

San Lorenzo Creek Task Force
MEETING NOTES
HARD Building
1099 E Street
Hayward, 94541
November 20, 2008
7:00– 9:00pm

Welcome

- Review Agenda
- Review Meeting Notes
The meeting notes from November 6 state “Absolutely no development within setback in the urban and suburban areas with possibly some exceptions in agricultural areas.” For the record, there will be exceptions to the setback limitations for agriculture; they have yet to be determined.
Also on first page there should not be a suburban category, only urban and rural/agricultural.
Second page has a grammatical error regarding statement about cattle.
When there is no public comment please state in notes “no comments received.”
- Announcements
Taskforce members should have received an invitation to the reception for volunteers hosted by Supervisor Miley and Supervisor Lai-Bitker.
Chris will be absent because of an emergency at home.

Follow-up or Action Items: Revise meeting notes as stated above.

Update on Staff Progress on Interim Measures

Sharon consulted with County Counsel regarding the County’s authority to regulate agricultural activities within any setback set by the ordinance. Counsel could not comment without seeing something more specific. Since the taskforce needs advice so they don’t waste time determining a setback that cannot be enforced, it was suggested that the Taskforce compile some specific questions regarding setbacks, and any other subjects that may arise, and County Counsel can come to a meeting and discuss those questions. Currently agriculture is exempt. Is it the Taskforce’s duty to regulate agricultural operations? Why was agriculture exempted in the first place,

Follow-up or Action Items: Taskforce members will email each other with questions they believe should be addressed by County Counsel.

Discussion of Reducing Meeting Schedule to One Meeting per Month

If meeting schedule is reduced to one meeting per month there needs to be some decision that if any member misses a meeting and a vote is taken and a decision reached at that meeting, the decision will stand and they will move on to the next subject. Any new ideas can be presented at a later time, before the final draft, and

if necessary a minority report can be drafted to address those issues. The Taskforce will not go back on its decision because of a member's absence. It would also be helpful to have more specific/goal oriented tasks between meetings to help keep everyone focused. It would be helpful to have a project manager who works for the Taskforce 10-20 hours/week organizing them and keeping them moving in the proper direction. The Taskforce also needs to spend more time and effort on doing their homework.

Seth needs to know if the Taskforce needs help and what kind of help they need. Whether or not there's money for it should not concern the Taskforce, the County will work on getting what the group needs. Seth needs to know specifically what the Taskforce needs so he can communicate this to the supervisors. At the next meeting the taskforce will discuss and make a decision regarding what resources to ask for.

Vote: should Taskforce meet once a month? Yes - unanimous

For now the meeting will be held on the first Thursday of the month, this can be changed at a later meeting to accommodate other members if necessary.

Follow-up or Action Items: Taskforce members need to come to the next meeting (December 4th) with any ideas they may have regarding what resources the Taskforce needs.

7:15 **Development within Creek Setbacks Discussion**

- Discussion of possible exceptions to prohibition of development in creek setbacks in agricultural areas.

Members were asked several meetings ago to research and find the most stringent creekside ordinance setback. So far no one has found one that is more than 100 feet. That is the ordinance for the San Lorenzo River in Santa Cruz. This watershed has many endangered species and plants, it also drains into a National Wildlife Refuge and in their ordinance they have pages of exceptions for building within the setback. So far this is the most complete ordinance that is available, they spent millions developing it and each creek is categorized. This is why Rex is opposed to an ordinance with absolutely no development within the setback. For example, the Resource Conservation District will provide a grant for ranchers in Alameda County to develop a water pond to keep cattle away from the creeks. However, the pond may be right next to the creek, so what's the difference? What is the ordinance protecting in each creek? That needs to be determined to make a decision about what the setback should be. What is the point of having a setback to protect fish that are not and have not been in the area, or prevent erosion in an already slide-prone area? For review are two documents: a seminar workbook, "Working Landscapes: the environmental benefits of grazing" by the Nevada County Resource Conservation District, and the City of Santa Cruz Ordinance Amendment 2006/02.

For now perhaps the Taskforce should move on and focus on the urban area and postpone any discussion about rural/agriculture. The parcels in the rural/agricultural areas and their impacts are vastly different from the urban areas. It seems much simpler to work on the ordinance within the urban limit line and add the rural/agricultural area or exceptions for it later.

For the rural/agriculture areas exceptions should be allowed for wells (cannot deny people water); and properties that were zoned for a house, and under the new ordinance they are completely within the setback, should be exempted.

Fencing is also something to consider as an exception in both the urban and rural/agriculture areas, whether or not to allow open fencing, and fencing within the riparian zone should need permitting.

Reviewing the exceptions of other cities, Santa Cruz, Orinda, and San Ramon would be helpful. Perhaps use one of theirs and modify it to meet the needs of Alameda County.

Follow-up or Action Items:

Taskforce members need to bring any ideas for possible exceptions to building within the setback in the urban areas to the next meeting and a decision will be reached on the subject. Review the City of Santa Cruz Ordinance and the City of Berkeley Ordinance for guidance.

Tami will send a link or copies of the City of Santa Cruz document Rex brought to the meeting.

8:00 Creek Setback Discussion

Postponed to next meeting.

Follow-up or Action Items:

8:50 Public Comment

- Hear from interested members of the public

No comments received

8:55 Meeting Evaluation

- Share ideas, concerns, suggestions on how to improve future meetings

Follow-up or Action Items:

9:00 Adjourn

**San Lorenzo Creek Watershed Taskforce
Attendance 11/20/08**

Name	Supervisor District
Linda Bennett	District 2
Diana Hanna	District 4
Bruce King	District 4
Larry Lepore	District 2
MaryAnn McMillan	District 3
Ken Peek	District 4
Linda Ramsay	District 2
Rex Warren	District 2
Other	
Sharon Gosselin	County PWA
Seth Kaplan	Alameda County BOS
Liz McElligott	County Planning Dept
Tami Turpin	County PWA