splitting the district is possible and affordable.

"It's good news for Aptos and good news for Watsonville," Palmer said. "If this is passed from the board, they're passing on the right to vote to the people in the district."

Opponents charge that the deeper issues behind the secession are racism and an attempt to raise Aptos-area home values by excluding Watsonville-based Mexican immigrants from its schools.

The report does conclude that a split would create community-based schools.

"Each new district would be oriented ... toward serving its respective core community," the report reads. "The result would be more responsiveness from local boards to local community needs and local support systems."

Within the scheme of the study and using enrollment projections for 2001, an Aptos district would include students in Aptos, La Selva Beach and parts of Larkin Valley and Corralitos. About 3,700 students would attend four elementary, one junior and one senior high school.

Watsonville, Pajaro and Las Lomas would remain in the Pajaro district, with about 17,200 students at 14 elementary, four middle and two senior high schools.

The draft showed that the current district is 23.7 percent white. If an Aptos district is created, it would be 79.2 percent white, while the remaining Watsonville district would be 13 percent white.

It also showed that the average per-person income in the Watsonville area is $11,044 compared to $22,707 in the Aptos area, according to 1990 U.S. Census figures.

Those differences, when translated into property values, would put an assessed valuation of a Watsonville district at about $2.83 million, compared to $2.98 million for an Aptos district.

The ability for an Aptos district to secure bonds to finance growth would be comparably higher as well. Although both districts would need to build new facilities, the growth projected for a Watsonville district is greater.

However, a Watsonville district would have more money for each student under state financing schemes and lower costs than an Aptos district.

The report does not make any final recommendations, but infers that voters in the district could have a say in any possible split. Trustees are expected to take up the matter in early 2000, but the state would have to approve any move to create an Aptos district.

9/11/99

Candidate reports on secession report

Sandra Nichols

Guest Columnist

Attention: parents and concerned citizens. "The Report" is on the table now, in draft form. I am referring to the lengthy and long-awaited document regarding the possibility of Aptos-area schools seceding from the Watsonville-area schools to create their own school district. This concept, which has been in the works for many years, is known as the "Aptos Secession Movement". The movement has taken another step forward with the release of this report, which was made public on Sept. 1. Comments from the public are being welcomed by the PVUSD's Office of the Superintendent.

A thorough review of the report draft reveals some extremely important information, which will affect our public schools far into the future. The most important issue is whether our schools will foster or discourage integration between students from diverse cultural-linguistic groups. If you want students to learn how to succeed in the multicultural future of our state, you will favor significant integration in the public schools. Division of the Aptos-area schools from those in the Watsonville community severely restricts such integration. Already these two locales are separated by location, ethnicity, socioeconomic status, and to some degree, language.

Speaking of language, there is a great deal of justified dissatisfaction that Spanish-speaking students are not learning English quickly and well in our schools. The issue of integrated schools is closely related to English language learning.

One of the most effective ways to teach English is to see that English speakers and English language learners are grouped together and talk to each other. Children learn language from their peers! If their classmates are predominantly Spanish-speaking, this deters a natural process of English language acquisition that is available in more integrated schools. Our Watsonville area schools have huge numbers of limited English speakers. This is not conducive to rapid English acquisition. If you agree that more English should be spoken in the schools, we need schools that are more integrated. "The Report" concludes that under reorganization (Aptos Secession), "the opportunity to desegregate its student body would be reduced" (p.24).

"The Report" contains many appendices, one of which (Appendix C) reveals in chart form that following the proposed division of the district's Aptos-area schools would decrease in Hispanic students from 31.06 percent to 16.04 percent. It certainly is predictable that the proposed division of the district would promote racial segregation, especially in the Aptos-area schools. "The Report" states that the "change in ethnic minority population after reorganization will be minimal..." (p.23). This distorts the real effect of secession.

What does "The Report" say about money? School funding is very complicated and depends on many factors. One factor relates to the property tax base of the communities. Property values are very much a concern when considering the ramifications of school district division. Currently, according to "The Report," the Aptos-area total assessed property value is $2,975,536,777 and the Watsonville-area total assessed property value is $2,832,712,984 (p.3).

One might think from these figures that there is an equitable split of wealth between these two areas. The authors of "The Report" do not point out that to fairly compare these figures requires factoring in the number of students served in the schools by area. Watsonville-area schools would be serving 17,205 students, nearly five times the number of students as those to be served by Aptos-area schools, 3740 students (p.2).

"Criterion No. 8" (p.36) is of interest regarding money and property values. The Ed. Code specifies that division of districts will not be approved when these are motivated by an effort to increase property values. It would be indeed difficult to prove motivation, but it is commonly believed and reasonable to expect that high test scores do, in fact, have a positive effect on property values. "The Report" states that separation of the Aptos-area schools from Watsonville-area schools would lead to the Aptos-area school district being "one of the top scoring districts in the State". Redistricting will effect property values, whether or not the original intent was to do so.

"The Report" enumerates the conditions by which the California Education Code permits the splitting up of districts, such as those being proposed by the Aptos Secession Movement. Clearly two of these are not met, those being that segregation not be promoted and that there not be a negative financial impact on either district. There also remains the suspicion that increasing property values may be a motivating factor.

Another criterion speaks of "community identity" in a very positive light. Here are some of the factors that "The Report" includes in the section about the Aptos-area community identity, factors which define that community and serve to distinguish it from other communities: "socioeconomic status," "ethnic composition," and that they are associated with "cultural opportunities such as Shakespeare Santa Cruz, the Cabrillo Music Festival, the Santa Cruz County Symphony..."(P.19). How does this sentiment translate into common terms? That the cultural identity is based on color, wealth, and sophistication? Hmmmm!

Let's not draw a solid line between these two communities! We are already divided enough. Let's put our energy into finding our common ground, the desire for our children to have the benefit of a top-quality education. We all care about the future of our community. We need well-educated citizens, who know how to work with people who may be different in terms of race, background, religion, and in so many other ways. Public schools could be the breeding-ground for social, economic, and academic connections across the barriers which currently divide our communities. Let's make this happen!

Sandra Nichols is a Bilingual Speech and Language Specialist and is a candidate for the PVUSD School Board.

PV school officials gear up for school lobbying campaign

By STETT HOLBROOK
Sentinel staff writer

WATSONVILLE — City and Pajaro Valley school district officials are gearing up for a campaign aimed at persuading the California Coastal Commission to approve a new high school west of Highway 1.

The school is being sought by the Pajaro Valley Unified School District to alleviate crowded schools. At the same time, the city of Watsonville has submitted an application to amend its land use plan.

The 213,000-square-foot school is planned for 70 acres west of Highway 1 and north of Harkins Slough Road on the city's western edge. A number of light industrial and commercial uses are allowed on the site, but not a school, and the city is asking for the OK to alter its planning ordinances to allow the school district to build.

The commission recently deemed the city's application complete and its staff will now review it. The commission is expected to hear the matter in December or January.

Pajaro Valley Superintendent John Casey is encouraging the public to send letters to the Coastal Commission in support of the school. When he speaks before the commission, Casey said he will stress that a school is the best use of the land.

"The bottom line is this," he said. "We believe development on the site will take place," and the school will be a better neighbor than the current agricultural use or any future development.

He said proposed mitigation measures will lessen the school's impact on the sensitive slough environment nearby. He also stressed the benefits of educating students in a next-to-nature setting. Environmental stewardship will be part of the school curriculum, he said.

This past Friday, Casey and Watsonville Mayor Oscar Rios walked the site with Peter Douglas, Coastal Commission executive director, and Charles Lester, district manager of the agency's Central Coast office.

> 'My job is to get seven votes. That's what it comes down to.'
>
> ***— Former state Sen. Henry Mello on his lobbying efforts on behalf of the Pajaro Valley school district***

While Rios could not say if the visit swayed either man, they certainly learned more about the project, he said.

The school district has enlisted the help of former state Sen. Henry Mello to lobby on its behalf. Mello is a 1941 graduate of Watsonville High School.

Mello also met with Douglas and Lester. He said he was an adept vote counter when he served in the Senate, but felt it was too early to count on Lester or Douglas for support.

But Mello said he will do his best to win over the commissioners.

"My job is to get seven votes," he said. "That's what it comes down to."

Winning over Lester, who will help prepare the staff report for commissioners, will not be easy.

In May, Lester wrote the school district to restate his concerns about the project's expected environmental impact. He said the proposal raises a host of concerns including development next to wetlands, the destruction of farmland, reduced water quality, growth inducement and destabilization of the urban-rural boundary.

The state Department of Fish and Game also has problems with the proposal.

Lester said he and Douglas visited the site because of the project's scope.

"It's not a single family home," he said. "It is a project with major implications."

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Eastin outlines education vision

State schools superintendent tours county

By MARINA MALIKOFF
Sentinel staff writer

SANTA CRUZ — The two teens who went on a shooting rampage at Colorado's Columbine High School were A students at one of the nation's best schools, said Delaine Eastin, state superintendent of public instruction.

Yet they felt like outcasts, a growing trend, she said.

Too often, children are "isolated, segregated, avoided and even feared," said Eastin, illustrating her point on the need for parent and teacher involvement inside and outside the classroom.

"We need to reintegrate them into our lives, make them feel needed, connected, cared about and loved," she told a packed house of educators, parents, legislative staffers and business people at the Coconut Grove Thursday during a Santa Cruz Area Chamber of Commerce luncheon.

While Eastin was emphatic about the need for parent and community involvement, she was equally firm that the state must retool its education system.

"It is time for the state to take stock on how to reinvest in our kids' education," she said.

Dan Coyro/Sentinel

San Lorenzo Valley High School students kept state Superintendent of Schools Delaine Eastin later than scheduled with their questions about the state's school system.

Setting academic standards, an assessment of results, and a system of accountability all are critical to prepare children to find employment in an economy with a dwindling need for unskilled workers, and where 90 percent of jobs require more than a high school diploma, she said.

School funding in California, meanwhile, lags shamefully behind other states. California spends $1,000 less per student each year than the national average, she said.

Eastin received a few bittersweet laughs when she told the audience about touring the state's schools and finding textbooks that predict "someday we will go to the moon," and encourage "girls to stay fit so they can push a vacuum around."

One guest asked Eastin what she was doing about the state-mandated cutback in the number of non-instructional days for teachers. The legislation has forced some Santa Cruz County school districts to eliminate spring parent-teacher conferences and reduce the amount of staff development days.

"We need to fight to bring back all eight days," said Eastin, an advocate for lengthening the school year from 180 to 195 days.

Eastin, in her second term as the state schools superintendent, last visited Santa Cruz five years ago, said Diane Siri, county superintendent of schools.

During her visit Thursday, Eastin stopped at Rolling Hills Middle School in Watsonville, where she reviewed two pilot programs. One is for pre-algebra and algebra that uses the Academic Systems interactive math software.

"I personally am pleased that she is going to support both of those programs at the state level,' Siri said. "It was a very successful day for schools in Santa Cruz County."

Eastin, who was accompanied by two aides — both UC Santa Cruz graduates — and chauffeured in an unmarked car by a California Highway Patrol officer, also made stops at De Laveaga Elementary, San Lorenzo Valley High School, and the site of the proposed Pajaro Valley high school at Highway 1 and Harkins Slough.

NEWSNEWSNE

BY DICK LITTLE

New Millenium High School In the Works

Pajaro Valley Superintendent John Casey picked up some strong political support for the new "millennium" high school the district wants to build along Harkens Slough Road near the freeway. The State has put up $40 million for the structure, but the Coastal Commission staff is dead set against it. State School Superintendent, Delaine Eastin toured the site with Casey and supported the project. Eastin is a former member of the Assembly, and still has clout with the Democratic Party.

The visit was her first visit to the Pajaro Valley School District, but she is familiar with the area. She angered Aptos residents two years ago when she pulled the Aptos Secession item on the proposed secession from the State Board of Education agenda.

During a stop at Rolling Hills Junior High she was given an outline on a new math program developed at the school which she said later was "excellent...very encouraging." The math lab was set up with software developed by Fred Landis.

The former Assemblywoman said students at Rolling Hills, "...were attentive and polite." She toured an art class at the school watching the children put together some Halloween projects.

She also sat down with a group of principals from various schools in the area. Aptos Junior High School Principal Lisa Fraser outlined her program of working with parents and members of the community to build a strong framework for the school.

During a speech later at the Cocoanut Grove in Santa Cruz, Eastin said schools must stay in session longer in order for California's children to keep up with the world. She said she would like to see school in session for 195 days a year. "Schools in Europe go for 200 days, while schools in Asia go from 260 to 280 days a year," she said. The present system in California has a 180-day schedule with eight days off for staff development.

Easton says she supports "year round schools" as well, particularly for areas that have high concentrations of Hispanic farm laborers. She said they take their children out of school during the winter and head back to Mexico. The children will not return until Spring. She said some type of 45-15 (45 days of school and 15 days off), or a 60-20 program would help build a better education program. (The Pajaro Valley School District has several schools on a 45-15 year round plan).

"She has interesting concepts," Pajaro Board member Eve Volpa said following the speech. "I'm glad she's focusing on student achievement."

The State Superintendent also disputed claims the amount of money spent does not buy a better education. She claimed Scarsdale, New York spends $18,000 a child and they have some of the best test scores in the Nation. Easton said children need more support from both their families and officials inside the school. "They need schools that are orderly and predictable," she said. "The kids that did the killing (at Colorado's Columbine High School) were "A" students...they weren't connected to anybody."

She urged businesses, educators and parents to "reach out to these kids...bring them into organizations (Rotary Club, business environment), set standards, hold them accountable."

Eastin said concentrated poverty "drags kids down," but she claimed in California, "poverty scores are up."

She also claimed students taking SAT's (Standardized Achievement Tests) in California are scoring at the National Average, but she said during a brief interview following the meeting that less than 50% of the state's students take the test. She agreed overall test scores among California students continue to be among the lowest in the nation.

Eastin said many school districts are starting up Saturday schools for students that are having difficulty during the week keeping their grades up. She also said schools have the money to remain open eight to five during the week and provide help to youngsters with their homework that do not have anyone at home when the normal school day ends.

"It was a very passionate and rousing speech," Pajaro Valley School Trustee Sharon Grey said, "I agree our school year needs to be longer."

Volpa said any additional funding that can be found by Eastin should not be "categorical." She doesn't want the district to be backed into specific programs. "...I want more flexibility."

Vocational school gets green light

By DAVID PACINI
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — It's official. Watsonville's new vocational high school is the local district's fourth — and the state's 265th — school to be granted charter status.

At its meeting last month, the State Board of Education granted the status to the Academic/Vocational Charter Institute — as the school is formally known.

According to John Casey, superintendent of the Pajaro Valley Unified School District, the action makes it possible to begin teaching students at sites other than a high school campus. In this case, students will work at the airport, building an RV-6 aircraft and at the old hospital site, operating a restaurant.

"The vocational and charter program is an example of our commitment to students and to work in partnership with the community," Casey said. "The local chapter — Chapter 119 — of the Experimental Aircraft Association has been wanting to be a partner with the schools for a long time. Through the charter school arrangement, we have the opportunity to do that more than ever before and we're pleased that we have the opportunity to do that."

The school is intended to serve high school juniors and seniors who want to learn a trade while they pursue their high school diplomas.

"We are very excited to have achieved charter status and we look forward to continuing to build the school and its programs with the focus on the academic and vocational aspects of the school," said Nancy Bilicich, director of alternative education programs for the district. Bilicich added that students will also be able to earn industry-recognized certificates of proficiency in particular trades in addition to their high school diplomas.

The school — which will be housed at the old hospital building and which will move in this month — joins Alianza, Linscott, and Pacific Coast Charter schools on the list of the district's charter schools.

The vocational school features a Hospitality and Culinary Arts program with a commercial cooking lab in the old hospital and internships in commercial kitchens throughout the county to give students hands-on experience. The program will also let students earn food handling permits and will prepare students to transfer to the food preparation program at Cabrillo College. Students will eventually run a restaurant at lunchtime at the old hospital site.

Meanwhile the school's Business and Technology students will have access to a high tech computer lab complete with Internet access for research and electronic accounting. This program also offers the latest word processing and formatting programs, enabling students to practice office skills. Students will be placed in internships at various businesses throughout the county.

In yet another of the school's programs — focusing on mechanics and aeronautics — students will hone their math skills as they draw and read blueprints. They will also learn to work with metal with hand tools and machines as they build an RV-6 aircraft. Those skills will be transferable to a wide range of mechanical careers and students will be placed throughout the county in various related jobs.

The vocational school was born of Casey's vision to offer more educational choices to the families in the district as well as to find ways to work more closely with the community.

The school has been enthusiastically welcomed by the business and educational communities in the area.

Watsonville Register-Pajaronian
November 4, 99

violence.

NOV. 4. 99

Lobbyists sought for high school

PVUSD trustees OK $50,000 to target Coastal Commission members

By DAVID PACINI
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — Local school board trustees agreed Wednesday to spend $50,000 to lobby Coastal Commission members to support the building of a third comprehensive high school west of Highway 1.

All six sitting trustees voted in favor of spending the money, and discussion of the issue centered on which budgets to take the money from.

See PVUSD, page 8

PVUSD

From page 1

"We're down to the wire on this one — we can't blink on this one," Pajaro Valley Unified School District Superintendent John Casey said.

Casey also said that former state Senator Henry Mello — who has been working to organize state support for the project free of charge — recommended the move.

"Mello and everyone else said you need to get people to sit down with them and talk to them," he said.

Casey said this morning one consultant being considered is Dave Neish of Culbertson, Adams and Associates Planning Consultants of Aliso Viejo, California. The other is Nancy Burt of The Woolley Group in Sacramento.

