

Cypress

Environmental and Land Use Planning

P. O. Box 1844 Aptos CA
(831) 685-1007 www.cypressenv.com

Kim Tschantz, MSP, CEP



Spring Newsletter

April 2015

Earth Day is April 22 – How are You Celebrating?

In this edition of the newsletter:

- **[Cypress Helps Client Save Significant Time and Money with a PDSR that Concludes it was a Bad Property Choice](#)**

Pre-development Site Reviews provide property owners with valuable information about their dream project on a particular property before the owner makes a substantial investment with plans and the services of other professionals. Sometimes a PDSR tells a client just what they *don't* want to hear, but exactly what they need to know to save them from pouring money down an endless rabbit hole.



Quick Links:

[My Website](#)

[My Facebook Page](#)

[My LinkedIn Page](#)

[Like this newsletter?](#)
[Then "like me" on Facebook.](#)

Problem viewing this page?
Scroll down just below end of newsletter to "Click to View in Browser".

- **[Groundwater Management Arrived in California](#)**

The prolonged drought has generated an unprecedented law to regulate the withdrawal of groundwater supplies in an attempt to bring about groundwater sustainability in the State. This is something very new for groundwater management planning in California and something residents are going to start hearing a lot about in coming years.



- **[Groningen, Netherlands: The World's Most Impressive Cycling City](#)**

One of the best ways a city can become a more sustainable urban area is by implementing effective measures for alternative transportation. The Dutch city of Groningen takes the idea of alternative transportation very seriously. Watch this inspiring video on the world's premier bicycling city. Maybe your U. S. city could implement some of the ideas that have become so successful in Groningen.



Cypress Mission Statement:

Creating project solutions for you while enhancing our environment.



Cypress is certified as a sustainable practices business by the Monterey Bay Area Green Business Council.



Cypress has been a member of the Santa Cruz Construction Guild since 2010.

Continues on next page

Cypress Helps Client Save Significant Time and Money with a PDSR that Concludes the Property has too Many Problems

Not What the Client Wanted to Hear, but now he's Glad he Listened!



Cypress prepared Pre-Development Site Reviews (PDSRs) provide a wealth of useful information for property owners and prospective purchasers before substantial time and money is expended on project plans. A PDSR typically results in a better designed and more cost effective project. However, sometimes a PDSR can show you that it's better to abandoned your ideas for a project than trying to "shoehorn" your plans into a property that has a bad fit. That's what Adam Silverton found out after I completed a PDSR for him last month.

In Adam's case, He and his wife had fallen in love with a remote forested 5.6-acre property in the Santa Cruz Mountains and put down an offer to purchase it. The forested parcel was within the San Andreas fault zone, but they thought they would take a chance. Adam contacted me at the commencement of escrow to prepare a Pre-Purchase type of PDSR for his project at the site. My investigation determined that most of the parcel contained slopes steeper than 30%. But there were two existing flat building pads on the property

130 feet apart from each other which were potential locations for a house and out-buildings. Upon further research, I determined:

- Both building pads were constructed without Grading Permits as staging areas during an old timber harvest. Half of the areas of both pads contained non-engineered and non-permitted fill that could not support the weight of a dwelling and accessory uses.
- Neither building pad contained enough site area for a dwelling and the required fire truck turn-around area.
- The access drive into the parcel was steeper than 20% and would have to be re-constructed to meet County requirements.
- Physical signs of slope instability existed on the site.
- Some segments of the private dead-end road to the property would need to be widened to achieve the Fire District's requirements for a 12-foot minimum road width.
- Due to the steep topography and a stream crossing the property, there were no other feasible building sites on the parcel.

While it may be technically feasible to correct the problems with the two building pads, this would require removing all non-permitted fill, which was as deep as 10 feet, stockpiling it somewhere and replacing it with imported engineered fill that would need to be transported on the narrow private road serving the parcel. The new fill material would need to be deposited in several layers ("lifts") and each lift compacted according County standards. This would require an extensive

grading project and still wouldn't provide a solution for an adequate area for a fire truck turn-around. In addition, a separate grading project, involving widening existing road cuts would have to occur along the private road to make it wide enough to meet fire protection standards. Mr. Silverton thought he could expand one of his building envelopes by constructing within the pink taped area on the slope shown in the image at right. However, I measured this slope as having a 40% gradient, which is well in excess of County development standards. If the slope directly above is included, the overall gradient is 54%.

The results of my PDSR made Mr. Silverton aware of several new issues he hadn't previously considered, including why the price for the property was "so reasonable!" Fortunately, my PDSR was completed before the close of escrow and Adam and his wife decided this was not the property for them to purchase. They will now take what they learned from this experience when they continue to look at other properties for sale in the Santa Cruz Mountains.



At first, Mr. Silverton was quite dismayed with my verbal conclusions. But after reading my PDSR report he felt extremely fortunate that he did not close escrow by purchasing the parcel. In short, my PDSR told him to get out while he can. He did! He and his wife are now looking at other properties that better meet their needs and their dreams. More information about Cypress PDSRs is found at the [PDSR page](#) of my website.

.....

