

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. 143-2024

On the motion of Supervisor: Friend
Duly seconded by Supervisor: Koenig

The following resolution is adopted:

**RESOLUTION CALLING FOR AN ELECTION FOR THE PURPOSE OF
SUBMITTING TO THE QUALIFIED ELECTORS OF THE COUNTY OF SANTA
CRUZ A COUNTYWIDE MEASURE TO ADOPT AN INITIATIVE PETITION
SUBMITTED BY VOTERS (THE “SAFE DRINKING WATER, CLEAN BEACHES,
WILDFIRE RISK REDUCTION, AND WILDLIFE PROTECTION INITIATIVE”);
DIRECTING THE COUNTY ELECTIONS OFFICIAL TO CONDUCT THE
ELECTION; AND DIRECTING CONSOLIDATION OF THE ELECTION WITH THE
REGULAR ELECTION OF NOVEMBER 5, 2024**

WHEREAS, Article 1 of Chapter 2 of Division 9 of the California Elections Code, commencing with section 9101, provides procedures for submitting a proposed ordinance to the Board of Supervisors for adoption via the filing, circulation, and placement on the ballot of an initiative petition; and

WHEREAS, initiative proponents submitted to the Santa Cruz County Clerk of Elections (“County Clerk”) a notice of intention to circulate a county initiative petition, known as the “Safe Drinking Water, Clean Beaches, Wildfire Risk Reduction, and Wildlife Protection Initiative” (hereinafter “Petition”) along with the written text of the initiative, pursuant to Elections Code section 9103; and

WHEREAS, a true and correct copy of the proposed ordinance that is the subject of the Petition is attached hereto as Exhibit 1; and

WHEREAS, on April 11, 2024, initiative proponents presented to the County Clerk the Petition with 16,049 signatures; and

WHEREAS, after examining the Petition and signatures in accordance with Elections Code section 9114, on May 21, 2024, the County Clerk certified the initiative petition, confirming that 13,355 valid signatures had been gathered, which was a sufficient number to require the Board of Supervisors to take further action under Elections Code section 9118; and

WHEREAS, on May 22, 2024, the Board of Supervisors accepted said certification; and

WHEREAS, as permitted under Elections Code section 9118(b), the Board of Supervisors has elected to submit the ordinance that is the subject of the Petition, without alteration, to the voters pursuant to Elections Code section 1405; and

WHEREAS, pursuant to Elections Code section 1405(a), an election for a county initiative petition that qualifies pursuant to section 9118 shall be held at the next statewide election occurring not less than 88 days from the date of the order of election; and

WHEREAS, pursuant to Elections Code section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and

WHEREAS, pursuant to Elections Code section 1000 *et seq.*, the next statewide established election date is November 5, 2024;

NOW THEREFORE, IT IS HEREBY RESOLVED AND ORDERED by the Board of Supervisors as follows:

1) A County election is hereby called to be held throughout the County at the regular election date of November 5, 2024, for the purpose of submitting to the qualified electors of the County of Santa Cruz the following measure:

Measure – _____

SANTA CRUZ COUNTY SAFE DRINKING WATER, CLEAN BEACHES, WILDFIRE RISK REDUCTION, AND WILDLIFE PROTECTION INITIATIVE:

Shall voters enact an ordinance to fund projects to protect drinking water sources, rivers, creeks, streams, groundwater resources, beaches, and parks, reduce catastrophic wildfire risks, and preserve native wildlife, habitats, working lands, and agriculture, by levying \$87 per parcel per year with citizens' oversight, annual reports, public spending disclosure, and all money distributed locally, until ended by voters?

YES _____

NO _____

2) Said County election shall be held and conducted, the votes received and canvassed, the returns thereof made, and the result thereof ascertained and determined in accordance with the law, including but not limited to the provisions of section 10418 of the Elections Code.

3) Said County election hereby called shall be and hereby is consolidated with any and all elections also called to be held throughout the County on November 5, 2024, in all respects as required by and pursuant to law, including but not limited to the provisions of Elections Code section 10400 *et seq.*

4) In accordance with the provisions of Elections Code section 9160, the County Counsel is hereby directed to prepare an impartial analysis of this measure.

5) In accordance with the provisions of Elections Code section 9160, the County Auditor-Controller-Treasurer-Tax Collector is hereby directed to prepare a fiscal impact statement of this measure.

6) Arguments for and against this measure may be submitted in conformance with Elections Code section 9161, *et seq.*

7) The Clerk of the Board of Supervisors shall file a copy of this Resolution with the County Clerk.