"We haven't entered into contracts with anybody yet," Casey said. "Henry knows the importance of being able to tell your story to the right people."

Casey said Sierra Club representatives — who are believed to oppose the high school project which borders on the ecologically sensitive Harkins Slough — have developed close working relationships with Coastal Commission members.

"This project is critical to our school district and we must do everything we can to have our story heard just as the opponents will have their story heard," Casey said. "If we don't take this step then we are not fulfilling our responsibility to the children of this district."

Casey said local officials have asked that the Coastal Commission hearing on the issue be held in March, when the commissioners are scheduled to gather in Carmel.

REGISTER-PAJARONIAN

Tuesday, November 9, 1999 — 132nd Year — No. 212

Watsonville, California — 50 cents (tax included)

News leader of the Pajaro Valley

School district moves in to old hospital site

Photos by Tarmo Hannula/Register-Pajaronian

Portions of the old Watsonville Community Hospital are still under construction by San Jose Construction but most of the exterior is complete.

Transfer will allow for expansion of classroom and athletic space

By JOHN VIEIRA
REGISTER-PAJARONIAN STAFF WRITER

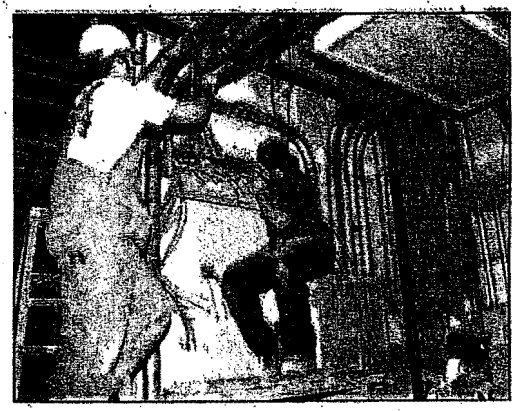
WATSONVILLE — The Pajaro Valley Unified School District has begun moving in to the old Watsonville Community Hospital site.

According to Carol Evans, director of purchasing for the district, the business division have completed their move this week and the superintendent and associate superintendents offices will move next week.

"We ask that parents and the community are patient with us during this transition," said Pajaro Valley Unified School District Superintendent John Casey. "The move will provide more space for Watsonville High School, which is overcrowded and needs room for expansion."

Currently, school district offices are located in buildings adjacent to Watsonville High School. Once the move is complete the buildings will be torn down to make room for additional classroom and athletic space for the high school, said Evans.

See MOVE, page 10



Wayne Huston (left) and Chad Vargas of Sasco Electric work together wiring new air handling units inside the old hospital.

MOVE

From page 1

In addition to the administrative offices, the old Watsonville hospital site will include office space for the district's adult education program, which is currently located on 220 Rodriguez Street, and the district's migrant education program currently located at the Alianza School site.

Known as the Northgate project, the development will provide office spaces through the renovation of the old hospital building, located on the corner of Holohan and Green Valley roads.

The school district will occupy newly constructed office spaces on the fist and fourth floors of the building. The office spaces on the second and third floors have yet to be leased.

Renovations to the building have included seismically retrofitting the building and redesigning the first and fourth floor to meet office needs. The walls have been repainted and the heating and ventilation systems have been replaced. Improvements to the building's plumbing and electrical systems were also completed.

Tarmo Hannula/Register-Pajaronian

Cecilia Duran, who works in accounting for the school district, sets up her new office space Monday.

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

School scene

School board decision to hire consultant was shameless

Tim Moore

Local columnist

Last Wednesday evening the six sitting Trustees did it again. They voted unanimously to loot the till in order to fund yet another devious, self-serving venture. This time it's not one of those superfluous 20,000-dollar, four day PowerPoint surveys conducted by local pollster and PVUSD insider Susan Brutschy Connery.

No, it's a bit more ambitious than that. They're going to be scratching around in the school budget for 50,000 loose dollars with which to hire professional lobbyists. Why? For the express purpose of hustling seven members of the Coastal Commission. Why? In order to convince a plurality of commissioners that they oughtn't to listen to the recommendations of their staff who have concluded that a third high school should not be built on the Edwards site.

School bureaucrats have opted shamelessly to try to capture raw political advantage with money and influence-peddling. To accomplish the latter they've enlisted, gratis, the services of an influential state pol, Henry Mello, and retired county supervisor, Ray Belgard. You've all read about it, I'm sure.

I have to wonder how Trustee Sharon Gray, in her own mind, managed to justify this latest invitation to plunder. I was on the phone with Sharon Thursday night, the day after the board met. I could have sworn that she reiterated sentiments expressed several times in the past about her extreme reticence toward, even outright opposition to, the prospect of a new high school being built on the Edwards property. Imagine my surprise after reading later that she had played along with all her other board colleagues. It might be time for an op-ed piece from Sharon. She can put her own spin on it.

It doesn't matter that local staffers with the Coastal Commission have been trying to tell school officials for six solid years that the proposed third high school site is not suitable for a variety of reasons. Environmental impact reports aside; clearly stated provisions of the Local Coastal Plan (LCP) notwithstanding; despite sensitive wetland encroachment; a furious multi-year exchange of letters and phone calls forgotten or ignored, school careerists, with plenty of encouragement from developers, city council members and planners, come hell or high water, are determined to take the plunge west across Highway One.

Let me offer someone else's solution to the overcrowding problem. It is relatively simple, viable and extremely cost effective: Don't spend 46 million taxpayer dollars, (plus another $10 million in yet unallocated infrastructure costs), for a brand new high school. Simply dismantle Alianza school's obviously failed Dual Immersion program. Spread those 666 kids around to other admittedly under-enrolled elementary schools in the district. Then refit Alianza for use as the third high school. That is originally what the facility was built to be. It's the old Catholic Mora High site, remember?

PVUSD administrative offices have moved over to the old Watsonville Hospital. That creates additional classroom space on Blackburn. So there, that solves the problem at probably a sixteenth the cost of building a brand new high school.

On another front — some closing observations: "I think the vote represents a repudiation of (Aptos) secession," the newly elected School Board member surmised. Well, if Rodney Brooks cares to interpret his garnering 12 percent of the vote in a single area as a major repudiation of secession, he is certainly free to do so.

Yes, after watching and listening to Rodney for the last several weeks, I am convinced that he displays the telltale signs normally associated with Pajaro schools officialdom. One, he tends to play fast and loose with the truth. And two, he appears eager to serve the school apparatus at the expense of school children.

Tim Moore, a Watsonville resident with a special interest in local education issues, is a contributing columnist. These views are solely those of Mr. Moore and not necessarily those of the Register-Pajaronian. He can be e-mailed at teemor@got.net.

Photo courtesy Luis Manual Contreras

New School visits Alianza

A convection experiment is displayed on Oct. 18, when the students of New School visited Alianza School to share science projects they had constructed. New School students have been learning basic science principles at the Watsonville Recreation Department's "Taller de Ciencia" from instructor Curt Gabrielson. New School students visited the third grade classes of Ms. Yablonsky/Ms. Clayton, Keely Floegel and Maria Fajardo.

Community support for high school will help convince Coastal Commission

By RODNEY BROOKS

All members of our community have a stake in the outcome. Even if your children are out of school or in private schools, we all want the children in this community to stay in school and acquire the skills they need to get jobs.

WATSONVILLE HIGH SCHOOL is headed for split sessions or year-round schooling. Why? Each year, approximately 300 to 400 additional new students appear in the fall. Watsonville High, which was built for 1,800 students, now has 3,000 students. Next year there will be approximately 3,500 students, and the following year about 4,000 students.

Aptos High School, which was built for 1,300 students, has 2,100 students. Aptos High has no more room for portable classrooms. Aptos is maxed out, but not so at Watsonville High. With the district office moving to the old hospital, there will be room for additional portables. Unfortunately, any campus that receives more portables never receives more libraries, cafeterias, parking spaces or gymnasiums. At least the students will have some place to sit.

Does this sound like the high school you went to or would like to send your kids to? I hope not. Having 5,200 adolescents attend two comprehensive high schools with spots for 3,200 sounds like a nightmare.

School site selection for a comprehensive high school is a long and tedious process. Site selection is normally a three-to-five year process. Many factors have to be taken into account, such as the flight path from the airport, proximity to population, cost to develop and suitability for development. All of the sites considered had at least 50 acres. Without 50 acres it is impossible to build the fields necessary for a comprehensive high school. Of the top two sites identified by the Pajaro Valley Unified School District selection committee, only one is left for development.

Money was a stumbling block for a long time. Our past efforts at passing school bonds in 1998 are having a positive effect. California voters passed a $9 billion school facilities bond last year. We qualify for hardship funding because we tried twice to pass a bond and got more than 50 percent of the vote each time. The district should receive a check for more than $40 million before the end of the year. The money comes with two strings attached. Spending at the site must begin within 18 months of the receipt of the money, and the money is site specific.

The site that was selected is known as the Edwards property. It is just over 100 acres located west of Highway 1 where Harkins Slough Road and Lee Road intersect. The PVUSD is proposing to buy 50 acres. This site is within city limits and it is zoned for a variety of uses. It will be developed. It is currently zoned for a light industrial park, an office complex , a residential park and a private vocational school. It is not zoned for public use. Because public use represents a change of zoning it must go before the Coastal Commission for their approval. If the proposed development were a printing plant, medical offices or a condominium complex, it would not go before the Coastal Commission. It would only need the approval of the Watsonville City Council.

What is the Coastal Commission? It is a group of 12 individuals, their alternates and staff, that was created by the voters of California in the 1970s to protect the coastal areas from encroaching development. Four members are appointed by the governor, four by the speaker of the House and four by the speaker pro tem of the Senate. Their meetings are scheduled in advance up and down the state. The current thinking of the PVUSD is to bring this to the Coastal Commission in March at their meeting in Carmel.

The PVUSD has developed a double strategy to deal with the Coastal Commission. There will be informational visits to individual commissioners and their alternates to tell them that since this land will be developed this is the best use of the land. The curriculum of the third high school will have a theme of the wetlands. Who better to guard the wetlands than a knowledgeable community?

The other part of the strategy is to show broad-based community support. Community support will be demonstrated by letters of endorsement, the public appearing at the March meeting and a petition with 10,000 signatures from residents of the PVUSD in support of the third comprehensive high school.

Letters of support are being requested from individuals, organizations and businesses. These letters may be sent to the district office at 294 Green Valley Rd., Watsonville, CA 95076.

Petitions are available now. You may request them from the district office or e-mail "rodney@cruzio.com." Please pass them around at your work, church or neighborhood. The completed petitions can be returned to the district office.

Who can sign the petition? All residents of the area are eligible. The signatories do not have to be voters, citizens or any particular age. They must be able to sign and print their names.

Betsy Woolpert and I will be starting a petition drive in front of Watsonville grocery stores, staffing permitting, beginning Nov. 20. We will have extra petitions if you want to circulate one yourself. We have openings for people who would like to assist us in two-hour shifts starting at 10 a.m. and ending at 4 p.m. If you want to sign up for a shift, call 728-2220. Either my staff or I will be glad to schedule you.

All members of our community have a stake in the outcome. Even if your children are out of school or in private schools, we all want the children in this community to stay in school and acquire the skills they need to get jobs. We all want people to be employed and productive. Our schools are the straightest path to this goal.

Your participation may be as simple as signing the petition. You may want to circulate a petition or write a letter to the Coastal Commission. You may choose to attend the March meeting in Carmel. Whatever your level of participation, we will need it. It is the sum of our community's participation that will achieve success. Working together we can make this dream a reality.

■ Rodney Brooks is a trustee for the Pajaro Valley Unified School District.

High school land deal finalized

Scotts Valley school trustees, landowner agree on purchase price for seized site

MAY WONG
ntinel staff writer

SCOTTS VALLEY — Scotts Val- High School no longer stands on rrowed land.

'he Scotts Valley Unified School strict and American Dream/Glen- od Limited Partnership have ached a settlement that will give school district ownership of an litional 22 acres of land for $4.2 lion.

'he deal, which on Tuesday will presented to a judge in Santa ra County for final approval, ls the haggling that has been on- ng since the school district decided in 1997 to build its high school on Glenwood Drive. The district owned 20 acres but needed at least that much more to build the project, so trustees used eminent domain to acquire the land it needed from the American Dream/Glenwood partnership. The procedure allows a public entity to take land if the public benefit outweighs private interests.

In such cases, the parties normally battle it out in court to determine a fair market price.

In this case, the school district and landowner worked together to settle the case to avoid costly court proceedings, according to school officials.

"We are very pleased that our negotiations have been successful," Steve Fiss, district superintendent, said this week. "The outcome is both fair and equitable and the district looks forward to completion of the new high school."

"This is a win-win situation for all involved," said Kerry Williams, a principal in the American Dream/Glenwood partnership. "We recognize that the construction of the school is important to the community and are pleased to complete the purchase on terms favorable to the school district."

The land had been valued at $6.5 million

The Glenwood Drive campus, with a capacity of 1,200 students, is the first new public high school in the county in 30 years. Half of the $22.8 million construction cost is being paid for by a voter-approved bond.

Construction is still months away from completion, but the high school opened in September in portable classrooms.

Escrow on the property is expected to close by Dec. 30.

Dangerous area for a high school

To the Editor,

New PVUSD trustee Brooks is circulating petitions asking citizens to beg the Coastal Commission to allow building the public high school in Harkins Slough, an environmentally protected area. Everyone agrees that a new school is urgently needed. The main issue is not that land use for the school is being denied by the Coastal Commission, but that the site is a dangerous place for a school.

Visualize school busses, student and family vehicles, bicycles, pedestrians crowding Harkins Slough Rd. and Lee Rd. Signs warn: "Flooded. Road Closed Ahead. Subject to Flooding." No protective fencing covers the freeway overpass. Hundreds of semi-trucks rumble from plants on Lee Rd. The train crossing is unregulated. Odors permeate the air from the slough system, fertilizers, pesticides. The noise of airplanes is deafening. Most students are miles from home.

Additional geological dangers are described in the school's Environmental Impact Report where engineers cite dangers of "differential settlement" of the soil, "proximity to several active faults" which may cause " high to very high seismic shaking," and possible "liquefaction on the lower lying portions of the site."

As to the site being environmentally protected, yes it is. There is a common misconception, however, that "a light industrial park, etc." will cover the Edwards site anyway if the high school isn't allowed. Not so. The Local Coastal Plan says that before any development is considered, environmentally sensitive areas, plus slopes greater than 15 percent, would be eliminated from consideration. Then, following a "findings" phase, only 10 percent of what is left would be considered for development.

The new high school calls for more development than is allowed by the Local Coastal Plan: development on slopes up to 25 percent, and surface coverage up to 50 percent of the site. The Local Coastal Plan would have to be changed.

The huge school would cause immeasurable damage to the Harkins Slough and wildlife preserve. Not a good message to send our youth, when throughout the world, people are desperate to restore wetlands, stream ecosystems, fish and wildlife habitats, coastal habitats, and tidelands damaged by irresponsible development. It seems a cruel joke that the school would have a "Wetlands" theme.

Citizens are being asked to sign petitions essentially blaming the Coastal Commission for not allowing the building of a public high school at this dangerous and rightfully protected area. Citizens themselves earlier turned the high school away from suitable sites.

SYLVIA PREVITALI
Aptos

Register-Pajaronian
12/4/99

OPINION

AS WE SEE IT

Show support for PV high school

■ COASTAL COMMISSION: School district has until March to make its case for much-needed school.

SUPPORTERS OF A NEW high school for the Pajaro Valley got some good news last week.

Most important was that a state Coastal Commission hearing on the school was postponed. Instead of hearing the issue this month or next, the commission delayed until March taking up whether the school should be rejected because of environmental concerns over the proposed site at Harkins Slough and Lee Road.

Why is this good news? Pajaro Valley Unified School District Superintendent John Casey told the Sentinel that school backers will now have extra time to rally support and lobby commissioners.

Casey sent out a letter in October addressed to "interested community members" seeking written support for the New Millennium High School, as the new high school will be named. Casey's letter was accompanied by background material on the school and the 70-acre site. It also provides a list of Coastal Commission members, along with alternates, and their addresses and notes that any written materials sent to commissioners must also be forwarded to commission staff.

The district hopes to get 10,000 signatures in support of the new high school.

The other good news for the school district is that the March hearing will be in Carmel. This location will allow many more local supporters a chance to attend.

The district will need every bit of support it can muster, since commission staffers have already gone on record expressing strong concerns about the project's impacts on the environment.

We believe this high school site needs to be approved. Almost everyone can agree that because of overcrowding at Watsonville and Aptos high schools, and an increasing student population, the new high school is a necessity. The question is where it should be built.

Opponents accurately point out that the property isn't zoned for a school. What they don't say publicly, however, is that the current zoning would allow uses that could have a worse impact on the environment. The proposed site is on land that is currently farmed and that is zoned for light industrial use, not a school. The city of Watsonville has applied to the commission to amend its coastal plan to allow the school.

Opponents also say the district should look elsewhere. The district has looked elsewhere and hasn't found a site that would work.

Although the school district failed twice to gather the two-thirds voter support to pass school bonds to pay for the high school, it has qualified for $40 million in state funds to build it. This money is tied to the Harkins Slough site and could be lost if the site is rejected.

A few other points in favor of the school:

- The 2,200 students who would attend the high school already live in the district, so the school would not be growth inducing.
- The district's two existing high schools have a total capacity of 3,200 students but now house 5,190 students.
- The site is three miles from the coast and is not on prime agricultural land.
- The project includes a 9-acre biological reserve to be planted with native vegetation.