Groundwater Management Arrives in California Something You'll be Hearing a Lot About in the Next Decade



Water, and the lack of it, is the *big issue* in California environmental policy-making and planning these days; and the prolonged drought has changed some thoughts about how we use our water. To address this issue the legislature and governor have taken several actions. On March 27 the Governor signed into law emergency legislation allocating \$1 billion to assist communities with drought relief and construction of new water infrastructure. This action is actually authorizing the spending of funds that the State's voters approved with the passage of Proposition 1 (the \$7.5 Billion Water Bond) last November. More legislation to spend the bond money is sure to come. On April 1 Governor Jerry Brown issued an Executive Order mandating all local water supply agencies impose a 25% reduction in water use. In addition to these actions, the Sustainable Groundwater Management Act ("SGMA") went into effect on January 1, 2015. Governor Brown signed the law last September to regulate the use of groundwater. The ambitious goal of SGMA is to have sustainable groundwater basins statewide in the next 20 years. This is a major shift in groundwater planning. While other western states have managed their groundwater, California has never managed its groundwater supplies on a state-wide basis - until now. SGMA changes the concept of unregulated withdrawals of groundwater. Our subsurface water is now viewed as a

limited public resource.

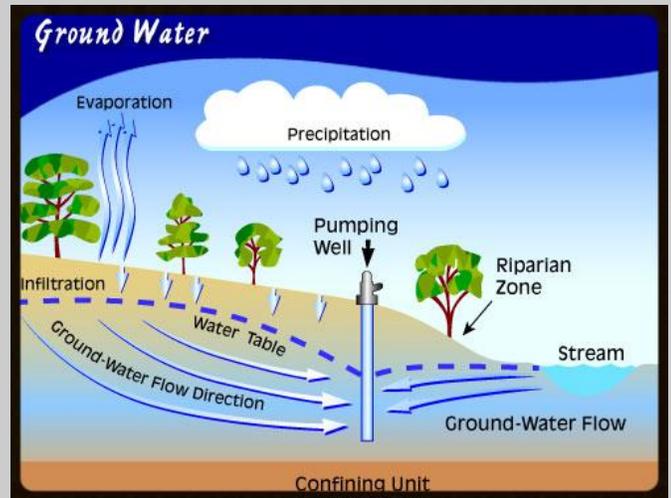
At least 1/3 of the State's drinking water comes from groundwater sources. Until now, the right to use groundwater in California has been viewed as a property right attached to the overlying land. When an underlying aquifer became overdrawn, courts could allocate pumping rights among overlying land owners through an adjudicatory procedure. The SGMA adopts a fundamentally different strategy for managing the state's groundwater resources. At the heart of the new law is a requirement to implement sustainability plans for the majority of groundwater basins throughout the State. These plans can vary from simple basin-wide plans developed and implemented by individual local agencies, to multiple plans by different local agencies operating in the same basin, to state-imposed plans where no sufficient local plan exists.

The plans have several requirements, but the most significant is that they must be designed to meet what the SGMA calls the "sustainability goal". In other words, plans must demonstrate that the basin will be operated in such a way as not to cause "undesirable results", such as pumping more water out of the aquifer than is going into it through natural recharge. Further, the plan must show what actions will be taken to meet the sustainability goal within 20 years.

Rather than managing groundwater basins at the State level, the SGMA allocates this responsibility to local agencies. Basins are to be managed by Groundwater Sustainability Agencies (GSAs), which can be formed by any local agency or coordinated group of agencies for purpose of complying with the SGMA. If no agency is formed, the county is presumed to be the local GSA. For the most part, any local agency with water supply, water management or land use responsibilities in a given groundwater basin (or a combination of such agencies) can become the GSA for that basin. Your county or water district may also become your GSA.

The next milestone dates for the SGMA are:

- June 1, 2016: Dept. of Water Resources must adopt regulations for evaluating and implementing sustainability plans and plan alternatives.
- December 31, 2016: DWR must publish a report with its best estimate of water available for groundwater replenishment throughout the state.



The new SGMA will have profound practical impacts, particularly on the state's agricultural community. Some environmental law attorneys believe some issues raised by the SGMA will play out in protracted court battles, and will shape California water law and policy for years to come. At the same time, the SGMA's emphasis on local groundwater management should provide an unprecedented opportunity to shape California's future in a way that conserves our precious groundwater resources.

.....

Continues on next page

Groningen, Netherlands: The World's Most Impressive Cycling City



OK, the topography in the Netherlands is flat, which makes bicycling a lot easier than in a city like San Francisco. But there are plenty of cyclists in San Francisco, so topography is not necessarily the impediment to human-powered transport. **How could more U.S. cities embrace bicycling as a viable form of normal transportation?** This Dutch city may have some answers. Groningen, a city of 197,000 residents, began implementation of a new traffic circulation plan in 1977 that promotes bicycle transport over automobile transport. Today 50% of all trips in the city are done by bike. In addition to providing a system of bicycle lanes and paths, the use of bicycles benefits from:

- Several streets that are dedicated to only bicycle and pedestrian use;
- Bike bridges that provide real time trip short-cuts for cyclists as compared to motorist trips;
- A bike share program supported by the city; and
- Several enclosed bicycle parking garages, including a large parking garage beside the city's commuter train station.

Watch this short [video](#) to see how the people of Groningen have succeeded in making their city a more livable and interesting urban environment.

.....

Please visit [my website](#) to better understand our various land use planning and environmental planning services that can help you and your project.

Kim Tschantz, MSP, CEP
Environmental Planning and Analysis, Permitting and Project Management