BE IT FURTHER RESOLVED AND ORDERED THAT the Santa Cruz County Elections Department is requested to print the text of the proposed ordinance attached hereto as Exhibit 1 in the County Voter Information Guide for the November 5, 2024, election date.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 22nd day of May, 2024, by the following vote:

AYES:	Supervisors Koenig, Friend, Hernandez, McPherson and Cummings
NOES:	None
ABSENT:	None
ABSTAIN:	None

Justin Cummings
Chair of the Board of Supervisors

ATTEST: _____
Juliette Rezzato
Clerk of the Board

Approved as to Form:

DocuSigned by: 5/21/2024
Jason M. Heath

Office of the County Counsel
(MM/DD/YYYY, AMS)

Attachment(s): Exhibit 1

Exhibit 1

The People of the County of Santa Cruz ordain as follows:

Section 1. Title.

This Act shall be known and may be cited as the “Santa Cruz County Safe Drinking Water, Clean Beaches, Wildfire Risk Reduction, and Wildlife Protection Act.”

Section 2. Findings and Declarations.

WHEREAS, protecting water quality and local drinking water sources for Santa Cruz County residents is of immense importance.

WHEREAS, nearly 100% of Santa Cruz County’s drinking water comes from local streams and groundwater aquifers fed by rainfall.

WHEREAS, drought, over-drafted groundwater basins, depleted streams, and degraded riparian habitats threaten Santa Cruz County’s water supply and water quality.

WHEREAS, sustaining water quality, reliability of water sources, and ecological function of Santa Cruz County’s watersheds will require sustained support for water resource management and stewardship.

WHEREAS, Santa Cruz County’s beaches, coast, and marine life are uniquely important, and must be protected from pollution.

WHEREAS, Santa Cruz County experienced several atmospheric river events in 2022 and 2023, causing widespread flooding and damaging roads, homes, stream channels, storm drains, levees, and other important surface and stormwater infrastructure.

WHEREAS, the breach of the Pajaro River levees in early 2023 resulted in major evacuations and flooding that devastated and disproportionately impacted low-income communities. Funding is necessary to not only repair damages, but also to protect Santa Cruz County’s drinking water resources from pollutants.

WHEREAS, the 2020 CZU Lightning Complex Fire was the most destructive wildfire in Santa Cruz County in over a century and caused extensive physical and financial damage to the County’s communities, water resources, and natural resources, destroyed over 900 homes in the County, and caused an estimated \$340 million in total damage. With such extensive damage, recovery and rebuilding efforts are still underway three years later.

WHEREAS, Santa Cruz County is prone to periodic large wildfire events and the resulting damage to infrastructure, the environment, water resources, and communities can be costly and difficult to fully recover from.

WHEREAS, preserving and enhancing Santa Cruz County's forests and grasslands naturally removes carbon dioxide from the air.

WHEREAS, preventing catastrophic wildfires in Santa Cruz County will require sustained support for land stewardship and vegetation management practices.

WHEREAS, scenic beaches, lush forests, and rich farmland contribute to Santa Cruz County's local economy through industry and tourism.

WHEREAS, Santa Cruz County is home to numerous species of special concern and sensitive habitat types.

WHEREAS, working lands, including farms, rangeland, and sustainable forestry, are vital to the Santa Cruz County community and economy and can function in complementary ways to improve water quality, reduce wildfire risk, sequester carbon dioxide, conserve natural lands, parks, and wildlife, and provide other critical public benefits.

WHEREAS, Santa Cruz County, its cities, and local nonprofit organizations have received funding from state, federal, and local sources to acquire and protect open space and natural resources and further funding is needed to steward and manage these lands effectively to build resilience.

WHEREAS, the Santa Cruz County Office of Response, Recovery, and Resilience works to build community resilience and assist with response and recovery efforts from major flooding, wildfire, extreme weather, and other natural disaster events.

WHEREAS, the Santa Cruz County Department of Parks, Open Space, and Cultural Services and other local Parks Departments provide regional and neighborhood parks, coastal access, trails, and cultural and recreation programs and opportunities.

WHEREAS, the majority of Santa Cruz County voters perceive the need for additional funds to maintain local water resources, wildfire resilience, wildlife habitat, parks, beaches, and natural areas.

WHEREAS, changes in temperature and precipitation patterns are expected to amplify climate hazards in Santa Cruz County like extreme heat, drought, wildfire, landslides, flooding, sea-level rise, and worsened air quality, which threaten local water resources and increase wildfire risk.

WHEREAS, Santa Cruz County remains one of the only counties in the greater Bay Area without a dedicated, sustainable source of ongoing local public funding for natural resources management and stewardship activities.

Section 3. Statement of Purpose.