THE NEW SCHOOL has some significant and influential backing already. Former state Sen. Henry Mello is lobbying the commission and Graniterock Inc. CEO Bruce Woolpert is leading the campaign to garner public support.

Now it needs your help as well.

❑

We're including a form that will allow you to voice your opinion about a new high school at the Harkins Slough site.

We'll take your letters and e-mails and forward them to the Coastal Commission in your name.

Name: _____

Address: _____

_____

Phone: (_____) _____

Dear Coastal Commission:

_____

_____

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Send to: Editor, Santa Cruz County Sentinel, 207 Church St., P.O. Box 638, Santa Cruz, CA 95061, or via e-mail at editorial@santa-cruz.com

d Year — No. 241 12/13/99

News leader of the Pajaro Valley

School board OKs buying two more school sites

$2,600,000 for 9.5-acre Landmark property

By DAVID PACINI
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — As construction workers rush to complete the Ann Soldo Elementary School by January, local school officials are looking to buy two more properties for elementary schools.

Trustees of the Pajaro Valley Unified School District Wednesday approved applications to the state for funds for the purchase of the Radcliff School and 10 surrounding parcels as well as a 9.5-acre Landmark site for two new schools.

According to a memorandum by written by assistant superintendent Terry McHenry, the district is applying to the State Allocation Board for the money to buy the sites along with hardship funds to build the schools.

The State Allocation Board is expected to pay for the school site purchases because the district has 2,873 unhoused students (now in portable classrooms). The Ann Soldo school will reduce that amount by about 600 students, but the district will still have over 2,000 students in portables.

"We expect continued growth at the elementary level in Watsonville with major development occurring in the current Starlight, Amesti and Alianza attendance areas," McHenry said.

> The district has tentative plans to open Radcliff in July 2001 and the elementary school in the Landmark area in July 2002.

He also said the district has tentative plans to open Radcliff in July 2001 and the elementary school in the Landmark area in July 2002.

"Major development is occurring in the Landmark area with one 120-unit project now opening, another getting ready to start construction and three more in the planning stages," he said. "There is the potential of having between 600 and 800 homes in this area when the current plans are actually implemented. Radcliff

See SCHOOL, page 14

SCHOOL

From page 1

School will take much of the current Alianza population, allowing Alianza to handle some of this new development but another school will be needed to serve the Landmark area itself."

The district reserved a 9.5-acre school site in the Landmark area just off Harkins Slough Road behind the new Target Store. Primary access has been provided with the final plans for the Westbridge Development but the property will also have access to Ohlone Parkway.

The district has the California Department of Education's approval for the Landmark site, and has addressed the California Environmental Quality Act issues and has a preliminary appraisal. It will now submit its application for site and planning funds. At the same time, it will attempt to reach agreement with the developer for the land purchase and will complete the purchase once the state approves our site allocation.

Trustees also approved a plan to buy back Radcliff School from Adult Education as well as to buy the .64-acre parking lot next to it from the city of Watsonville. Radcliff, which is on 1.21 acres on Rodriguez Street, would be turned into a 3.25-acre school site with a play field and parking lot with the purchase of two parcels to the north of the school on Rodriguez and eight parcels to the south of the school on Rodriguez and West Lake.

The design is complete for the renovation of the existing school and addition of 18 two-story classrooms and a large multi-use room on the existing property to house over 600 students — twice the size of original school.

Officials have identified 19 households and one business on six occupied parcels that will have to be moved, and estimate that cost will be about $400,000, assuming that the five families currently receiving Section 8 housing assistance can continue to receive that assistance at their new location.

PV trustees brace for growth with plans for a new school

By TRINA KLEIST
Sentinel staff writer

WATSONVILLE — Current and planned construction of more than 600 housing units in Watsonville in the next two years has Pajaro Valley school officials planning a new elementary school on the Landmark property west of Main Street.

Pajaro Valley school board members have approved spending more than $2.6 million to buy the vacant property from the developer.

The school has been planned for 9.5 acres behind the Overlook Shopping Center amid 120 new low-income apartments just opening and hundreds more homes in the planning stages.

The site between Harkins Slough Road, Highway 1 and the proposed route of Ohlone Parkway has been approved by the state Board of Education. The district has received approval of its environmental impact report. Negotiations on the land sale have not yet begun.

Officials plan to open the school, as yet unnamed, in July 2002.

Some students expected to come from the new developments will attend the restored Radcliff Elementary School, now the home of Watsonville/Aptos Adult Education.

Radcliff Elementary is scheduled to open in July 2001 and enroll 600 students, twice as many as in its original incarnation.

Board members also have approved plans to buy 10 properties on either side of Radcliff School to accommodate playing fields and a parking lot. District officials have said they will pay the adult education program about $310,000 for the 1.2-acre school, and buy back the parking lot to the rear from the city of Watsonville.

That land, plus the additional 1.4 acres of the adjacent parcels, would give the school 3.25 acres — room for 18 additional two-story portable classrooms and a multipurpose room.

The district also plans to shoulder the estimated $400,000 cost of moving 19 families and one business that occupy six of the adjacent properties. Five of the families receive government housing subsidies.

The site has already been approved by the state Department of Education. Appraisals on the 10 parcels have not been completed.

Radcliff Elementary is scheduled to open in July 2001 and enroll 600 students, twice as many as in its original incarnation.

Those two schools, in addition to the Ann Soldo Elementary being built on the Franich property near the East Lake Village Shopping Center on East Lake, are expected to accommodate population growth and new housing in the Starlight, Amesti and Alianza attendance areas.

There are 2,873 more elementary students in district schools than the buildings were intended to house.

Approval of the two newest schools means officials can seek construction money from the state Allocation Board. Officials said they will apply both for matching funds and "hardship" funds. The state has a special budget to help districts where voters favored construction bond measures, but failed to meet the two-thirds requirement to pass.

SANTA CRUZ COUNTY SENTINEL

Sunday, December 19, 1999 ■ A-20

OPINION

AS WE SEE IT

Support growing for a new PV high school

■ PAJARO VALLEY: 1999 hasn't been an easy year for the South County, but things may be looking up.

THE YEAR 1999 has not been a particularly kind one for the people of the Pajaro Valley.

Unemployment remains high there, and the high price of housing has forced a growing population into already inadequate housing. Local officials have attempted to address the economic stagnation in the Watsonville area by proposing land development that they say could improve the area's economic outlook by providing new industry and jobs.

But so far, most of those proposals have not seen the light of day, largely because of land-use decisions by Santa Cruz-area officials who say they want to preserve open space and agricultural land. Those decisions are understandable, perhaps, coming from officials whose constituents support containing growth and saving open space.

But in the Pajaro Valley, many people are frustrated by those decisions. They see opportunity choked off, even while neighboring communities in Monterey and San Benito counties are allowed to grow, with new commercial and residential housing.

We don't expect next year to see many changes, although there is one development that could do considerable good in the Pajaro Valley.

That project is the New Millennium High School, proposed for a 70-acre site within Watsonville city limits at Harkins Slough and Lee Road.

No one can deny the need for a new high school. The two high schools now in the district — Watsonville High and Aptos High — were built for 3,200 students. More than 5,200 are now attending.

What people can and are arguing about is where a new high school should go. Some environmentalists have expressed opposition to the proposed site because of its proximity to an environmentally sensitive slough.

But it's clear to us — and some other key supporters — that building a school at the Harkins Slough site actually does make sense. The site already is within the Watsonville city limits. It already is zoned for development. In fact, virtually the only use not spelled out by the city zoning designation is for use as a school. And that, apparently, was merely an oversight at the time it was zoned.

Environmentalists concerned about the slough area nearby ought to realize that there's a real upside to having a school there. The Pajaro Valley Unified School District has already come up with nearly 20 specific measures to protect the slough. Beyond that, officials vow to make the slough environment an open-air classroom to actually teach the importance of such waterways to students. The slough actually will be a kind of open-air classroom in which environmental studies can be presented as something more than just a concept.

What people can and are arguing about is where a new high school should go. Some environmentalists have expressed opposition to the proposed site because of its proximity to an environmentally sensitive slough.

One group that has expressed doubt about locating a school there is the staff of the state Coastal Commission. But the staff isn't who votes: that will be up to the Coastal Commission itself, which will address the issue at a meeting in March.

But supporters of the school already are lining up. Former state Sen. Henry Mello has taken on the job of helping to promote the school, and current state Sen. Bruce McPherson is on board as well. So is Assemblyman Peter Frusetta, R-Tres Pinos, and perhaps one of the most important supporters is Assemblyman Fred Keeley, D-Boulder Creek. Keeley's credentials as an environmentalist are impeccable, and he too has signed on as seeing a need for the school.

In this space two weeks ago, we published a coupon asking people to send in their opinion about the school, and we will be sending along the dozens of responses we've received to the Coastal Commission.

NO LAND-USE decision is ever easy in Santa Cruz County. But the need for a third high school in the Pajaro district is so great, that we're confident that leaders of both North County and South County will see the need to approve the New Millennium High School.

The school would be a great Christmas present to the community, and to the people of the Pajaro Valley in particular. We're sure that if the community at large had one request for the new year, it would be approval for the new high school.

City Editor
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PV district awaits funding

$2 million more could be coming from the state to build a new high school

By STETT HOLBROOK
Sentinel staff writer

WATSONVILLE — By submitting a new application to the state next month, the Pajaro Valley Unified School District could gain $2 million more to build its yet-to-be-approved third high school, school officials said Tuesday.

If approved by the state, the district now expects to receive nearly $44 million to build the school west of Highway 1 along Lee and Harkins Slough roads.

Previously, the school district applied to the state Office of School Construction for so-called hardship funds to pay for the sorely needed high school.

The district had earlier qualified for about $42 million in hardship money because it got more than 50 percent of the vote on a failed school bond and because it suffers from overcrowded conditions at Watsonville and Aptos high schools. The bond measure needed more than two-thirds approval.

Even with the additional money, the school district will have to scale down the project to make sure it comes in under budget, said Superintendent John Casey.

"But we're going to be much closer to meeting our goal," he said. "It's going to be a little easier."

In 1998, a new state law changed the way the state calculates financing for new facilities based on the number of students. To apply for the money under new formula, the school district withdrew its old application in October, technically leaving it without any financing until the new application. is approved.

In 1998, a new state law changed the way the state calculates financing for new facilities based on the number of students. To apply for the money under new formula, the school district withdrew its old application in October, technically leaving it without any financing until the new application is approved.

Terry McHenry, associate superintendent, said the district is guaranteed the money because it meets the hardship funding requirements.

"As long as they don't run out of money, we get it," he said.

The new financing formula provides additional money based on inflation adjustments and student attendance, changes that could mean an additional $2 million.

While the high school is a school district project, the city of Watsonville has submitted an application to the state Coastal Commission for the necessary environmental approval.

The 70-acre school site, which is privately owned and under eminent domain proceedings, falls within the city limits. Building the school requires extensive amendments to the city's local coastal program. The Coastal Commission is expected to rule on the amendments in March.

The amount of money the school district gets from the state will determine what kind of facility it can build.

"That drives what we can do," said McHenry.

In addition to the application for the high school funds, the school district will apply for $7 million to $8 million to expand Radcliff School and $2.5 million to acquire 9.5 acres in the Landmark development area near Ohlone Parkway for another elementary school.

Approval of the state money is expected early next month.

REGIST ER-PAJARONIAN FRIDAY DECEMBER 31, 1999

School scene

REGISTER- AJARONIAN

$5(million promised to PVUSD from state today is just a dream

"The Di rict (viz. PVUSD) should rec e a check for over $40,000,000 efore the end of the year." That' what the man said. School Tru ee Rodney Brooks blurted it rig t out in a 12/10/99 ed piece. B oks is not one to let facts interfe with fancy. I had already writte earlier that he plays recent rema s confirm that allegation to m satisfaction.

In the tru department he is rivaled only b Associate Supt. Terry McHenry w o uttered a similar whopper for e record several days later. He tol V/P staff writers (See 11/20/99 edit n front page) that the state had de ised "a new funding formula" the includes a favorable "inflation co ponent, (i.e. a kind of COLA). So, cHenry strongly implies that sc ol officials opted to withdraw th original application for state har ship funds for a new high school order to resubmit another appl ation at the beginning of next year.

By so mar uvering, McHenry alleges, the di rict can take advantage of a sig icant increase in the originally re ested dollar amount. Bualwaa! Th PVUSD made application to the ffice of Public School Construction (OPSC) way back in early March 99. There were missing items on e application, however. So the C SC sat on it, until the district coul meet additional requirements. the meantime, the state issued w regulations vis-à-vis hardship plication procedure.

In mid-Oc ber OPSC employee Koren Lama ent the district a "15 day" letter re uired under the new regs. The P JSD did not reply. Hence the di rict's hardship application was n urned on 11/1/99 accompanied b letter of revocation. Believe me, cHenry and the rest would not h e held out for more had a check n nus any inflation factor been rec ed prior to January 1, 2000.

Brooks k ew, or at least he should have k own at the beginning of November, lly a month and several days bel re he submitted his article to the V/P, that the original hardship app ation was not going to fly. He sho ld have known, furthermore, th had the application been accept and approved, the district might en have received in the neighbor od of $50.490 million. He didn even get the total right.

The man J s been recently elevated to bec e vice-president of the Board. A son in that position can not be e used, or allowed to

Tim Moore

Local columnist

get away with disseminating false and incorrect information to the community at a large.

I talked by phone to Bruce Hancock, Asst. Executive Officer of the State Allocation Board, which, in the multi-layered state bureaucracy, sits astride the Department of General Services (DGS), which, in turn, hovers over the Office of Public School Construction.

Hancock made some things abundantly clear to me. Firstly, that the PVUSD has, currently speaking, no "in house" applications on file with the OPSC. That includes two other applications for hardship funds for the proposed Landmark Elementary School and also for the proposed Radcliff Elementary School plus ten surrounding parcels. Those other two applications were returned incomplete.

Secondly, Hancock assures me that no funds will be forthcoming until or unless the eminent domain matter is settled. The court must have ordered that possession of the Edwards property be taken prior to the release of any applied for hardships funds.

Normally Hancock counsels school districts not to go the ED route when trying to acquire new sites for school construction. It usually takes so much time, he says. Simply getting a court date can eat up lots of time. The PVUSD has gotten a court date finally, but not until March 13, 2000 (docket No. CZ136440 by the way). We have to wait at least another two and one half months just for an initial hearing on the thing. And there is no guarantee that the property will change hands even after that; or, in the event that it does, that hardship funding would be available.

Hancock infers that money comes in slowly, in dribs and drabs, but that it goes out quickly, leaving the coffers empty periodically. Understand, there are many other school districts in California competing for those scarce hardship dollars.

I would love to get my hands on that letter of revocation from the OPSC. That will not be easy though. McHenry's office has not answered my request for a copy of the document. They don't want its contents to be divulged is my suspicion. But such information must be a part of the public domain, wouldn't you think? Surely, the letter outlines clearly the specific reasons the district's original application was revoked.

[illegible] tion to the ED question, it makes mention of the California Coastal Commission's negative findings after six years of negotiations with the PVUSD. CC local staff, as you probably already know, has totally rejected the school district's request for a waiver of certain prohibitive building requirements under the Local Coastal Plan (LCP). I do not see the state releasing $50.490 million before the Coastal Commissioners meet and decide for or against the report from their own staff.

I cannot imagine, either, that they will overrule those findings, unless, of course, a combination of big money and power politics prove to be overwhelmingly persuasive. The PVUSD is banking on just such a strategy, because nothing else is going to work.

Tim Moore, a Watsonville resident with a special interest in local education issues, is a contributing columnist. These views are solely those of Mr. Moore and not necessarily those of the Register-Pajaronian. He can be e-mailed at teemor@got.net.

E. A. Hall Middle School

School will be on winter break until Jan. 3, however the following events will take place that week:

Monday: Tracks B, C & D return to school.

Tuesday: 6th grade EAOP meets in the library during 3rd period.

Wednesday: D Track Read-A-Thon assembly during 1st period.

There are many after-school study centers where tutors are available to all students. The computer lab is also open before school and during lunch. There are other lunchtime activities in which students can participate, including noon games, games of strategy in S-4 and astronomy club in S-2, to mention a few.

For further information call the school at 728-6270.

Who should get the best? And when?

Dick Bernard

Local Columnist

When it comes to providing some of life's simple pleasures for our youth (like having fun or feeling free and easy), we spare no effort to make their growing up years as enjoyable as possible. With one exception — the physical setting of their schools. On that score our rationale is — what was good enough for us in our youth will be good enough for them now. Translated, that means desks bolted to the floor, poorly heated and lighted classrooms, outdated textbooks and dilapidated toilet facilities. We learned under those conditions! Why can't they?

Change the metaphor. Let's say you have an early teen youngster who's been severely injured. Rushed to the hospital, your orders are — nothing but the best! Surgery, nursing care, the works. Why doesn't that translate to your teen's transition to high school? Nothing but the best — top of the line facilities. Buildings and equipment, state of the art curricula, the works.

No, we say. The status quo is good enough. Translated that means — the injured youngster will have to make do. The body will heal, the brain will adapt. That's about where we are in the Pajaro Valley with the proposed New Millennium HS — first class in buildings, location and curricula, the works. But what was deemed adequate for us in our youth simply won't do now. The "E" decade cannot be rolled back.

The trail to this point is littered with delays and denials; decisions-by- NIMBY (not in my backyard); the monstrously anti-democratic two-thirds vote majority requirement for bond passage; the misplaced,mistaken reliance on the so-called environmental domino theory — if this open space is taken, all the rest will fall. The PVUSD's dilemma is that the end-of-the-line is here — other sites have been rejected, all the funding mechanisms are now in place, the scope and design of the HS is complete.