It is the purpose and intent of the people of the County of Santa Cruz to enact a parcel tax to protect local drinking water sources including lakes, rivers, creeks, and streams; reduce wildfire risks; protect and enhance marine life, beaches, coastal habitats, wetlands, redwoods, parks and

publicly accessible natural areas, and other native wildlife and habitats; and preserve working lands and local agriculture.

Section 4. Santa Cruz County Safe Drinking Water, Clean Beaches, Wildfire Risk Reduction, and Wildlife Protection Act.

Chapter 4.65 is added to Title 4 of the Code of the County of Santa Cruz, to read as follows:

Chapter 4.65 – Santa Cruz County Safe Drinking Water, Clean Beaches, Wildfire Risk Reduction, and Wildlife Protection Act

4.65.010 Definitions.

(A) “Act” means the Santa Cruz County Safe Drinking Water, Clean Beaches, Wildfire Risk Reduction, and Wildlife Protection Act.

(B) “Administrative Costs” means those costs not directly associated with planning, development, management, and implementation of Eligible Projects intended to implement the goals of the Act. The activities of the Citizens Oversight Advisory Board are not administrative costs.

(C) “Advisory Board” means the Citizens Oversight Advisory Board established in section 4.65.060.

(D) “Agricultural Land Use” means Parcels that are zoned Commercial Agriculture (CA) or Timber Production (TP).

(E) “Board” means the Santa Cruz County Board of Supervisors.

(F) “Community Development” means the feasibility, planning, design, permitting, and construction of recreational infrastructure and amenities.

(G) “County” means the County of Santa Cruz.

(H) “Department” means the Santa Cruz County Department of Parks, Open Space, and Cultural Services.

(I) “Disadvantaged Community” means either of the following two definitions. If either method of definition referred to in subsections (1) or (2) is eliminated, or becomes obsolete, modifications to this definition may be made by the Board of Supervisors, upon recommendation by the Advisory Board.

(1) A census tract that ranks within the top forty percent (40%) highest scoring census tracts in the County as identified in the current State's CalEnviroScreen, or

(2) A census tract identified as disadvantaged in the United States Council on Environmental Quality Climate and Economic Justice Screening Tool.

(J) “Eligible Applicant” means Public Agencies as defined, Nonprofit Organizations as defined, and tribes.

(K) “Eligible Project” means a project intended to implement the goals of the Act and which meets the requirements of the Act, and includes pre-project assistance and feasibility, planning, acquisition, construction, development, improvement, restoration, rehabilitation, maintenance, stewardship, or any combination thereof.

(L) “Fund” means the Santa Cruz County Safe Drinking Water, Clean Beaches, Wildfire Risk Reduction, and Wildlife Protection Fund.

(M) “Nonprofit Organization” means any charitable organization described in section 501(c)(3) of the Internal Revenue Code of 1986, as amended.

(N) “Office” means the Santa Cruz County Office of Response, Recovery, and Resilience.

(O) “Parcel” means a lot, unit, or plot of real property having identified boundaries and an identified owner and that is documented for property tax purposes and given an assessor’s parcel number by the Assessor of the County of Santa Cruz, excluding those designated as Agricultural Land Use and Public Agency.

(P) “Property Tax Collection Fee” means an administrative fee of one percent (1%) of the funds collected through the Special Parcel Tax to provide for billing, collecting, apportioning, and reporting the Special Parcel Tax charges on the property tax roll.

(Q) “Public Agency” means any city, county, district, other local authority, or public body of or within the State.

(R) “Special Parcel Tax” means the tax imposed by section 4.65.020.

(S) “State” means the State of California.

(T) “Treasurer” means the Auditor-Controller-Treasurer-Tax Collector of the County.

(U) “Working Lands” means areas that are utilized for timber production, grazed grassland or rangeland, or cultivation of crops that benefit the broader public for economic or humanitarian purposes beyond individual use.

4.65.020 Imposition of Special Parcel Tax.

(A) Commencing with Fiscal Year 2025-26, an annual Special Parcel Tax in the amount of eighty-seven dollars (\$87) is hereby imposed on each Parcel located within the County.

(B) The Special Parcel Tax is levied on each Parcel as of January 1 of each year and shall be levied on the owner who owned the Parcel on that date unless the Parcel is excluded from taxation.

(C) The Special Parcel Tax shall be collected at the same time and in the same manner as ad valorem property taxes.

(D) All laws, regulations, and procedures regarding exemptions, due dates, installment payments, corrections, appeals, refunds, late payments, liens, and collections for secured roll ad valorem property taxes in the County shall be applicable to the collection of the Special Parcel Tax.

(E) Properties owned by a Public Agency or designated as Agricultural Land Use shall not be subject to the Special Parcel Tax.

4.65.030 Santa Cruz County Safe Drinking Water, Clean Beaches, Wildfire Risk Reduction, and Wildlife Protection Fund.

There is hereby established in the County Treasury a special fund entitled the Santa Cruz County Safe Drinking Water, Clean Beaches, Wildfire Risk Reduction, and Wildlife Protection Fund. All revenues generated by the Special Parcel Tax, together with any interest and penalties thereon, shall be collected each fiscal year and deposited into the Fund. The Office and the Department, or a successor agency, may create any other funds, accounts, or subaccounts necessary or desirable for purposes of accounting for the monies in the Fund. Revenues in the Fund shall be used exclusively to carry out the purposes of this Act. Revenues in the Fund may also be used to enforce and administer the Special Parcel Tax, including to pay costs for submission of any measure to the voters for the establishment or alteration of the tax and to pay any costs associated with the collection of the tax.

4.65.040 Expenditure Plan.

(A) The Board shall distribute the proceeds in the Fund according to this section. The intended purpose of these expenditures is to confer the following benefits on the people of Santa Cruz County: water quality and protection including drought protection, drinking water quality, water supplies and availability, improvements to watersheds, and clean beaches and ocean; wildfire risk reduction including forest management, creation of defensible spaces, and fire resilience; wildlife and habitat protection including conservation of native biodiversity, restoring critical habitats and wildlife corridors, and stewarding natural and working lands; and safe recreation including developing, restoring, stewarding, or maintaining clean and safe parks, public access facilities, places to play, natural areas, trails, and other programmatic and recreational activities.

(B) The Board shall distribute the moneys in the Fund each fiscal year according to the following schedule, after withdrawing and allocating the Property Tax Collection Fee and Advisory Board costs authorized under the Act:

(1) Safe Drinking Water, Clean Beaches, Wildfire Risk Reduction, and Wildlife Protection Program.

(a) Forty percent (40%), on an annual basis, to Eligible Applicants for Eligible Projects in the county to be administered as a grant program by the Office and the Department, or a successor agency named by the Board if the Office or the

Department cease to exist. The Office and the Department shall jointly award monies from the Fund, through agreements and grants, providing for diversity in the types of projects awarded and the recipients of awards to support all geographic areas in the County.

(b) The Office and the Department shall make awards to Eligible Projects as defined in subdivision (K) of section 4.65.010 for activities which may include, but are not limited to, the following:

(i) Conservation of water supplies and groundwater recharge by enhancing watershed health, improved land management, and protecting land adjacent to County and city water sources.

(ii) Improving water quality through the control of soil erosion by restoring and repairing trails, culverts, drainage, water courses, floodplains, wetlands, and riparian areas.

(iii) Natural or nature-based flood protection and restoration projects, including green infrastructure to reduce neighborhood flooding.

(iv) Protection of public access to local beaches and enhancement of visitor experiences by ensuring that public beaches are safe, clean, and accessible.

(v) Development and implementation of green infrastructure solutions that protect coastal areas and estuaries from erosion and the impacts of sea level rise.

(vi) Wildlife and marine-life protection and habitat improvement.

(vii) Pollution reduction projects, such as litter removal or urban forestry to reduce air pollution.

(viii) Development of shaded fuel breaks, defensible spaces, or the reduction of hazardous fuels to prevent catastrophic wildfire, especially along roadways, trails, and in the wildland-urban interface.

(ix) Forest management to lower dangerous fuel loads and mitigate conditions that could lead to catastrophic wildfires.

(x) Stewardship of private lands in the public benefit for fire resiliency, water quality, erosion control, or other ecosystem services.

(xi) Conservation of native biodiversity by reducing invasive species and protecting or restoring critical habitats and wildlife corridors.

(xii) Restoration of wetlands and the recovery of anadromous fish species.

(xiii) Creation of wildlife bridges, culverts, directional fencing, or other wildlife-friendly infrastructure.

(xiv) Trail development, staging areas, and other access facilities on lands open to the public.

(c) The Office and the Department shall prioritize awards for Eligible Projects that meet implementation priorities identified in subdivision (A) of section 4.65.050 or that address extreme weather, natural disasters, climate change impacts, water pollution, or saltwater intrusion impacts.

(d) An amount that equals not more than five percent (5%) of the funds allocated annually pursuant to paragraph (a) of subsection (1) of subdivision (B) of section 4.65.040 may be used to pay the Administrative Costs associated with paragraph (a).

(e) Funds shall be deposited in a separate account, or accounts, to be overseen by the Office and the Department, or a successor agency, and expended pursuant to this section. Any funds unexpended at the close of each fiscal year shall remain in the account, or accounts, and expended pursuant to paragraph (a) of subsection (1) in the subsequent or future fiscal years. Funds may be accrued for expenditure in future years to enable sufficient funding for larger or long-term projects.