What is lacking is an OK by the California Coastal Commission and a sufficiently aroused and concerned community supporting this project. The latter is growing. More and more voices are being raised in support.

But what can we say or point out to the commission? Let us consider the main themes of concern that have emerged. The environmental issues are — growth inducement, impact on the wetlands and impact on agriculture. The land use issues are several. One is whatever "reading" or interpretation of coastal zone restrictions or allowances you accept. Another is the size of the change requested in the city of Watsonville's LCP (local coastal plan). Still another is the matter of locating the new high school somewhat apart from the centers of population in the valley.

Well, to begin with, just sheer population increases are growth-inducing. Short of using draconian measures, what do we do about population growth among school children? We could stack the kids in a five story building, like English HS in Boston, complete with escalators. I substituted there several times during a five month stay in '85-'86. It was a veritable zoo. The Capitola Mall on its worst day would be preferable! Schools aren't like department stores. They need creative space.

The impacts on wetlands have always been a problem. Chief among them is agriculture. Saving farmland is one thing, but keeping its pesticide run-off away from wetlands is quite another. A high school's run-off is negligible by comparison. The present practice of agriculture in the proposed Harkin Slough area is marginal at best. Growing strawberries there brings in only modest profits. Replacing it with marginal cattle grazing only exacerbates damaging run-off problems. What is left behind is badly wounded land that only serves to whet the appetites of speculative developers.

An environmentally sound high school plant, with restrictive guarantees on any future expansion, will deter such rampant development. Admittedly, the size of the Millennium HS is big, 65 acres of the 115 acre Edwards property. But there are significant trade-offs. One is that the school's population will remain static. Another is that the future of vocational education in the valley will be of the out-sourced variety — there are already early signs of this where vocational education will take place, cheek by jowl, with business and industry, far removed from wetlands or present day open space. The MHS then will represent our commitment to serve our youth now, rather than in the distant future, with opportunities for them to grow and learn.

An important factor in this learning process will be the environmentally oriented curriculum. All MHS graduates will have completed a course or unit in the sciences having to do with understanding and applying basic good practices for the protection and preservation of the Pajaro Valley's unique environment.

So I say to my colleagues in Watsonville Wetlands Watch and elsewhere, we have a great opportunity to launch a new generation of enthusiasts for keeping the Pajaro Valley one of nature's best. Think of it. Students at MHS will have a daily exposure to the beauty of their school's vista — the broad expanse of the Watsonville Slough watershed. And why shouldn't they? After all,let's hew to our collective commitment to youth — nothing but the best!

Or do you want them to wait, pay their dues, battle the workaday elements, and maybe, just maybe, someday, in their declining years, they can afford a million dollar view in a chalet high above the Pajaro Valley.

Richard Bernard is a Watsonville community activist and a contributing columnist. These views are solely those of Mr. Bernard and not necessarily those of the Register-Pajaronian.

REGISTER-PAJARONIAN FRIDAY DECEMBER 31, 1999

LOCAL

Interchange plans OK'd

SENTINEL 1/8/00

Transit panel signs off on long-sought Hwy. 1 project

By STETT HOLBROOK
Sentinel staff writer

WATSONVILLE — Watsonville has gotten the go-ahead from the county Transportation Commission to upgrade the Harkins Slough Road and Highway 1 interchange.

City officials called the vote a victory over previous attempts by commissioners to block the project in the name of preventing development west of Highway 1.

"They think anything we do is growth-inducing," said Watsonville Mayor Oscar Rios, the city's representative on the commission.

Watsonville officials have long argued they have no plans for westward expansion but need to improve the interchange to alleviate traffic.

The commission voted 9-1 Thursday to grant Watsonville $5.6 million to do the work.

The project, which still needs state approval, includes:

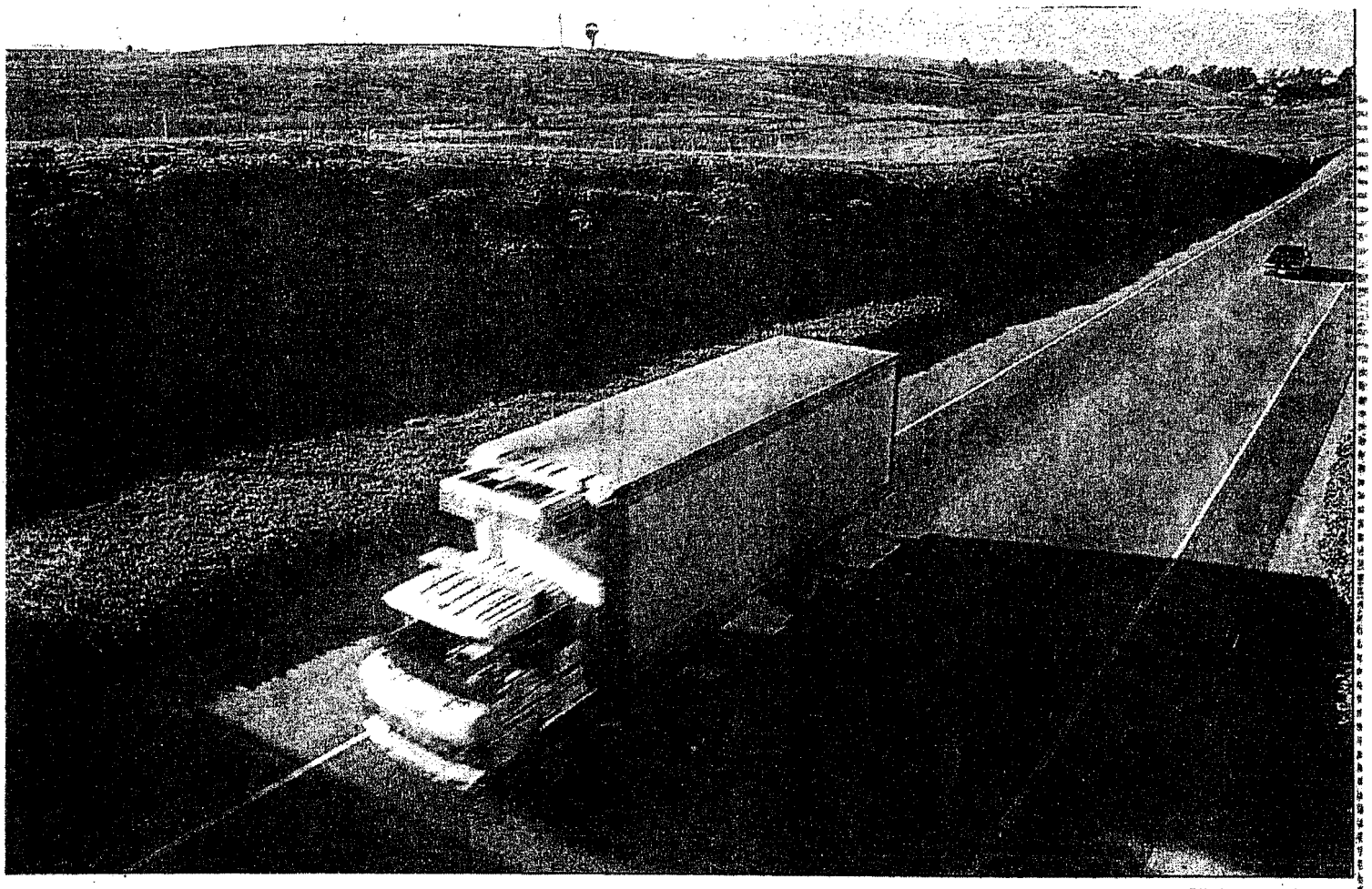
- Building an on-ramp from Harkins Slough Road onto northbound Highway 1.
- Building an off-ramp from southbound Highway 1 to Harkins Slough Road.
- Adding a second eastbound lane on the Harkins Slough Road overpass.
- Upgrading the overpass to meet seismic and height requirements.

The commission previously had approved a plan that only allowed for seismic upgrades and raising the overpass. Watsonville officials, however, sat on the plan until they thought they had the commission votes to get the additional improvements.

The interchange's current configuration is inconvenient for drivers. The only access to Harkins Slough Road is from southbound Highway 1, while motorists on Harkins Slough Road can only enter southbound Highway 1.

Also, the overpass is about 18 inches too low, which forces some large trucks to exit Highway 1 to avoid it.

Watsonville officials say the work will alleviate increasing traffic congestion at Main Street and Green Valley Road.



Bill Lovejoy/Sentinel

he county Transportation Commission has approved the construction of a new on-ramp and off-ramp at the lighway 1 and Harkins Slough Road interchange in Watsonville, above. Motorists there currently have limited ccess to and from the highway.

David Koch, director of the city's Public Works Department, predicted the situation would only get worse with the 800 to 1,000 homes expected to be built in the area over the next five years. At peak commute hours now, traffic at the intersection is at minimally acceptable levels, he said.

The project cost is estimated at $8.1 million. The city has been collecting developer fees in the area to pay for a portion of the work. The project is expected to begin in two or three years, Koch said.

Mardi Wormhoudt, a county supervisor and transportation commissioner, asked to delay project approval until Watsonville could assure the commission the new interchange would not contribute to greater development west of Highway 1, but her motion failed to garner majority support.

Commissioner Bart Cavallaro's passing motion was that the commission approve the project on the condition Watsonville return to the commission in a month with assurances it will not expand westward.

Cavallaro said the project had languished too long because of ill-founded concerns about development west of Highway 1.

"I felt it was strictly political," he said.

> Watsonville officials have long argued they have no plans for westward expansion but need to improve the interchange to alleviate traffic.

The city and the Pajaro Valley school district do have plans for one 70-acre triangle west of Highway 1: the construction of a third high school. Any development plans west of Highway 1 and outside city limits would need OKs from the county Local Area Formation Commission and the state Coastal Commission.

Cavallaro, a Scotts Valley city councilman, said he did not feel development west of the highway was an issue.

"Mardi Wormhoudt and LAFCO keep Watsonville from growing anyway," he said.

Wormhoudt, a LAFCO member, did not dispute traffic congestion in the area, but said environmental concerns also needed to be addressed.

Because the city has applied to the Coastal Commission to loosen the standards in its Local Coastal Program to make way for the high school, Wormhoudt said she is concerned about the effect a beefed-up interchange could have on future development.

Wormhoudt also said the city had once considered developing a parcel west of Highway 1 known as the Tai property.

"I'd like to know what's changed," she said.

Sentinel 1-8-2000

Backers of new PV high school open public information center

By STETT HOLBROOK
Sentinel staff writer

WATSONVILLE — Advocates of the school district's bid to build a third high school are planning to open a "public information center" on Main Street.

While not funded or staffed by the Pajaro Valley Unified School District, the office will provide information on the proposed school.

The Latino Chamber of Commerce of Santa Cruz County and the Watsonville High School Foundation are heading up the effort.

"The whole focus is to try and get momentum for the third high school," said Luis de la Cruz, executive director of the Latino Chamber of Commerce.

The office at 504 Main St. will be staffed by volunteers. Barry Swenson, who owns the building, is donating the space, Cruz said.

Elias Alonzo, a well-known community organizer in Watsonville and Latino Chamber of Commerce board member, is also helping to set up the information center and will be soliciting support from various community groups for the facility.

School district Superintendent John Casey welcomes the office.

"We're glad to see it," he said. "It's a grass-roots effort to get the word out."

Casey said the idea for the information center grew out of a meeting of the district's third high school steering committee, which identified a need to provide the public with more information about the school proposal.

The office will have copies of a petition for the high school that supporters are circulating for delivery to the state Coastal Commission. Cruz said the office may be used to organize buses to take people to the Coastal Commission hearing.

While the proposed 213,000-square-foot high school is a school district project, the city of Watsonville is applying to the Coastal Commission for approval because the site is within city boundaries and requires numerous changes to the city's Local Coastal Program.

The 70-acre property, planted in strawberries for the past year, is zoned for agricultural and light industrial uses but not for a school.

Watsonville's application to the Coastal Commission also seeks to redefine the criteria for agricultural conversion, reduce the amount of land in the Local Coastal Program designated environmentally sensitive, increase the maximum slope on which development is allowed, and increase the maximum development allowed.

The Coastal Commission is scheduled to consider Watsonville's application when it meets at the Carmel Mission Inn Feb. 14-17.

Cruz said the office will open in about 10 days and will be in business until the Coastal Commission hearing.

REGISTER-PAJARONIAN

Wednesday, January 12, 2000 – Page 4

New high school a community priority

By SANDRA NICHOLS
REGISTER-PAJARONIAN GUEST COMMENT

Whenever there's talk about the new high school at Harkins Slough, those of us who are listening hear one tune. "We really need a new high school and this is our only chance to get one!" Let's consider why all of our local leaders seem to be on the same side of this issue. Now I'm not one to play the devil's advocate. And I'm not arguing that we shouldn't build a new high school at the slough. However, I see a certain truth that is not getting printed, and I feel called upon to explore it.

Here's the problem. We need to provide more space for our students, and the case is being made publicly that a new high school at the slough is the only possibility. Everyone is getting on the band wagon. It is perceived that a unified community will convince the Coastal Commission to override its own staff's determination that the slough is inappropriate for a comprehensive high school. So the school district (PVUSD) has decided to take a little money ($50,000) from its kettle (the budget for our children's education) and spend it on lobbying the CC to lower their standards on the protection of our environment.

An interesting aspect of unifying the community against the CC is that the commission becomes a convenient scapegoat should they turn down this valley's request to waive regulations. Our new high school would be even farther away than we have previously imagined! Recall that the CC warned PVUSD repeatedly that the slough is not suitable for the high school. The project is inconsistent with the Coastal Act in many ways. These constraints are barriers that PVUSD and Watsonville politicians hope will be overlooked in the face of our huge need for more space for our students. Is it fiscally responsible to devote educational resources to try to implement a plan when the CC has given repeated warnings that it will not make an exception in this case?

I have a number of other problems with this whole procedure. It is most troubling to me that our State has this commission dedicated to protecting our coastal environment, a good cause, and that in our efforts to relieve the overcrowding at our schools we have to ask that an exception be made. Coastal Commissioners, we want you to protect our coast, but could you please bend the rules and let us build the new school at the slough? A dilemma has emerged here regarding just what exactly we would be teaching our students about our treasure, our environment. It's troubling that part of the proposal seems to answer this concern by purporting that the New Millennium High School will have an ecology component in which students learn to treasure the environment. It's ironic that we try to teach exactly the opposite of what we show as a priority when we choose our favorite site based on how many complaints we're getting from the local inhabitants.

Recall the other sites that were taken into consideration during the past 15 years of attempts to build a new high school? There were two major factors which chipped away at the possibilities for a site. Many sites were ruled out because of noise and safety issues caused by the airport location. The other factor was that NIMBY attitude, "not in my backyard." Various sites were ruled out because local residents organized against them. So we are left with a site at which there are no neighbors to complain, one which is apparently not in the flight path.

If we buy into the plan to combat the CC with our education funds and continue to pursue the slough site, our priorities are clear. We value the airport more than the slough. We value freedom from a high school in our own neighborhood more than the concept of students attending schools close to where they live. We would rather see our community spread across Highway 1 than stick to the community's growth plan. We would rather see our education tax dollars spent on political maneuverings and lobbying, than on the actual teaching of our children.

These infernal questions keep surfacing regarding the motivation of our community leaders when they lead us into this ironic quagmire in which our priorities get all mixed up! Why is the City of Watsonville so gung-ho for the Harkins Slough site? Is the fact that our school board members are elected by trustee area related to the fact that no trustee area was hospitable to a new high school, except the slough, where there are no neighbors with voting rights? Are board members so beholding to their constituents that they must make decisions based on their ability to be re-elected rather than the good of our students and community? Is the reason that we're only hearing one tune, that if the powers that be admit that there exists another possible high school site, the Coastal Commissioners will reject our plea that the rules be bent? What about the money that has already been spent and continues to be spent developing and supporting the site plan? Would the School Board actually use our money to purchase the Edwards property before the CC hearing, and if so, what will they do with that land if their plea is denied?

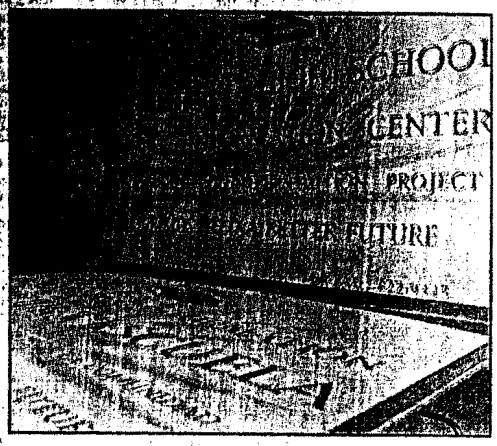
I support the construction of a greatly needed high school This project should respect the constraints of the Coastal Act. I continue to object to the tactic of denying the existence of other possibilities.

Please, School Board, build us a high school. Get going down a feasible road. Make progress towards solving the problems facing our schools. And stop spending our kids' educational dollars on political maneuvering!

(Sandra Nichols is a Watsonville resident and a Bilingual Language Specialist. She can be e-mailed at nichols@cruzio.com)

School speaker

Jan. 16, 2000



Bill Lovejoy/Sentinel

Nelson Santiago has been named spokesman of the effort to build a third South County high school.

Business leaders tap banker as voice of the community

By STETT HOLBROOK
Sentinel staff writer

WATSONVILLE — The campaign to rally community support for a third South County high school now has a spokesman.

Nelson Santiago, newly hired assistant vice president and branch manager for Watsonville's California Bank and Trust, will be the voice of the community and business groups behind the Pajaro Valley Unified School District's drive to build a high school along Harkins Slough Road.