(2) Neighborhood Safe Drinking Water, Clean Beaches, Wildfire Risk Reduction, and Safe and Clean Parks Program.

(a) Twenty percent (20%), on an annual basis, to incorporated cities within the County for Eligible Projects conducted by the incorporated cities. The Board shall allocate funds to incorporated cities on a per capita basis. However, if any city does not achieve a minimum allocation of two hundred thousand dollars (\$200,000) annually on a per capita basis, no less than two hundred thousand dollars (\$200,000) shall be made available to that city and the remainder shall be allocated on a per capita basis to the other cities meeting the minimum allocation.

(b) Each incorporated city shall use funds for Eligible Projects as defined in subdivision (K) of section 4.65.010 for activities which may include, but are not limited to, the following:

(i) Conservation of water supplies and groundwater recharge by enhancing watershed health, improved land management, and protecting land adjacent to city water sources.

(ii) Improving water quality through the control of soil erosion by restoring and repairing trails, culverts, water courses, floodplains, wetlands, and riparian areas.

- (iii) Natural or nature-based flood protection and restoration projects, including green infrastructure to reduce neighborhood flooding.
- (iv) Protection of public access to local beaches and enhancement of visitor experiences by ensuring that public beaches are safe, clean, and accessible.
- (v) Development and implementation of green infrastructure solutions that protect coastal areas and estuaries from erosion and the impacts of sea level rise.
- (vi) Pollution reduction projects, such as litter removal or urban forestry to reduce air pollution.
- (vii) Development of shaded fuel breaks, defensible spaces, or the reduction of hazardous fuels to prevent catastrophic wildfire, especially along roadways, trails, and in the wildland-urban interface.
- (viii) Forest management to lower dangerous fuel loads and mitigate conditions that could lead to catastrophic wildfires.
- (ix) Stewardship of private lands in the public benefit for fire resiliency, water quality, erosion control, or other ecosystem services.
- (x) Establishment, repair, construction, or maintenance of safe and clean parks.
- (xi) Establishment, repair, construction, or maintenance of river parkways and other trails, restrooms, picnic areas, and public recreation facilities.
- (xii) Park cleanliness, beautification, and litter removal.
- (xiii) Equitable access to nature through increased mobility and public transportation services to local parks.
- (xiv) After school and recreation programs, including sports and aquatic facilities, senior citizens programs, and high-quality environmental education and cultural programs.
- (xv) Visitor services for parks and open space preserves to protect natural resources, enhance visitor safety and enjoyment, and support volunteerism and environmental education.
- (xvi) Support of activities conducted by a community conservation corps as certified pursuant to Public Resources Code section 14507.5.

(xvii) Trail development, staging areas, and other access facilities on lands open to the public.

(c) Priority shall be provided for Eligible Projects that meet implementation priorities identified in subdivision (A) of section 4.65.050 or that:

(i) Address extreme weather and natural disasters, climate change impacts, water pollution, or saltwater intrusion impacts, or

(ii) Meet the greatest need of communities lacking adequate access to parks and recreational facilities in the incorporated cities, or

(iii) Repair or enhance existing parks and recreational facilities.

(d) Funds shall be deposited in separate accounts to be overseen by the incorporated cities and expended pursuant to this section. Any funds unexpended at the close of each fiscal year shall remain in the accounts and be expended pursuant to this section in the subsequent or future fiscal years. Funds may be accrued for expenditure in future years to enable sufficient funding for larger or long-term projects.

(3) County Safe Drinking Water, Clean Beaches, Wildfire Risk Reduction, and Safe and Clean Parks Program.

(a) Twenty percent (20%), on an annual basis, for Eligible Projects in the unincorporated parts of the County to the Office and the Department, or a successor agency named by the Board if the Office or the Department cease to exist. The Office and the Department shall jointly allocate funds to Eligible Projects.

(b) The County shall use funds for Eligible Projects as defined in subdivision (K) of section 4.65.010 for activities which may include, but are not limited to, the following:

(i) Conservation of water supplies and groundwater recharge by enhancing watershed health, improved land management, and protecting land adjacent to county water sources.

(ii) Improving water quality through the control of soil erosion by restoring and repairing trails, culverts, drainage, water courses, floodplains, wetlands, and riparian areas.

(iii) Natural or nature-based flood protection and restoration projects, including green infrastructure to reduce neighborhood flooding.

(iv) Protection of public access to local beaches and enhancement of visitor experiences by ensuring that public beaches are safe, clean, and accessible.

(v) Development and implementation of green infrastructure solutions that protect coastal areas and estuaries from erosion and the impacts of sea level rise.