Santiago said local business leaders — he would not say who — asked him to take the volunteer post. He said he was chosen because he is a fresh face.

"The reason I was asked was the fact that I don't have any political baggage," he said. "We really want this to be focused on the kids."

> 'The reason I was asked was the fact that I don't have any political baggage.'
> — *Nelson Santiago, school drive spokesman*

Santiago, who has been working in Watsonville since September, will disseminate information about the project and conduct community outreach to win support.

Volunteers are working to open a public information center at 504 Main St. for the project.

The Latino Chamber of Commerce of Santa Cruz County, of which Santiago is a member, is organizing the center. The office space is being provided rent free by Barry Swenson Builder. George Ow Jr., a local developer and philanthropist, has donated materials to the center and is helping to raise money for an advertising campaign in support of the school.

Santiago said he is in communication

Continued from Page A9

with school officials and city officials about the school, but sees his involvement as part of a separate, community-based effort.

While the land proposed for the school is zoned for certain kinds of light industry, it is not zoned for a high school, so the school district needs Coastal Commission approval to proceed. Environmentalists object to the location, west of Highway 1, saying it would spur development in an environmentally sensitive area.

The Coastal Commission is scheduled to hold a hearing on the issue in March.

Building the new school will create a more "rigorous educational environment" in the Pajaro Valley that will better prepare students for the Bay Area workforce and make the Watsonville area more attractive to businesses, Santiago said.

With a third of Watsonville's residents under age 19, and with double-digit unemployment in the city, building the school is essential, he said.

As a banker with a background in Silicon Valley finance, Santiago is particularly interested in linking the region's growing Latino population with the educational and economic opportunities provided by technology.

Santiago has worked in the banking and mortgage industry for 14 years. As an assistant vice president and regional community development officer for Sumitomo Bank, which became California Bank and Trust, he launched the effort to bring the bank into East Palo Alto, the largest city in California without a bank. The bank has not opened yet but has received Federal Deposit Insurance Corp. approval.

The third high school information center is scheduled to open next week. Volunteers are sprucing up the space, bringing in supplies and painting signs in Spanish and English touting the high school project.

OPINION

AS WE SEE IT

MLK's dream needs local boost

■ KING DAY: Watsonville high school, voter registration drive can provide more opportunities.

IT ISN'T DIFFICULT to see that Martin Luther King Jr.'s dream of a society of equal opportunity has a ways to go. It's as stark as the difference between the cities of Santa Cruz and Watsonville, between North and South County. In North County, the population is relatively affluent, mostly white. South County, majority Latino, many of whom are struggling to slip into the American Dream.

Two critical drives, both ongoing and relating to upcoming events, illustrate how on this upcoming Martin Luther King Jr. Day, Santa Cruz County is poised to change.

The first is the drive for a new high school in Watsonville. This is the one project that could do the most amount of good in the Pajaro Valley for the next year — and give Watsonville-area kids a better shot at joining in the dream of equal opportunity.

The school, New Millennium High School, is proposed for a 70-acre site within city limits at Harkins Slough and Lee Road. Although the need for a new high school is acute, and the funding is there, some environmentalists are opposing the site because it's close to an environmentally sensitive slough.

We've written extensively on how the Pajaro Valley Unified School District plans to deal with the environmental concerns, and we've urged residents to lobby the state Coastal Commission to approve the site. Although the commission staff has expressed doubt about locating the school near Harkins Slough, the matter will come to a vote of commission members in March.

The second is the continuing drive for political representation by Latinos. Statewide, Latinos, the fastest growing electorate, are being courted avidly by both political parties. With the state primary less than two months away, a group of Latinos in this area is working to increase voter registration.

In Watsonville, City Councilman Ramon Gomez is the campaign coordinator for a nonpartisan voter registration effort that is called ¡VOTE! The drive started in earnest last Wednesday with a rally in Watsonville. ¡VOTE! aims to sign up 10,000 new voters in the Pajaro Valley, Salinas, San Benito County and southern Santa Clara County. The group includes community and labor leaders along with the non-profit Citizenship Project, which works to get legal residents to become U.S. citizens. The drive aims to sign up longtime residents who haven't voted, newly eligible 18-year-olds, and immigrants who have recently become citizens.

With several important races to be decided, including a November City Council race in Watsonville and a supervisors' race in the Aptos-Capitola area of Santa Cruz County, plus congressional and state legislative races, Latinos want to continue to demonstrate they can't be taken for granted by either party and that Latino votes can help begin to change the power structure.

Watsonville is already an example of that. Gomez, for instance, was elected by a razor-thin 12-vote margin in 1998. He followed in the footsteps of other Latinos, who became a majority on the City Council this decade, after a U.S. Court of Appeal overthrew the city's at-large election system and district elections were instituted (the U.S. Supreme Court had the final say on the issue in 1989). Watsonville in 1998 elected its first Latino county supervisor, Tony Campos, and Mayor Oscar Rios, who will be term limited out in November, has become a political player in a number of countywide governmental bodies.

For all that, however, many the city and surrounding area still feel captive to the mostly white, mostly liberal-environmentalist, power to the north, a feeling certainly exacerbated by the recent fight over Watsonville's failed attempt at annexing farmland for housing and industry.

Education remains the great crucible, the avenue where many minorities and immigrants can begin to make their way out of the ghetto or the barrio — if they have the opportunity. Gov. Gray Davis's recent proposal to provide financial incentives for young teachers to go to work in underachieving schools (which are predominantly minority) was welcome.

The other big push is in technology. So far, the plugged-in, online world has been predominantly white and Asian; blacks and Latinos lag behind in owning computers and plying the cyberwaves. Again, education can begin to reverse this trend.

MARTIN LUTHER KING JR. led a movement that changed the nation, even the world, in beginning to dismantle the walls of oppression.

In Santa Cruz County, the task is simpler: help people feel part of the dream by giving them a chance to make a difference, to gain a voice through education and through the voting booth.

Monday, January 17, 2000 — 132nd Year — No. 271

REGISTER-PAJARONIAN

Have you heard?

Business group gives high school plan major boost

WATSONVILLE — Santa Cruz County's business community gave the Pajaro Valley Unified School District's plan for a third high school significant support last week when it delivered petitions of support to District Trustees. In November, member companies in the Santa Cruz County Business Council voted overwhelming support for the new high school on the Harkins Slough site and a petition drive was soon launched.

At Wednesday night's Trustees' meeting, the Business Council delivered a stack of signed petitions six inches thick containing more than 1,900 signatures. The Business Council membership includes most of the largest and some of the oldest businesses in Santa Cruz County.

"We have reviewed the process followed by the District in selecting the site and found it to have included diverse community inputs, including environmentalist groups, and to include impressive environmental protection measures," said Jim Conklin, Executive Director.

Apparently, the 1,900 signers agree with Conklin's conclusions. The petitions indicate support for the third high school at the Harkins Slough site within the Coastal Zone and concur that satisfactory efforts have been made to benefit the environment as well as new students as the school.

Other community groups are also collecting petitions of support for the new high school. Several weeks ago, a community group delivered over 1,600 signatures from local residents to Trustees.

1/22/00
REG-PAJARONIAN

Letters

A school on good farmland teaches wrong lesson

To the editor,

I read the letter against the new high school site, primarily the fact this new school will take 100 acres of prime farmland out of production. In seems in desperation for schools, jobs, housing, whatever, any excuse will do, to justify building on our food supply.

"Smart growth" HAH! Building on our food supply. We can teach the students in this new school that earth is infinite. We can just keep adding people, and subtracting food production, indefinitely, and still have enough to eat. Phooey with these advocates of the unappreciated farmer&farm worker, they only feed us, so who cares? Teach our kids that unchecked population growth, and building on farmland is sound planning. If you noticed lately, much of Watsonville is commuting over the hill, as field work&farming have become starvation trades. Society it seems, demeans and fails to appreciate the absolute essential aspect of the farmer and field worker. A 100 acres here, 100 acres there. This sound planning of building on our food supply, while resigning ourselves to unchecked population growth, is a good lesson for our students. In the meantime, let's listen to the propaganda machine, and feel good about the "red hot" economy, growth, the big family, and everything's OK.

Nationwide, statewide, countywide, worldwide they're building on the food supply, and who cares? I'm sure our school district is giving the farmers and farmworkers the hero's status they deserve. Teaching the kids the value of a good meal, and the value of our farmer, farmworker and the farms is a good idea. In a school that takes out 100 acres of prime farmland? What a cruel joke.

Bob G. Dickie
La-Selva Beach

which neighbors sued a public agency under similar circumstances and won both an injunction and damages.

Supporters of the speedway — some of whom traveled from out of the area to attend the hearing — argued that few racetracks are left

See RACE, page 10

PAJARONIAN 1/19/2000

High school talks show promise

PETER NICHOLS
REGISTER-PAJARONIAN CORRESPONDENT

WATSONVILLE — Recent efforts on the part of the local officials to influence the Coastal Commission's decision to allow the construction of a high school west of Highway 1 appear to be bearing fruit.

City and school district officials have met twice in the past month with local commission staff following a letter from Coastal Commission District Manager Charles Lester to John Doughty, the city's planning director.

The December 6, 1999 letter outlined 16 "information needs" ranging from questions about the school district's policy on pesticide and agriculture buffers to the city's "(mechanisms) to reinforce the urban-rural boundary" at the proposed site.

The local commission staff and the district had been at odds over the high school project for years. Letters from the local commission staff to officials warned — in no uncertain terms — that the site was not suitable for a high school and that environmentally superior options were available.

Commission staff are now looking to see if the proposed development can be made consistent with provisions of the Coastal Act of 1976. Under the act, the Coastal Commission certified the city's Local Coastal Program allowing very limited "non-nuisance" development possibilities on the site. The city has applied for amendments to the LCP to allow the construction of a public school there.

"We all became a little defensive early on," said Pajaro Valley Unified School District Superintendent John Casey. "Since then, the relationship has gotten better, and we've had two good meetings."

Current discussions between the parties center on the project's "growth inducing" aspects. Watsonville city attorneys are currently working on a legally binding document to insure that there will be no growth west of Highway 1 "that is a result of the high school," said Carlos Palacios, Watsonville City Manager. The commission staff appear to be receptive to that concept, Palacios said.

Casey and city officials have recruited the aid of local political heavy-weights to support their efforts; and the district has hired two lobbyists — Dave Nish from San Juan Capistrano and Nancy Burt from Sacramento — to help make its case to the commissioners.

See HIGH SCHOOL, page 10

HIGH SCHOOL

From page 1

Casey, along with Watsonville Mayor Oscar Rios and Palacios attended the January meeting of the Coastal Commission in Santa Monica and met with Peter Douglas, Coastal Commission Executive Director who spoke positively about the proposed high school. He said the school's environmental stewardship component could ultimately serve as a model. He also confirmed the need for a assurance from the city that the project would not generate additional development.

"A promise (from Mayor Rios) and a city council recommendation is not the answer," Douglas said. "We're going to have some legally binding instrument that says this project will not be the one that opens the flood gates to development."

Assemblyman Fred Keeley has been working quietly behind the scenes to help bring the parties together.

"I have facilitated lengthy dialogue during December and continuing through this month, assisting them in identifying legitimate policy differences and to help them bridge those differences." he said.

Keeley echoed the optimism many share now that the project is headed for a Coastal Commission approval.

"I have thoroughly reviewed (the proposed amendments) with the school district, the city, the Coastal Commission staff, the executive director and with commissioners themselves," he said. "I am confident the high school can be approved with appropriate conditions that will be made consistent with the Coastal Act."

RECEIVED
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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Exposure to the slough not such a good idea

To the Editor,

Mr. Bernard comments: "Think of it. Students at MHS (Millennium High School) will have a daily exposure to the beauty of the school's vista — the broad expanse of the Watsonville Slough watershed. After all, let's hew to our collective commitment to youth — nothing but the best."

The best? Daily exposure to the slough? Yes, Mr. Bernard, they'd have exposure to the slough all right. To particles in the air that may be disease-laden from the county landfill that's up from the lake that lies behind the site. (And remember, this landfill is a toxic waste and hazardous waste collection center.) They'd be exposed to verifiable earthquake dangers, unstable soil, flooding. (And how would we evacuate students in an emergency on flooded exit roads?) They'd be exposed to odors of the slough, plus odors and residue of fertilizers and of insect control substances that are applied to nearby fields.

They'd have daily exposure to roaring airplanes overhead. (Even more plane and a longer runway west are planned for Watsonville Airport.) They'd be near freeway noise and its pollution, plus verifiable traffic danger and congestion. They'd be going to school and coming home next to trucks going to and from the western industrial center in the Lee Road and Beach St. area. They'd have exposure to possibly years of Caltrans construction when the Harkins Slough overpass is raised.

One thing they wouldn't be exposed to is an established, safe neighborhood with other people nearby. The Harkins Slough school site is isolated from the heart of town in a damp, fetid slough.

Mr. Bernard, you suggest education and good futures will happen for our youth with the construction of a new school. No. Education happens when carefully constructed plans for meeting the educational need of each student are made and lovingly carried out by caring parents and teachers. A tough assignment. It was my pleasure to have had that assignment at E.A. Hall School for nearly a decade. It has been an honor to have taught disadvantaged youth since I was trained in the National Teacher Corps many years ago.

Educating kids is especially challenging here. Almost every school in the Pajaro Valley Unified School District is a federally-designated poverty school. Our teachers take on heroic tasks daily.

Public high school teachers presently teach 170 students or more each day, at 34 students per hour. Discipline problems are horrendous. Reading ability is low. There is rampant alcohol and drug use among young people at all socioeconomic levels. We are in crisis with youngsters all over our community — North, south, east, west. It is a shame, but it is a fact.

A shiny new school is not going to solve this. Family and community involvement and person-to-person teaching and mentoring will, with smaller classes the first step. We must put money and effort into keeping kids in school right now, with the goal of graduating our youth either ready for higher education or trained in a vocation or profession.

As for a new high school, of course that's urgently needed, but not at Harkins Slough. PVUSD has other sites available. Fifty acres are not necessary to get hardship funds. We could build two smaller high schools. Or we could remodel our elementary school that used to be a private school. Furthermore, I understand that the architect's plans for New Millennium High are readily adaptable to any site.

SYLVIA PREVITALI
Aptos

1/21/2000

Future looks bright, leaders say

By DAVID PACINI
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — Houses are being built, jobs are being created, downtown is bouncing back, the new high school is likely to be approved, the hospital is expanding its services, two new museums are in the works, and crime is down.

That's the rosy picture seven community leaders painted for the Pajaro Valley Chamber of Commerce luncheon crowd Thursday at the Green Valley Grill.

Chamber president Bob Dwyer kicked off the speechmaking by outlining the chamber's intention to promote eco-tourism — specifically birding, bicycling and kayaking — and agricultural tourism in the valley and to support efforts to revitalize downtown.

Watsonville City Manager Carlos Palacios the city's unemployment rate is 13.1 percent, and that 1,200 new jobs and 30 new businesses came to the city last year.

"We're doing better right now than it's been in a decade," he said.

He also said city leaders are focusing on beautification efforts and building more parks, including

See FUTURE, page 6

John Casey shows a picture of the new high school to the chamber's luncheon crowd.

David Pacini/Register-Pajaronian

FUTURE

From page 1

a 14-acre recreational facility on the Franich property.

"There will be growth in this community," he said. "The question is, how do we plan for it?"

Schools chief John Casey followed Palacios to the podium to describe the challenges of finding enough good teachers and drumming up support for a new high school on the Edwards property near the slough.

"You could build 15 multimillion dollar mansions on that property," he said in reference to its zoning status. "I think it's important for us to say that it's to us to have a school there. We think we're going to get a fair shot."

Police chief Terry Medina said that preliminary statistics indicate crime dropped 17 percent in 1999, to its lowest level since 1981. He also said both violent crimes and property crimes were down and that people feel safer.

Medina also said Watsonville is working with other police departments on a records management system that will help each agency do its job more efficiently. It is also working, he said, to streamline its management.

Watsonville hospital administrator Barry Schneider then told the business leaders that 1999 saw the addition of 18 new doctors to the community and that the health care institution continues to upgrade its services. He said the hospital's challenges include recruiting enough nurses in the next few years, in the midst of what is expected to be a shortage of workers.

Leo Leon announced that the local firefighters association is working to restore the old fire station on Second Street so it can be transformed into a fire services museum. He also said a new fire truck is on order for the department to replace a 30-year old engine.

Jan Davison concluded the s[illegible] describing a 150,000 square-foot [illegible]opment project planned for the 200 block of Main Street, which will house the Granite Rock Company's headquarters. Soccer Central will be moved to Ramsay Park to accommodate the project, she said.

"We're hoping to break ground in the summer," she said.

- REGISTER-PAJARONIAN, Saturday, January 29, 2000

Battle over new high school could take center stage at Coastal Commission meeting

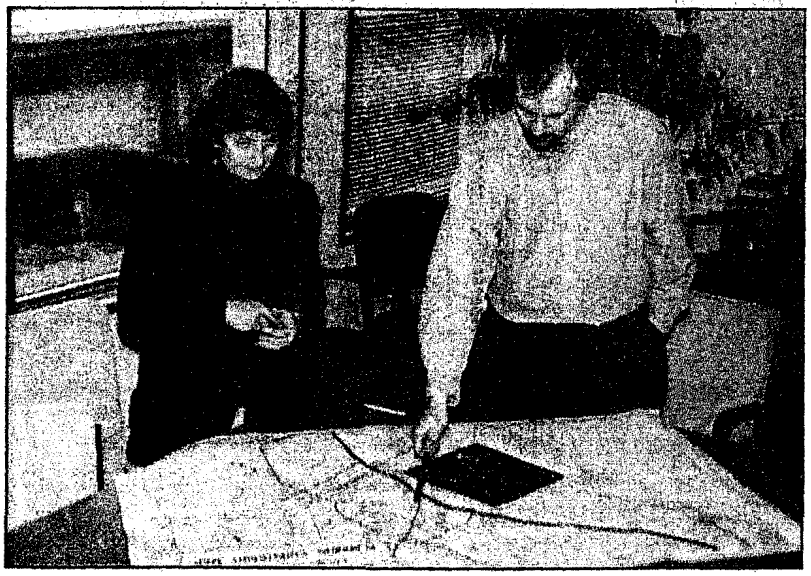
By PETER NICHOLS
REGISTER-PAJARONIAN CORRESPONDENT

WATSONVILLE — The long-running battle between school district officials and the local Coastal Commission staff over the construction of a high school in an environmentally sensitive area west of Highway 1 appears to be headed for a resolution in favor of the new high school.