(vi) Pollution reduction projects, such as litter removal or urban forestry to reduce air pollution.

(vii) Development of shaded fuel breaks, defensible spaces, or the reduction of hazardous fuels to prevent catastrophic wildfire, especially along roadways, trails, and in the wildland-urban interface.

(viii) Forest management to lower dangerous fuel loads and mitigate conditions that could lead to catastrophic wildfires.

(ix) Stewardship of private lands in the public benefit for fire resiliency, water quality, erosion control, or other ecosystem services.

(x) Establishment, repair, construction, or maintenance of safe and clean parks.

(xi) Establishment, repair, construction, or maintenance of river parkways and other trails, restrooms, picnic areas, and public recreation facilities.

(xii) Park cleanliness, beautification, and litter removal.

(xiii) Equitable access to nature through increased mobility and public transportation services to local parks.

(xiv) After school and recreation programs, including sports and aquatic facilities, senior citizens programs, and high-quality environmental education and cultural programs.

(xv) Visitor services for parks and open space preserves to protect natural resources, enhance visitor safety and enjoyment, and support volunteerism and environmental education.

(xvi) Support of activities conducted by a community conservation corps as certified pursuant to Public Resources Code section 14507.5.

(xvii) Trail development, staging areas, and other access facilities on lands open to the public.

(c) Priority shall be provided for Eligible Projects that meet implementation priorities identified in subdivision (A) of section 4.65.050 or that:

- (i) Address extreme weather and natural disasters, climate change impacts, water pollution, or saltwater intrusion impacts, or
- (ii) Meet the greatest need of communities lacking adequate access to parks and recreational facilities in the county, or
- (iii) Repair or enhance existing parks and recreational facilities.

(d) Funds shall be deposited in a separate account, or accounts, to be overseen by the Office and the Department, or a successor agency, and expended pursuant to this section. Any funds unexpended at the close of each fiscal year shall remain in the account, or accounts, and expended pursuant to this section in the subsequent or future fiscal years. Funds may be accrued for expenditure in future years to enable sufficient funding for larger or long-term projects.

(4) Water Quality, Ecosystem Protection, and Fire Resilience on Undeveloped and Working Lands Program.

(a) Twenty percent (20%), on an annual basis, for Eligible Projects in the County to be administered, or implemented, or both, by the entities identified in subdivision (D) of section 4.65.050. This program recognizes that a majority of lands in the County are in private ownership, and projects on these private lands to ameliorate flood risk, improve water quality, mitigate fire risk, or take similar actions for the public benefit are critical to steward natural resources to enhance resilience and reduce the overall risk of climate change and natural disasters.

(b) Funding allocated under paragraph (a) of subsection (4) shall be provided for Eligible Projects as defined in subdivision (K) of section 4.65.010 for activities which may include, but are not limited to, the following:

- (i) Agricultural protection and enhancement of ecosystem function, soil health, water quality, drought, or flood resilience on Working Lands.
- (ii) Implementation of climate-risk reduction and resilience stewardship programs.
- (iii) Technical assistance, education, and outreach for natural resources planning, stewardship, and restoration on private lands, including Working Lands and agricultural, rural residential, forest, and undeveloped land.
- (iv) Conservation of water supplies and groundwater recharge by enhancing watershed health and improved land management.

(v) Improving water quality through the control of soil erosion by improving land and stormwater management, restoring and repairing trails, culverts, drainage, water courses, floodplains, wetlands, and riparian areas.

(vi) Natural or nature-based flood protection and restoration projects, including green infrastructure to reduce neighborhood flooding.

(vii) Development and implementation of green infrastructure solutions that protect coastal areas and estuaries from erosion and the impacts of sea level rise.

(viii) Development of shaded fuel breaks, defensible spaces, or the reduction of hazardous fuels to prevent catastrophic wildfire, especially along roadways, trails, and in the wildland-urban interface.

(ix) Stewardship of private lands in the public benefit for fire resiliency, water quality, erosion control, or other ecosystem services.

(x) Trail development, staging areas, and other access facilities on lands open to the public.

(xi) Conservation of native biodiversity by reducing invasive species, improving habitat quality, and protecting or restoring wildlife corridors.

(xii) Restoration of wetlands and the recovery of anadromous fish species.

(xiii) Creation of wildlife bridges, culverts, directional fencing, or other wildlife-friendly infrastructure.

(c) Priority shall be provided for Eligible Projects that meet implementation priorities identified in subdivision (A) of section 4.65.050 or that:

(i) Address extreme weather and natural disasters, climate change impacts, water pollution, or saltwater intrusion impacts, or

(ii) Create habitat or green infrastructure buffers on lands impacted from climate change or natural disasters, or

(iii) Meet current State or federal climate planning best management practices.

(d) Funds shall be deposited in a separate account, or accounts, to be overseen by the entities identified in subdivision (D) of section 4.65.050 and expended pursuant to this section. Any funds unexpended at the close of each fiscal year shall remain in the account, or accounts, and expended pursuant to this section in

the subsequent or future fiscal years. Funds may be accrued for expenditure in future years to enable sufficient funding for larger or long-term projects.

4.65.050 Implementation.

(A) To the extent feasible, priority shall be given to Eligible Projects that do at least one of the following:

- (1) Serve as a local source of match funding that makes eligible or makes more competitive grant applications to other public or private sources.
- (2) Support multiple benefits that maximize climate resiliency and adaptation, including water conservation, air quality improvements, climate pollution reductions, habitat protection, and public health improvements.
- (3) Invest resources for stewardship, development, restoration, Community Development, and other improvements in Disadvantaged Communities for flood protection, drought protection, improved water quality, groundwater supplies, improved public access to resources, or recreation, including improvements to lakes, rivers, creeks, beaches, ocean, wetlands, and the coast.

(B) Recognizing the acute need to improve forest health and reduce fire risk in the forested northern area of the County, no less than six hundred thousand dollars (\$600,000), on an annual basis, shall be made available from subsection (1) of subdivision (B) of section 4.65.040 for Eligible Projects on the property protected by the largest conservation easement in the County. Funds shall be used for Eligible Projects that benefit the public, for activities that include, but are not limited to, enhancing forest health, increasing fire resilience, providing public access or recreational values, preserving clean water, conserving natural resources, or restoring natural habitats.

(C) Recognizing the acute need to improve watershed function and reduce flooding risk in the southern area of the County, no less than six hundred thousand dollars (\$600,000), on an annual basis, shall be made available from subsection (1) of subdivision (B) of section 4.65.040 for Eligible Projects that benefit the residents of the Pajaro Valley, as defined by geography that includes the City of Watsonville, the census defined urban area that borders the City of Watsonville, and areas within a mile of the following water bodies: the Watsonville Slough system, Pinto Lake, and the Pajaro River and its tributaries in Santa Cruz County. Funds shall be used for Eligible Projects that benefit the public, for activities that include, but are not limited to, improving watershed health, reducing risk of flooding, providing public access or recreational values, improving water quality, conserving natural resources, and restoring natural habitats. Consistent with this purpose, funds shall be awarded to between one and three Eligible Applicants, whether Nonprofit Organization or Public Agency.

(D) Projects funded pursuant to subsection (4) of subdivision (B) of section 4.65.040 shall be implemented by the Resource Conservation District of Santa Cruz County and a land stewardship implementation partner. Funds shall be allocated evenly between the two entities. If deemed appropriate and in furtherance of the public benefits of the Act, the land stewardship

implementation partner may elect to work with a special district to administer their allocation of funds. The land stewardship implementation partner shall be selected based on criteria as described in paragraph (h) of subsection (3) of subdivision (A) of section 4.65.060.

(E) The Treasurer shall deduct a Property Tax Collection Fee of no more than one percent (1%) annually that shall be deducted from the Fund before allocating the remaining proceeds pursuant to section 4.65.040.

(F) Funds allocated pursuant to this Act shall be used to increase and enhance activities described within the Act. Funds shall not supplant expenditures from other federal, state, or local sources or funds independently generated by the County, incorporated cities, or grant awardees.

4.65.060 Oversight and Accountability.

(A) The Board shall establish a Citizens Oversight Advisory Board.

(1) The Advisory Board shall be composed of nine (9) members, five (5) appointed by the Board with one selection from each of the five (5) Board supervisorial districts, and four (4) appointed with one selection from each incorporated city.

(2) The Advisory Board members shall not hold any elected office and shall have demonstrated expertise in the following areas:

- (a) Water quality, water supply, or flood protection management.
- (b) Wildfire or forest management.
- (c) Wildlife, parks, or natural resources stewardship.
- (d) Working Lands or agricultural expertise.
- (e) Environmental justice, park equity, or public health.
- (f) Knowledge and expertise in evaluating financial transactions or program cost-effectiveness.

(3) The Advisory Board shall do all of the following:

- (a) Conduct hearings and receive public input on allocations related to this Act.
- (b) Receive reports annually from the County on projects funded pursuant to subsections (1) and (3) of subdivision (B) of section 4.65.040.
- (c) Receive reports annually from each of the incorporated cities on projects funded pursuant to subsection (2) of subdivision (B) of section 4.65.040.