First in a series examining the New Millennium High School

The school's fate rests in the hands of the California Coastal Commission. That body could rule on Watsonville's application for amendments to their Local Coastal Program (LCP) at their March meeting in Carmel. The LCP gives the city jurisdiction over development within the Coastal Zone, and the amendments are needed to allow a public school.

Conversations with state, district and city officials, as well as local Coastal Commission staff and their executive director, reveal that the parties are now looking for ways to make the proposed high school consistent with the Coastal Act.



Peter Nichols/Register-Pajaronian

Tami Grove, deputy district director, and Charles Lester, district manager of the Coastal Commission, go over a map of the Coastal Zone.

Peter Douglas, Coastal Commission executive director, said local staff have abandoned their argument that more suitable sites are available.

"If you look at one of the alternatives," he said. "It has a shopping center on it."

Assemblyman Fred Keeley, who has earned the reputation of a facilitator in sticky government matters, has been working behind the scenes.

See SCHOOL, page 6

SCHOOL

From page 1

"I think both the environmental community and the Coastal Commission staff are raising legitimate issues," Keeley said. "I think they can be addressed satisfactorily through mitigation measures and conditions.

"This application can be brought into harmony with the Coastal Act," he said.

John Casey, Pajaro Valley Unified School District superintendent, admits to "engineering the project down somewhat," with regard to certain aspects of the facility — "but not as it relates to attendance.

"We're looking for conditions that will make the project work," he said.

"The issues remain the same," said Coastal Commission Deputy Director Tami Grove. She refers to the project's potential for growth inducement and protection of Environmentally Sensitive Habitat Areas (ESHA) as the primary concerns.

Some environmentalists see the new school as a breakthrough for the city, which in the past sought to develop lands west of Highway 1. According to Mayor Oscar Rios, however, the city now has lost interest in such development.

According to city manager Carlos Palacios, school district lawyers are preparing a "memo of understanding" designed to guarantee that utility extensions west of Highway 1 will be used only by the high school.

"(The goal is) to get some legal parameters that will ensure that there will be no growth west of the highway — that is a result of the high school," Palacios said. Commission staff have been generally receptive to the concept, he added.

The issue surrounding disturbance of ESHA within the wetlands is a little more problematic.

"Wetland issues are always difficult," Grove said, "because we've lost so many of them."

Casey maintains that the ESHA issue is not a difficult one. If disturbance of ESHA is not allowed, the district could work around them, though the district proposes to replace the areas in question at a 5:1 ratio, he said.

"It is the impact on ESHA that affects the high school's foot print," Douglas said. "So we're looking at re-arranging the foot print."

One remaining bone of contention, however, is the new ESHA map — submitted as part of the city's amendments — showing a loss of wetlands on the site from approximately 10 acres in 1982 to less than five acres now.

"We're looking at historical data regarding the extent of wetlands and ESHA there," Grove said. "And we'll evaluate how those areas should be treated."

Work is intensifying on both sides as commission staff seeks additional information to complete their report. Meanwhile, city and district officials are working quickly to provide answers to questions posed by the staff. The report, including the staff's recommendations, must be completed and made public prior to the March meeting.

There currently is no commitment from the commission to take up the matter at that time, but it is the district's hope — and the commission's stated policy supports that desire — that the meeting be held nearby, allowing local participation.

City Development Director John Doughty, who is charged with responding to the local commission staff's information requests, feels a certain pressure as the clock winds down to the March deadline.

"We're in a time-critical mode right now," he said. "But there is a point where you have to stop studying it and make some conclusions — That time is fast approaching."

The new spirit of cooperation represents a turn-around from the combative relationship which has existed between local Coastal Commission staff and the district for years. The staff had previously warned — as early as 1993 — that the proposed project would exceed the scope of the Coastal Act.

Critics of the new high school site see increased pressure on the local commission staff to cave in to the district's educational needs, said Jim Van Houten of the Local Agency Formation Commission (LAFCO) and Watsonville Wetlands Watch.

"If that happens," Van Houten said. "that means the Coastal Act has no consequence."

According to Douglas, Governor Gray Davis has issued a directive to state agencies to help facilitate the construction of educational facilities whenever possible. Spokespersons for the governor have not yet been able to verify the existence of any such directive.

Supporters cite the overwhelming need for a new comprehensive high school to relieve severe overcrowding at the district's two existing high schools — a condition that started the selection process in the mid 1980s and which has become more critical every year.

School district and city official have had their eyes on this site for at least 13 years. Last year, the school board voted unanimously to condemn the property in preparation for taking the land through eminent domain. They hope to acquire the property from owners Ralph and Kathleen Edwards for $1.5 million.

It is possible that the school district could acquire the property, then be turned down on its request to construct a high school there. According to Casey, under that scenario the state would not reimburse the district for the land purchase.

To help rally support for the proposal, district and city officials have engaged in a massive public relations effort. It is their desire to generate enthusiasm on the part of the community to carry to the commission meeting in Carmel.

To insure that their message is heard by the right people, the school district also hired two lobbyists who are familiar with the commissioners and the process. The lobbyists along with district and city officials were in Santa Monica this month where commissioners gathered for their four-day monthly meeting.

The school district, having made a significant investment in time and money on the proposed site, made a strategic decision to challenge the local staff and take the matter to the decision makers — namely, the commissioners themselves.

"We knew that the regional office is not the decision maker," Casey said. "The school board has taken the position, as a unit, to run this course, and the commissioners could say yes!"

Proposed changes to the city's LCP

The current Local Coastal Program (LCP) provides for permitted and conditional uses within the Coastal Zone. Permitted uses — with the fewest restrictions — include passive recreation, agriculture and aquaculture (fish farms). Conditional uses — with the most restrictions — are the subject of the city's LCP amendments.

The chart below shows these uses and restrictions permitted in the current LCP and proposed in the amended LCP.

Conditional Uses

Current LCP	Amended LCP
Minimum 5 acre residential	Minimum 5 acre residential
Minimum 15 acre non-nuisance	Minimum 15 acre non-nuisance indus trial
Industrial	Public School

Conditions for conversion of farmland

Farming determined	Farming determined to be not feasible or developing the land preserves
to be not feasible	Prime ag land elsewhere

Allowed coverage (buildings, asphalt, etc)

Maximum 10 percent coverage	Maximum 50 percent coverage

Development on slope

Maximum 15 percent slope	Maximum 25 percent slope

Protection of Environmentally Sensitive Areas (ESHA)

Forbids development in ESHA	Allows development of up to one-tenth acre of ESHA if the ESHA is replaced at 2:1 ratio.

Extent of ESHA on the site

Previously certified map shows 10 acres /- of ESHA	Proposed map shows a loss of ESHA to less than five acres

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452 02-16-00 W 4P 1S
CALIFORNIA COASTAL COMMISSION
725 FRONT ST
SANTA CRUZ CA 95060

Staying focused

Aptos' Jorge Gonzales' (left) goal-keeping helps keep the Mariners slim hopes alive in a victory over Soquel.

Page 9

WEEKEND

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The Register-Pajaronian
News Leader of the Pajaro Valley

REGISTER-PAJARONIAN

Saturday, February 5, 2000 — 132nd Year — No. 288

Watsonville, California — One dollar (tax included)

News leader of the Pajaro Valley

DEAL

From page 1

school site at the Coastal Commission meeting.

Keeley acknowledged that the deal was "delicate" and respectfully declined to offer any clues regarding its substance.

After the Friday meeting, however, Keeley reaffirmed his confidence that a comprehensive high school will be constructed on the site.

The focus of concern for environmentalists has always been the protection of the wetlands and prevention of expansion by the city into lands west of Highway 1. In order to satisfy the Coastal Commission, any agreement would have to address issues related to growth inducing impacts.

The Coastal Commission's March 15 meeting will be held in Carmel, and it is hoped that the city's Local Coastal Program ammendments will be addressed there.

If weather does not permit the outdoor gathering on Sunday, the press conference will be held at the Watsonville City Council Chambers.

Deal struck on high school site

Assembly leader brokers deal between environmentalists, local officials

By PETER NICHOLS
REGISTER-PAJARONIAN CORRESPONDENT

WATSONVILLE — City and school district officials have been meeting with government officials and groups opposed to the construction of the new high school in an environmentally sensitive area west of Highway 1 to find common ground and negotiate differences.

The participants will gather to conduct a press conference and sign a document to seal an agreement reached during those meetings Sunday at noon at the high school site on Harkins Slough Road.

The agreement is the result of delicate and serious negotiations facilitated by California Assembly Speaker pro Tem Fred Keeley (D-Boulder Creek). The first was a two-hour meeting last Saturday. The final meeting, which produced what might be considered an agreement of heroic proportions, lasted two and one-half hours on Friday.

The invitation-only meetings were attended by: Keeley, Mayor Oscar Rios, Pajaro Valley Unified School District Superintendent Dr. John Casey, School Board President Evie Volpa, Santa Cruz County Supervisor Tony Campos, Watsonville Wetlands Watch representatives Christine Johnson-Lyons and Jim Van Houten, Sierra Club representative Marilyn Hummel and Community Alliance with Family Farmers representative Ken Kimes.

Prior to the Saturday meeting, the factions met separately. The school district and city officials at one location, environmental group representatives at another — with Keeley engaging in "shuttle diplomacy" between the two.

Keeley

"Then, when the moment was right," said Keeley. "It was time for face-to-face meetings."

Rumors about the meetings were the subject of a mail message circulating among members of Citizens for a Safe and Sane High School, a group recently formed to oppose the project. Jim Van Houten, also a member of that group remarked after Saturday's meeting that he was "very encouraged".

But a veil of secrecy was successfully cast over the proceedings. The deal reportedly includes an agreement by the environmentalists to speak in favor of the high

See DEAL, page 8

Santa Cruz County Sentinel

Serving the community since 1856

Saturday, February 5, 2000

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Watsonville school-site deal in works

City may drop annexation plans in exchange for high school on land near Harkins Slough

By TRINA KLEIST
Sentinel staff writer

WATSONVILLE — The stalemate over construction of a third high school in the Pajaro Valley appears to have been broken.

On Sunday, environmentalists, city and county officials, farmers and Pajaro Valley school district leaders plan to meet at noon at the proposed site on Lee Road at Harkins Slough Road to announce the "latest developments" on the school.

The participant list, which includes leaders from Watsonville Wetlands Watch, the Sierra Club and Community Alliance with Family Farmers, indicates the groups may have reached some compromise with city and school officials that make it possible for them to support building a facility that would house 2,000 students near Harkins Slough west of Highway 1, in the sensitive coastal zone.

Such an agreement could give the Pajaro Valley Unified School District the broad community backing it needs before going into a March 14-17 hearing in Carmel with the state Coastal Commission on the issue.

At that hearing, the city of Watsonville will ask commissioners to let it amend its coastal plan to allow for building the 71-acre school on the Edwards property. The land, currently a strawberry field, is inside the city limits and zoned for light industrial use, but permitted uses do not include a public school.

> 'The big news is that a kind of agreement has been tentatively struck.'
>
> — *Bruce Woolpert, Graniterock president*

The gathering was announced Friday by Assemblyman Fred Keeley, D-Boulder Creek, who for six weeks has been facilitating meetings with different groups that have been wrangling over the controversial site.

Participants declined to discuss details of the tentative agreement, but others close to the negotiations indicated they would sign some kind of document Sunday.

Bruce Woolpert, a major supporter of the third high school, called the event "historic" for bringing together environmental, school and city leaders in support of education in the Pajaro Valley.

"The big news is that a kind of agreement has been tentatively struck," said Woolpert, who did not participate in the talks.

Woolpert, president of Graniterock, is also education chairman of the Santa Cruz County Business Council.

In what appears to be a related development, the Watsonville City Council on Fri-

Please see SCHOOL SITE — BACK PAGE

Continued from Page A1

day released an agenda for its regularly scheduled meeting Tuesday night that includes an item to withdraw the annexation plans for the Tai property from its General Plan.

The Tai property is 646 acres west of Highway 1 and near the school site. City officials have eyed the land for building up to 1,800 homes, half of which would have been deemed affordable.

Environmentalists and growth opponents opposed building a high school near Harkins Slough for fear it could trigger development in the scenic agricultural land west of the freeway. They have specifically referred to the city's intentions for the nearby Tai property.

Giving up the Tai property could also satisfy growth concerns of the Santa Cruz County Transportation Commission. Commissioners last month approved a city request to expand the access ramps between Harkins Slough Road and Highway 1 on condition of a no-growth assurance from the city.

Pajaro Valley school officials have been trying to build a new school for 14 years to relieve severe overcrowding at Aptos and Watsonville high schools. One potential site near Pinto Lake was rejected by neighbors and environmentalists in 1991.

The school district regrouped by forming a search committee that included parents, county planning officials and environmentalists. During two years, they met weekly to look for a suitable school site, and the Edwards property near Harkins Slough emerged as the least problematic of all the parcels considered. Of the 13 properties scrutinized, most were eliminated because they were on prime agricultural land, in an airport flight path, or were too small to meet state requirements.

The one person apparently excluded from Sunday's tentative agreement is the owner of the 125-acre property, Ralph Edwards. He is fighting the school district in court over the value of the land and is asking for more than the approximately $1.5 million the district wants to pay.

Edwards has said he wants to develop an industrial park on the land. District officials plan to seize the property under the district's right of eminent domain.

It is unclear what would happen with the remaining 54 acres of the Edwards property that lay beyond the school site.

District plans for the 71-acre school site include 9 acres of wetlands restoration, access to the wetlands for community groups and a curriculum that would teach students to appreciate the importance of the slough to wildlife, flood control and water recharge.

Staff writer Stett Holbrook contributed to this report.

REGISTER-PAJARONIAN

Monday, February 7, 2000 — 132nd Year — No. 289

Watsonville, California — 50 cents (tax included)

News leader of the Pajaro Valley

Protesters interrupt HS press conference

PETER NICHOLS
REGISTER-PAJARONIAN CORRESPONDENT

WATSONVILLE — The Sunday afternoon press conference where supporters of the new high school had hoped to sign an agreement with leading environmental groups was downgraded to a progress report on those efforts.

Arranged by Assemblyman Fred Keeley, the gathering included top city, county and Pajaro Valley Unified School District officials as well as representatives of Watsonville Wetlands Watch, the Sierra Club and the Community Alliance with Family Farmers. Keeley had brought the parties to the table in two private meetings in recent days to broaden community support for the new facility.

"We're at the beginning of a process," Keeley said. He described a "road map" (see side bar), that if followed, would lead to a comprehensive agreement between the parties. He has repeatedly expressed confidence that the Coastal Commission's concerns about the project can be mitigated and that a comprehensive high school will be constructed on the site.

The proceedings were periodically interrupted by a group of approximately 20 protesters, some carrying placards, registering objection to the new coalition. As private planes flew overhead, protesters shouted "We can't hear you!" to underscore the concerns some have over safety and noise issues surrounding the airport.

According to a letter from Keeley to Mayor Oscar Rios, the "road map" involves a four-step process. The anchor provision which environmentalists find very attractive calls for an enforceable agreement that will for ever prevent the city from developing other lands west of the freeway —, starting with the Tai property located across Har-

See HIGH SCHOOL, page 9

Peter Nichols/Register-Pajaronian

John Casey (left, with sunglasses) is joined at the podium by Watsonville Mayor Oscar Rios (right, with sunglasses) at Sunday's press conference on the third high school site. The two are flanked by school board trustees and other local officials.

HIGH SCHOOL

From page 1

kins Slough Road from the proposed site.

When all substantive steps are completed, the agreement calls on participating environmental groups to support the city and the school district in their efforts to realize the high school — all the way to the Coastal Commission. Construction of the facility requires that the commission accept amendments to the city's Local Coastal Program, which could be on the agenda of the regulatory body's March meeting in Carmel.

"An agreement to permanently protect the coastal area west of Highway 1 would be a victory for students, a win for wildlife and a triumph for community cooperation and compromise," said Christine Johnson-Lyons, representing Watsonville Wetlands Watch. "We're committed to the process, and we're optimistic."

According to city councilman Chuck Carter, the task of removing the Tai property as a target of study from the city's General Plan will be taken up at the council's meeting on Tuesday at 7:30 p.m. The body had previously agreed to revisit the matter.

Regarding the prospect of giving up on developing land west of Highway 1 to allow the high school to go forward, Carter acknowledged the potential for reluctance on the part of some council members. He said the city has great needs in the area of housing and job growth, and little room for expansion.

Expectations were high following the Friday meeting leading to the press conference. At that time, Keeley termed the agreement "delicate".

"The three parties have made great progress," Keeley said after that meeting. "But this is a group that could spook very easily. And there's a lot of time between now and Sunday."

The fragile alliance that Keeley had engineered began to crumble late Friday as details of the agreement began to surface.