(d) Receive reports annually from the Resource Conservation District of Santa Cruz County and the land stewardship implementation partner on projects funded pursuant to subsection (4) of subdivision (B) of section 4.65.040.

(e) Report to the Board annually on the outcomes of the projects and programs funded through the Act as well as how the Act was used to leverage other public and private funds. Annual reports by the Advisory Board may also provide suggested direction on the types of projects to prioritize in the coming year.

(f) Approve a five-year vision plan to support grant criteria and awards.

(i) The plan shall be published by July 1, 2025, and updated every five years thereafter.

(ii) The Advisory Board may provide recommendations on the development of the plan by the Office and the Department. The Office and the Department shall also consult the incorporated cities, the Resource Conservation District of Santa Cruz County, and the land stewardship implementation partner in the development of the plan.

(iii) The vision plan shall identify the activities and geographies prioritized for investment throughout the County in a concise format primarily based on content derived from existing plans, such as, but not limited to, the Santa Cruz County Regional Conservation Investment Strategy, Santa Cruz County Parks Strategic Plan, Santa Cruz County Local Hazard Mitigation Plan, California Water Plan, California Wildfire and Forest Resilience Action Plan, California Outdoors for All Strategy, California Pathways to 30x30 Strategy, California Natural and Working Lands Climate Smart Strategy, Santa Cruz County Climate Action and Adaptation Plan, city climate adaptation plans, city parks and open space plans, or similar County, State, or local plans.

(g) Select the land stewardship implementation partner by July 1, 2025, who shall serve in this role for a period of five years. After this initial period, the Advisory Board shall renew the land stewardship implementation partner or select another partner.

(h) Utilize the following criteria for selecting the land stewardship implementation partner:

(i) The land stewardship implementation partner shall have a mission generally consistent with the purposes of the Act and the capacity and expertise to implement projects in the public benefit related to land, habitat, ecosystem, and natural resources management and protection.

(ii) The land stewardship implementation partner shall be a Nonprofit Organization as defined in subdivision (M) of section 4.65.010 that owns

and stewards private lands on which Eligible Projects in the public benefit can be implemented.

(iii) The land stewardship implementation partner must be headquartered in Santa Cruz County with at least 10 years of experience working primarily in Santa Cruz County.

(iv) The land stewardship implementation partner must be able to submit annual reports to the Advisory Board and contribute to the development of the five-year vision plan.

(4) Members of the Advisory Board shall serve a term of four years at the pleasure of the Board or appointing city, and no member may serve more than two consecutive four-year terms. The Board, or appointing city, may, by order, extend this length of service or waive this limit for individuals that they appointed. A member's position shall become vacant upon their death, resignation, or removal by the Board or appointing city. In the case of such a vacancy, the Board or appointing city shall appoint a successor to fill the unexpired term.

(5) Costs associated with the Advisory Board shall be paid by revenues from the Special Parcel Tax. Reasonably budgeted amounts to pay for the Advisory Board shall be taken from the Fund and deposited in a separate account before monies from the Fund are distributed to the programs outlined in Section 4.65.040. These funds shall be overseen by the Office and the Department, or a successor agency, in their role as staff support to the Advisory Board.

(6) The Office and the Department, or a successor agency, shall staff the Advisory Board, which shall comply with the provisions of the Ralph M. Brown Act, codified at California Government Code Section 54950 et seq.

(7) Each member of the Advisory Board shall receive a stipend as compensation for their public service in an amount as determined by the Board annually by resolution.

4.65.070 Property Acquisition.

All real property acquired pursuant to this Act shall be acquired in compliance with Chapter 16 (commencing with section 7260) of Division 7 of Title 1 of the California Government Code.

4.65.080 Sunset Date.

The Special Parcel Tax levied pursuant to this Act shall be levied until ended by voters.

4.65.090 Severability.

If any provision of this Act or the application thereof to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provisions or applications. To that end, the

provisions of this Act are declared to be severable. It is the intent of the voters that this Act would have been enacted regardless of whether any invalid provision had been included or any invalid application had been made.

4.65.100 Amendment.

Except for amendments that would change the amount of the Special Parcel Tax imposed by this Act, change the authorized uses of revenue generated by the Special Parcel Tax, change the administering agency for reasons other than failure of performance, or extend the period for which the Special Parcel Tax may be imposed, the Board of Supervisors may amend this Act without submitting the amendment to the voters for approval, provided that the amendment is consistent with and furthers the purposes of this Act as enacted by the voters.

4.65.110 Implementation Date.

This Act shall take effect ten (10) days after the election at which it is adopted as certified by the Santa Cruz County Clerk (Elections Department) and reported to the Santa Cruz County Board of Supervisors.

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