Marlin Humble, the Sierra Club representative who had expressed her intentions to attend the gathering, suddenly backed out and did not attend. The group's local chapter held a meeting Friday night and issued a press release declaring that they would not send a representative. "It is our hope that community leaders will . . . build a high school at a site that protects the environment," the release read. The door to future negotiations, however, was left open.

In an apparent conflict with that group's decision, Patrician Matejcek was introduced as representing the Sierra Club at the gathering. She acknowledged the significance of the discussions but remained guarded in her comments regarding the outcome.

"Agreeing to a first date doesn't mean you're ready to walk down the aisle," she said.

Details of the school's construction within the site boundaries were the subject of one of the four steps outlined in the Keeley letter. To complete the agreement, the Coastal Commission's concerns regarding grading the slope near the wetlands and the prospects for developing land adjacent to the school site would have to be addressed.

John Casey, PVUSD superintendent, said modifications were being considered but he anticipated no need to change the location of any buildings or ball fields. Those type of changes might cause the plans to be sent back to the Department of the State Architect, which could cause a delay, he said.

In a related development, the local Coastal Commission staff have requested information in a letter to the state Department of Transportation regarding the evaluations of the site by their Aeronautics Program. The staff registered concern about potential conflicts with state regulations as siting options are being explored.

According to the Jan. 24, 1999 letter, the site was determined to be "incompatible with school development" in 1987, but in 1992 the site was deemed "suitable for a school."

"These things get political," said Daniel Gargas, state safety inspector for the Watsonville airport, which is located less than a mile from the proposed high school.

He added, "This site has always been a fence sitter." The proposal evaluated in 1987 described a larger site located closer to Airport Boulevard than the one evaluated in 1992. And, during the 1990s, flight activity decreased relative to previous years, he said.

Evaluations, according to Gargas, take into account the number of flights, the size of the planes using the airport, and the altitudes and traffic pattern maneuvers occurring near the site.

Gargas provided an extension of the 1992 evaluation in a June 1997 memo to the school district. Evaluations require renewal every five years until a site is actually acquired.

Airport manager Don French, in an apparent conflict with Gargas, said flight operations had remained static from '86 to '91 or '92, but a marked increase in traffic followed. The Federal Aeronautics Administration expects a one to two percent annual increase in flight activity to continue, he said.

The airport's master plan calls for an 800-foot extension of the main runway near Highway 1 and the installation of sophisticated all-weather landing equipment at the facility.

Gargas concedes there has been an increase in operations at the airport and the anticipated facility improvements could further increase the number of flights and lower altitude restrictions on approaches to landing.

The current evaluation is in effect until June 2002, and a reevaluation would be performed only under three conditions — if the school district asks for one, if the deadline passes or if there are changes in siting of the planned construction.

Harkins Slough site supporters refer to the school district's severe overcrowding at two existing high schools and their contention that the area will be developed as justification for locating the high school there. Opposition to the site now focuses on concerns that the site is not suitable for a high school.

2/7/2000

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SANTA CRUZ, CALIFORNIA

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Groups take step toward high school compromise

Plan in works to preserve wetlands and still build new campus in Watsonville

By TRINA KLEIST
Sentinel staff writer

Fre[illegible]ley
While there's no concrete agreement, the Democratic assemblyman from Boulder Creek said environmentalists and proponents of a new campus near Harkins Slough will work to accomplish the goals of both groups.

WATSONVILLE — Groups at [illegible]dds over a proposed high school [illegible]te will try to work out an agree[illegible]ent that will protect farmland [illegible]nd the environment and still al[illegible]w the campus to be built near Harkins Slough Assemblyman Fred Keeley said Sunday.

The tentative pact, to be negoti[illegible]ed in coming weeks, trades support for building a third Pajaro Valley high school on the 90-acre Edwards property in exchange for preserving the 646-acre Tai property across the street as farmland, Keeley said.

The negotiations could produce "a global and comprehensive set of agreements that provide enormous and permanent protection for wetlands and agricultural lands ... in the entire area west of Highway 1," said Keeley (D-Boulder Creek) at a new conference held near the site.

The Watsonville City Council will meet at 7:30 p.m. Tuesday to consider the sacrifice it must make to get the school built: amending its General Plan to remove the Tai property from study for potential annexation and development. City planners had hoped to build 1,800 homes on the parcel, including 900 affordable homes for the county's poorest and mostly densely populated area.

"There are no guarantees here, but the process has been started," said Watsonville City Councilman Chuck Carter, who participated in the talks that led to Sun-

Please see HIGH SCHOOL — BACK PAGE

High school

Continued from Page A1

day's announcement. "Now we have to go back to the council and convince them we can get a new high school and still meet our housing needs."

Keeley said he would meet this week with city leaders, Santa Cruz County planners and local staff of the state Coastal Commission to reach an enforceable agreement on further city development in the coastal zone. The Coastal Commission is charged with protecting wetlands and farmland there, but city officials, hemmed in by prime agricultural land to the east, see few other places to build industrial parks that could create jobs.

In addition, Pajaro Valley Unified School District Superintendent John Casey will work with Coastal Commission staff on their concerns: proposed steep grading of slopes on the eastern side of the property that could intrude into sensitive habitat; and the fate of 54 acres of the Edwards property left out of the 71-acre school site.

High school backers hope to reach an agreement that would allow them to present a unified front at a public hearing before the State Coastal Commission March 14-17 in Carmel. The commissioners must approve plans for the high school.

Keeley's diplomacy in recent weeks among the feuding groups broke through 14 years of polarized, and sometimes acrimonious debate over the proposed site at the edge of Harkins Slough.

Environmentalists have worried the school would spur development on surrounding farmland and destroy one of California's few remaining wetlands. School officials have pointed to severe overcrowding at high schools in Aptos and Watsonville and the lack of less-problematic parcels.

While Keeley and other officials spoke across the street from the strawberry field where the school would be built, opponents to negotiations with their former allies waved placards and jeered.

Several small, twin-engine planes flew overhead. Each time, they called out to the speakers, "Speak up! We can't hear you!"

Sylvia Previtali of the Committee for a Safe and Sane High School Site later said airplane noise, a nearby landfill and county jail, and toxic agricultural chemicals in Harkins Slough would make the locale unhealthy for the 2,000 students who would attend school there.

"We need an environmental hazards review of this site and an assessment done on whether this is good for (students') health and safety," Previtali said. "How could you trade that?"

Protester Tim Moore said the costs of improving access roads and installing flood drains would be higher than anticipated.

"Many of our friends and colleagues feel we are making a mistake," said Ken Kimes, president of Community Alliance with Family Farmers. But farmers could gain preservation of the Tai property, "the largest certified organic parcel in California," Kimes said.

School board president Evelyn Volpa acknowledged the ambivalence and the hope that many feel for the fragile new alliance.

"I was in both camps, worrying about the environment but needing a new high school," Volpa said. "I'm glad everyone came out of their corners."

An agreement among the different groups would be a model for cities and environmental organizations balancing divergent needs and interests, Christine Johnson-Lyons of Watsonville Wetlands Watch said.

"We have a moral obligation to protect these wetlands," Lyons said. "An agreement to permanently protect this area west of Highway 1 would be a win for Watsonville students, a victory for wildlife and a triumph for our community."

Shmuel Thaler/Sentinel

State Assembly Speaker Pro Tem Fred Keeley, center, discusses the future of the third Watsonville High School at the proposed school site at the corner of Harkins Slough and Lee Road prior to a press conference.

Wednesday, February 9, 2000 — 132nd Year — No. 291

City politicians consider concessions in school deal

By DAVID PACINI
REGISTER-PAJARONIAN STAFF WRITER

WATSONVILLE — City leaders will consider giving up on developing the Tai property for much-needed housing in order to get environmentalists to support the building of a long-overdue new high school.

Toward that end, Watsonville city councilmembers unanimously directed city manager Carlos Palacios and attorney Alan Smith to prepare a General Plan amendment application to remove references to land west of Highway 1.

The move is intended to win the support of environmental groups at a Coastal Commission meeting next month in Carmel, increasing chances that the commission will approve changes to the city's local coastal plan. Those changes are needed because current regulations prohibit the building of a high school on what is known as the Edwards property.

In addition, the council also voted 6-1 to authorize Palacios and Mayor Oscar Rios to negotiate on the potential terms of such an exchange with officials from other government agencies. Councilwoman Judy Doering-Nielson voted against the motion after learning those negotiations would not be open to the public.

Although Tuesday's deliberations were intended merely to set the issue for hearings before the planning commission and the council, a large crowd filled the council's chambers and several speakers offered preliminary reactions to a potential deal.

Watsonville Wetlands Watch representative Jerry Busch told the council that group stands firmly behind the deal brokered by Assemblyman Fred Keeley (D-Boulder Creek). That deal would see Wetlands Watch drop its objection to the siting of a new high school off Harkins Slough Road on property adjacent to the West Struve Slough if city officials drop plans to annex and develop the 646-acre Tai property.

Busch said that the agreement has the potential to

See SCHOOL, page 8

SCHOOL

From page 1

save the city and environmentalists "years of frustrating battles and stalemates." He said that group would rather spend its energy encouraging the public's appreciation of local wetlands rather than fighting to preserve them. He also expressed support for the Pajaro Valley Unified District's plan to make the campus a center for study of the slough system.

"We're very excited about that element," Busch said. "I see us involved in kind of a peace process. We're going to honor the agreements we've made so far."

Those agreements included forfeiting development of lands outside city limits and west of Highway 1 and of the Tai and Green Farm properties. Officials also agreed to resolve a slope grading issue and to work to prevent the development of property immediately adjacent to the proposed high school.

Wetlands Watch and other environmental groups had objected to building a high school west of Highway 1, citing concerns like the need to preserve wetlands, and the potential for the loss of wildlife habitat, the erosion of steep slopes, and the growth-inducing impact of putting a high school on a site west of Highway 1.

Area resident Ken Davidson addressed the council to express his objection to the environmentalists "trying to blackmail the city."

"I object seriously to the maneuvering of Fred Keeley and these groups who are trying to impose slow growth policies on the city of Watsonville," he said.

Sylvia Previtali told the council that the Tai property lies in the county's jurisdiction, so the city has no place promising its preservation.

Some council members indicated that the city might choose to seek an exchange of other nearby lands to develop for housing in the deal.

Watsonville moves ahead on site deal

Sentinel 2/9/2000

■ If approved, land use change might lead to new high school.

By STETT HOLBROOK
Sentinel staff writer

WATSONVILLE — In hopes of winning a new high school, the City Council Tuesday voted to consider amending the General Plan to forsake development on 646 acres west of Highway 1.

Council members voted 7-0 to begin a process that could lead to a General Plan amendment that removes references to lands west of Lee Road, an area known as the Tai property that has been identified by the city as a potential annexation and housing development site.

The matter will now come before the Planning Commission and then the City Council for public hearings.

Dropping those development plans is a move meant to enhance the city's chances for success when the state Coastal Commission holds a hearing on the school next month, Vice Mayor Chuck Carter said

The city has applied to the Coastal Commission for several local coastal plan amendments to build the school. The school is planned on a 71-acre site adjacent to the Tai property on Harkins Slough Road.

"This process has been great ... and this general plan amendment puts the process in motion," said Carter.

Council member Rafael Lopez said initiating a public discussion on the Tai property will help the council and the public reach a consensus on the future of the property.

"This council has an opportunity to set a course," he said.

The council's action is part of a larger effort to cobble together an agreement among the city, the Pajaro Unified School District and local environmentalists in support of the much-needed new school.

Assemblyman Fred Keeley, D-Boulder Creek, has been working for six weeks to craft a deal among the parties that would eliminate development on the Tai property in return for environmentalists' support of the construction of the 220,000-square-foot school.

The City Council also voted 6-1 Tuesday to direct Mayor Oscar Rios and City Manager Carlos Palacios to negotiate the agreement for the city. Councilwoman Judy Doering Nielsen voted against the motion.

'This process has been great ... and this general plan amendment puts the process in motion.'

— Watsonville Vice Mayor Chuck Carter

An agreement is still in the works but Keeley said amending the General Plan to remove the Tai property from future development is one of four key steps necessary for an agreement.

The other steps are negotiating an "enforceable" agreement among Watsonville, the county and the Coastal Commission over development west of Highway 1; resolving the concerns of Coastal Commission staff members about environmentally sensitive habitat and development on land adjacent to the school site; and the express support of local environmental groups.

Speaking to the City Council on the negotiations with Keeley, Wat-

Please see SCHOOL — PAGE A8

School

Continued from Page A1

sonville Wetlands Watch President Jerry Busch said the deal could put an end to a history of conflict over development.

The Tai property stretches from Highway 1 to the Southern Pacific Railroad line. The property is outside the city limits but is identified in the General Plan as a "special study area," a designation that reserves it for possible annexation or development.

Absent from Tuesday's meeting was anyone representing the property in question, which is owned by San Francisco developer Vincent Tai.

In an interview before Tuesday's meeting, Omar James, Tai's lawyer, said Watsonville is held to a higher standard than other cities and should not have to sacrifice housing in order to satisfy its need for a new school.

He also cautioned the City Council take care that any agreement it reaches does not constitute a "taking" of development potential of the Tai property. A taking could be a cause for legal action.

SENTINEL TUE. FEB 15

For the record

I was misquoted in your front-page article, "Groups Take Steps Toward High School Compromise" on Feb. 7. I didn't and never would say that the "county jail ... would make the locale unhealthy for the 2,000 students who would attend school there" (proposed PVUSD third high school in Harkins Slough in Watsonville).

On the contrary, I'm concerned for the health and safety of the incarcerated and staff at the Roundtree sheriff's facility, as well as for the migrant families and low-income families at the Buena Vista migrant camp and Alta Tierra housing living directly next to the 134-acre Buena Vista landfill.

I'm concerned for the health and safety of high school students who would be attending school at the proposed Harkins Slough site, seven-tenths of a mile from the landfill. This is the distance from Nob Hill Market to the Target Store Mall in Watsonville.

A county engineer told me recently they were working to pump out contaminated material from a hydrological barrier leak in the 46-acre historic, closed portion of the landfill. The American Lung Association has given me information about the dangers of contaminants in the air, soil and water near landfills, disease-laden contaminants especially dangerous to the young and the elderly.

A contaminated, illegal landfill called the Gilbertson landfill lies just north of the school site. This is at the location of Mighty Mulch and the driving range property of the Watsonville Airport west of the freeway. This illegal landfill of 11½ acres was purchased by the Watsonville Airport two years ago.

Supervisor Campos said at a PVUSD school board meeting Jan. 26, that the city o Watsonville has spent $200,000 to clean up Gilbertson landfill, but it's still in process o cleanup.

The Watsonville Airport, less than a mile from the school site, has 120,000 aircraft operations a year, and 300,000 operations are predicted by 2005. The airport has applied to the FAA for an 800-foot extension of the main runway — toward the high school site. Studies prove that aircraft noise interrupts students' ability to learn, and is unhealthy.

It is a fact that the loud roar of many airplanes over yesterday's ceremony made hearing the speakers nearly impossible. KSBW has this fact on video tape.

I wonder how principled citizens can stand by and watch the civil rights of other citizens so blatantly compromised in Watsonville.

Sylvia Previtali
Aptos

Design shuffle is in the works

Negotiations continue for a third Pajaro Valley high school

By TRINA KLEIST
Sentinel staff writer

WATSONVILLE — School planners may have to give up some sports fields at a proposed third Pajaro Valley high school to win support for the project from local staff of the state Coastal Commission, schools Superintendent John Casey said Wednesday.

That development comes out of meetings among officials of the Pajaro Valley Unified School District, California Coastal Commission, city of Watsonville, Santa Cruz County and environmentalists that have taken place since the groups announced Feb. 6 they would seek compromise on the school's proposed site on Harkins Slough Road.

Assemblyman Fred Keeley, D-Boulder Creek, is facilitating the meetings.

"There's an awful lot of moving pieces and discussion going on," Keeley said. "The meetings are cordial and very, very serious. ... We're not close yet, but we're getting closer."

One of the thorniest issues is protecting habitat along Struve Slough, Keeley said.

Plans put two soccer fields, a softball field and a larger baseball diamond next to Struve Slough, which runs along Highway 1.

Discussions Wednesday between school and Coastal Commission officials revealed disagreement over where the wetland's environmentally sensitive habitat ends, Casey said.

In addition, school officials say state guidelines call for 55 acres to accommodate the 2,200 students who would attend the new high school, while Coastal Commission staff interpret the guidelines as calling for 46 acres, Casey said.

Coastal Commission staff are using guidelines dating to 1966, which don't reflect changes in federal requirements to make sports facilities available to girls, Casey said. Coastal Commission staff could not be reached to comment.

Casey is nevertheless looking at scaling back the fields, rearranging them or cutting out other facilities to meet Coastal Commission concerns, he said.

Although the entire property includes 54 acres to the north of the 71-acre school site, facilities cannot expand into that area because it is under Watsonville Municipal Airport's flight path, Casey said.

Meetings among the different groups will continue next week.

"We want to bring closure in a timely fashion so the city and the county can take action (on agreements) before the Coastal Commission meets," Keeley said.

The commission's hearing on whether to allow school construction on the property is tentatively scheduled for March 16 in Carmel.

Santa Cruz Sentinel
February 24, 2000

Governor supports environmental, school bond measures

By SCOTT LINDLAW
ASSOCIATED PRESS

SACRAMENTO — Gov. Gray Davis is campaigning for three ballot propositions aimed at fixing public parks, cleaning up water and improving schools and against one that would restrict his ability to raise money for a re-election bid.

Davis announced his support for the three propositions, along with 11 others on the March 7 ballot, last month. But on Wednesday, he singled out Propositions 12, 13 and 26 as most important to him and said he would campaign for their passage.

Davis also said he has made five to 10 phone calls to raise money for the campaign against Proposition 25, which would restrict campaign fund raising.

The measure would limit campaign contributions and spending, ban corporate contributions and establish public financing of campaigns.

Davis has said he worries that wealthy candidates, such as those who nearly drove him out of the 1998 gubernatorial campaign, would be untouched by such a campaign-finance law.

Davis said he would make appearances on behalf of Propositions 12, 13 and 26.

Proposition 12 is a $2.1 billion bond measure that would finance an array of environmental improvements, including parks, fish and wildlife, and lake, river and coastal projects.

Proposition 13 would provide $1.97 billion for drinking water, water quality, flood protection and water reliability programs.

Davis said the booming economy made this an appropriate time to borrow money for those priorities, and noted that California's population is expected to grow rapidly in coming years.

"We have these historic opportunities to preserve God's legacy and acquire important new lands, as well as do justice to California's need for water," Davis said.

The Democratic governor has made education his top priority, and said the ballot measure on local school bonds would help improve the learning atmosphere in the classroom.

Proposition 26 would reduce the two-thirds vote now needed to approve school construction bonds to a simple majority of a school district's voters.

"I believe many schools are badly in need of repair, and if there's one exception to the two-thirds vote, in my mind, it's the schools," Davis said.

Davis didn't rule out helping campaigns for the three propositions raise money, but said it was unlikely he will appear in TV ads.

"I don't believe personal endorsements matter that much on initiatives," he said. "People know they get the last word. They'll take note of your views, but they're going to decide, and they realize their decision is final."

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REGISTER-PAJARONIAN

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News leader of the Pajaro Valley

Officials seek to modify school site

By PETER NICHOLS
REGISTER-PAJARONIAN CORRESPONDENT

WATSONVILLE — Coastal Commission staffers have issued a draft of modifications to Watsonville's proposed Local Coastal Program amendments that may lead to the construction of a high school on environmentally sensitive lands west of Highway 1.

The draft, which indicated additional modifications were likely, was the subject of a meeting last Wednesday at the Coastal Commission's office in Santa Cruz, which was attended by officials of the city and the Pajaro Valley Unified School District. Some of the modifications presented will likely be included in the staff report due to be made public prior to the Coastal Commission meeting in Carmel March 14 to 17.

The current LCP permits agriculture and passive recreation at the proposed site but not a public school. The amendments are required to allow the more intense development there.

Those in attendance — who hope to build the school inside the city limits but within the coastal zone — were reported to have left the meeting less than pleased following the presentation.

The draft modifications specify that the school must be sited on no more than 42 of the 117 acres and located away from wetland areas identified at three locations. The district's plans failed to account for all the wetland areas and spread the facilities out closer to Harkins Slough Road than the modifications will allow.

According to PVUSD Superintendent John Casey, moving facilities more to the north — as the draft suggests — would take them out of the area previously evaluated and approved by the state Aeronautics Program.

"I doubt if we'd get approval (if a new aeronautics evaluation were required)," he said.

To keep the facilities within the area previously evaluated and within the area allowed by the modifications would require a smaller school site than planned — approximately 30 acres instead of 55, according to Casey.

See SCHOOL, page 6

SCHOOL

From page 1

If the school development requires widening of Harkins Slough Road — as mentioned in the district's EIR — the draft calls for a bridge to be constructed over the west branch of Struve Slough to provide habitat connectivity within the slough system.

"The bridge might be a problem," Casey said. "This is a major expense."

The school's visual appeal within the surrounding landscape is also the subject of the draft modifications. The buildings must be redesigned to blend with the existing habitat and agricultural landscape. The draft suggests earth tone exterior finishes — such as board and batten wood or corrugated metal siding — roofs pitched above horizontal and large structures broken down into smaller building elements.

The increase in impervious surface coverage and the development of slopes, prohibited in the current LCP but needed for the school's construction, will be allowed if "there is no feasible alternative location" and if the state Aeronautics Program has found the site to be safe for public school facilities.

Tami Grove, Coastal Commission Deputy District Director, emphasized that the document was only a draft and changes were already being made to it.

"We're meeting with the city and school district (today) to get their feedback," she said.

According to Grove, the draft was completed prior to receiving recommendations outlined in a letter from Department of Fish and Game Central Coast Regional Manager Brian Hunter. The draft report does not yet incorporate any of those recommendations, she said.

In his letter, Hunter suggests that the commission "consider whether the entire site meets its definition of ESHA based on the rare slough/upland habitat combination existing there. It seems to us that it does."

The letter states the proposed amendments "will contribute significantly to the steady cumulative loss of upland and wetland habitat values associated with the Watsonville slough system."

According to City Manager Carlos Palacios, the verdict won't be in on the local staff recommendations until March 1 when the final report is made public. Until then there's no way of knowing what to expect, he said.

"Regardless of what local staff may or may not recommend," city development director John Doughty said, "the commission itself is independent" and has ruled against staff recommendations in the past.

The draft also specifies that the 117-acre property is not to be divided as originally proposed. Non-agricultural development is to be clustered near the middle of the property and limited to only 12 acres if not for school use. The remainder is designated to be agriculture or open space.

A sewer and water extension will be allowed only within the city limits and the extension must be shared between the school and any future motel/restaurant development on Airport Boulevard. The size of utilities is to be restricted; the property is to be surrounded by a non-access easement — an invisible shield to prevent utilities from escaping — and a Utility Prohibition Overlay District is to be created to further impede any future utility extension.

Any non agricultural use will require a master plan for the area, and a county coastal development permit will be required prior to the issuance of one by the city. Beefed-up run-off filtering measures will also be required.

A maximum number of students — yet to be determined — will be allowed to attend and the school must have an agricultural education component similar to that of Watsonville High. Additionally, the district will be required to make a financial contribution to the county's Agricultural Conservation Easement program.

In his letter to the Coastal Commission district office, Hunter expressed concern regarding disruption to the state wildlife preserve adjacent to the school site and warned of delays associated with additional EIR documents that may be required.

He also recommends the creation of restored upland habitat corridors between wetland areas at the proposed school site and additional buffering there. He suggests that 30 acres of wetland/upland land in the Watsonville area be acquired or protected to compensate for the increased developed area resulting from the proposed amendments.

The draft also addresses the city's expressed need for a new off-ramp at Harkins Slough Road and requires a legally-binding agreement prohibiting city annexation west of Highway 1 as one of several conditions.

Diverse groups still working on high school site pact

By PETER NICHOLS
REGISTER-PAJARONIAN CORRESPONDENT

WATSONVILLE — Private meetings organized by Assemblyman Fred Keeley between city, county and school district officials and several local groups originally opposed to the new high school site are continuing and now include attorneys for some entities.

The Keeley group concluded eight hours of meetings in three days with a four-hour meeting on Sunday. Present at the meetings were lawyers for the city, county and the Sierra Club and representatives of the Coastal Commission staff.

Keeley's efforts are aimed at winning the support of three local groups concerned about what they see as the city's "annexation destiny" — to take Watsonville to the coast by developing lands west of Lee Road.

The group's efforts are currently focused on creating an enforceable agreement to prevent development west of Highway 1 — one of four elements of a larger package first outlined at a press conference at the proposed site Feb. 6. According to Keeley, the interpretation of the word "enforceable" has become an issue.

The final part of the four-part agreement calls for the groups formerly opposed to the development to support the city's proposed amendments after three conditions are met. The city must remove the Tai property from their general plan, the agreement preventing development west of Highway 1 must be concluded and Coastal Commission concerns regarding slope grading and use of areas adjacent to the school site also must be addressed.

Keeley

Though dissension within the ranks of one or more groups represented at the meetings was rumored last week, progress has been made, according to those involved.

"I continue to be encouraged with the process," said Chris Lyons, the Wetlands Watch representative. "I hope (the agreement) will be close to being finished by March 6th." That is when the city's planning commission will meet to hear the proposed amendment to remove the Tai property as a development option from the city's general plan.

"We're not altogether confident that it's going to work out," said Marilyn Hummel, who represents the local chapter of the Sierra Club. "I think its a worthwhile project and I hope the Sierra Club as a whole will support it."

Lyons described the lengthy meetings as very detailed, with the city and the county discussing concerns regarding their ability to "for ever" prevent development west of Highway 1.

According to Ken Kimes of the Community Alliance for Family Farmers, the city's willingness or ability to bind future councils to such an agreement had come into question.

"I'm not sure we can (get an agreement in perpetuity)," Kimes said. "As far as CAFF is concerned, we may have to settle for less."

According to Keeley, the group has been working on multiple drafts of an agreement. Meanwhile, he has been engaged in lengthy conversations with the Coastal Commission's Tami Grove and PVUSD Superintendent John Casey regarding issues presented by the Coastal Commission's draft modifications, which were presented to the city and school district last Wednesday.

"My goal is to have the widest possible support for this project," Keeley said. "And to address every possible issue that is being raised."

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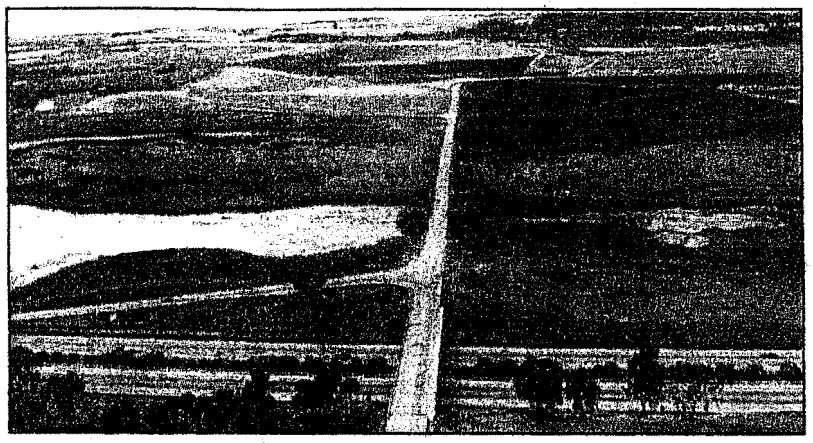

An aerial view of the proposed high school site.

Proximity to airport still problematic for high school site

By PETER NICHOLS
REGISTER-PAJARONIAN CORRESPONDENT

WATSONVILLE — One issue surrounding the construction of the Pajaro Valley Unified School District's much needed third high school that is proving troublesome is the site's proximity to the Watsonville Municipal Airport.

Part three of a series on the New Millennium High School

Early in the 1991 site selection process, five potential school sites were rejected due to their proximity to the airport and air traffic patterns above them. The Harkins Slough Road site won the acceptance of the Department of Transportation's Aeronautics Program, but only by the slimmest of margins, according to Dan Gargas, state safety inspector for the airport.

"This site has always been a fence sitter," he said. "And these things get political."

Now, eight years later, its suitability as a school site is again being questioned.

The most recent concerns were raised following the disclosure of conditions presented to city and school district officials by the Coastal Commission staff.

One condition requires the development area to be located farther from existing protected wetlands than the district had planned. That may push the school's footprint to the north, closer to the airport and into areas that were not previously evaluated by state aeronautics experts.

The conditions were included in a draft of modifications to the city's Local Coastal Program amendments. Those amendments are required to allow the construction of a public school inside the

See SITE, page 7

SITE

From page 1

state protected coastal zone. The amendments are scheduled to go before the commissioners during their March 14-17 meeting in Carmel.

The general area proposed for the school was first evaluated by aeronautics inspectors in 1987 and was determined to be incompatible with school development. A more narrowly defined portion of the 117 acres was evaluated in 1992 and determined to be suitable for a school, though "safety and noise concerns" were noted. That evaluation subsequently expired, and an extension until 2002 was issued in 1997.

Gargas, who performed the last two evaluations, said the site evaluated in 1992 was located farther from the airport than the one evaluated in 1987.

"In 1992," he added, "we also took into consideration a drop in flight operations."

According to Don French, Watsonville airport manager, activity was static from about 1986 to 1992 and a marked increase in activity followed and continued through the 1990s. That increase is expected to continue, he said.

"Our jet flow (sales of jet fuel) is up 100 percent in the past five years," French said. Also, the number of jet aircraft at the airport has increased from three in 1991 to nine.

Gargas evaluated a total of 11 sites in 1992 as part of the district's site selection process, using a map provided by the school district. The location of the now proposed school site was indicated on the map by a small rectangle drawn parallel to Harkins Slough Road. That rectangle occupies only a fraction of the land currently being acquired by the district.

According to Gargas, if the proposed site is outside of the area he was asked to evaluate, a new evaluation would be required.

"We evaluated what we were submitted," he said. "It's incumbent on the school district to accurately depict the area to be evaluated. We take the maps we are given and do the evaluations."

Casey concedes that not all of the planned facilities can fit within the area depicted by the rectangle but insists that most will.

"All the buildings are within the box," he said. "I believe the buffer is outside and a little of the stadium and part of a ball field are outside of the box."

The precise location of the school's facilities including classrooms, athletic fields and football stadium has been the subject of recent meetings and discussions between the school district and the Departments of Transportation and Education.

"We've asked the district to provide a schematic that shows the placement of the school within the 55 acres relative to the site that aeronautics approved," said John Dominguez, a consultant for the Department of Education, who indicated he expects a response within the next week.

"The site hasn't been approved yet," he said.

The new conditions that may force the school closer to the airport have heightened concerns regarding the site's acceptability. Questions are also being raised about the adequacy of the 1992 and 1997 evaluations conducted by Gargas.

> 'We would have never gone forward if the site was not safe. I can assure the public they have addressed the safety aspects.'
> — *PVUSD board member Willie Yahiro*

A review of Watsonville airport's current master plan, which according to French was approved by the Federal Aviation Administration and the city council in 1986, shows the proposed high school within the most restrictive of four pie-shaped arrival/departure pattern zones under which low density land use is recommended. According to the document, schools and hospitals should not be allowed there.

By comparison, one of the 11 sites evaluated in 1992, near Amesti Elementary shares identical restrictions as the Harkins Slough Road site, according to the master plan, but is farther from airport's runways. That site was rejected by Gargas.

Another site near Calabasas Elementary School was declared to be "not approvable" in Gargas' evaluation though the site would be acceptable for a school according to the master plan. There are currently five PVUSD schools shown within the airport's traffic pattern zones, and all are located in areas where school use is deemed to be acceptable.

Among documents provided to the local Coastal Commission staff are letters from then Airport Manager Vernon Ackerman and then City Manager John Radin supporting the 1987 evaluation of the site.

Ackerman wrote, "Our traffic is increasing regularly. Aircraft would be at full take off power close to the school. The traffic pattern passes over (the site). As does the circling approach from Localizer/NDP approach."

Radin's letter raised additional concerns regarding times of dense heavy fog and the possibility of aircraft mistaking a school site for the airport.

Regarding the 1992 and 1997 evaluations, however, there is no documentation available that supports Gargas' finding that the site is suitable for a school.

According to Gargas, in 1997 his office had a "disappearing file problem."

"We have the evaluation (from then)," he said. "But we don't have the supporting documents. They are not there."

Evaluations, according to Gargas, take into account the number of flights, the size of the planes using the airport, and the altitudes and traffic pattern maneuvers occurring near the site. Inspectors also fly the airport patterns in an airplane to view the targets of their evaluations.

According to Casey, Richard Meyer, then director of PVUSD school construction, accompanied Gargas in the plane as the 1992 evaluations were being conducted.

Betsy Eskridge, Senior Aviation Consultant for the Aeronautics Program and supervisor of the program's inspectors said taking district representatives along on evaluations is not now permitted, and it wasn't encouraged then.

"Reluctantly, we said yes to the site," said Gargas of his 1992 evaluation. "We took into consideration a drop in operations, and the airport did not object. Comments from the airport manager are very influential."

Gargas concedes there has since been an increase in operations at the airport, and sophisticated all-weather landing equipment the airport is hoping to acquire could increase the number of flights and lower minimum altitudes in the flight patterns.

The state evaluations, however, are based on existing conditions, not projections into the future, he said.

Eskridge contradicted that assertion, saying evaluations are supposed to take into consideration projected changes to facilities and flight activity. She said they typically review airport master plans for just that reason.

Gargas said that when he reevaluated the site in 1997, he didn't see any significant change in conditions, and he extended the 1992 evaluation.

At the time of that evaluation, the Department of Transportation's internal procedures were being updated and included the use of the Airport Land Use Planning Handbook developed in 1993. According to Gargas, the procedures and handbook were designed to take politics and subjective analysis out of the evaluations, though inspectors were not required to use them until the procedures were formalized in 1998.

Eskridge said at the time of the 1997 evaluation, safety inspectors were encouraged to use the updated procedures and handbook and all of them should have.

"The handbook is just one of the tools used to conduct evaluations," she said. But if the handbook wasn't used, "I would find that troubling."

According to Gargas, he could have used the handbook and related procedures, but he wasn't required to, and he did not use them when performing his 1997 evaluation.

Under these now formalized procedures, a new evaluation of the controversial school site might be different, Gargas said. Negative assessments of other schools he was asked to evaluate in 1992 might also be different.

French does not consider the school's proposed location a safety issue but rather a potential nuisance. A change from the standard left-hand traffic pattern to a right-hand pattern might be in the airport's future. But since that would increase air traffic and noise over residential areas to the west, an EIR would be required, French said.

According to PVUSD board trustee Willie Yahiro, the air traffic safety issue is not a problem, and he's satisfied that the project meets the state regulations.

"We would have never gone forward if the site was not safe," he said. "I can assure the public they have addressed the safety aspects."