

44. Adopt resolution accepting unanticipated revenue in the amount of \$4,843,922 to conduct emergency streambank stabilization repair work through the United States Department of Agriculture (USDA) Emergency Watershed Protection (EWP) Program, and take related actions ()



## County of Santa Cruz Board of Supervisors

### Agenda Item Submittal

**From:** Office of Response, Recovery and Resilience

**Subject:** USDA Emergency Watershed Protection Program - Spring 2025

**Meeting Date:** April 8, 2025

**Formal Title:** Adopt resolution accepting unanticipated revenue in the amount of \$4,843,922 to conduct emergency streambank stabilization repair work through the United States Department of Agriculture (USDA) Emergency Watershed Protection (EWP) Program, and take related actions

### Recommended Actions

1. Accept and file this report on the status of the Emergency Watershed Protection (EWP) program in Santa Cruz County;
2. Adopt resolution accepting and appropriating unanticipated revenue in the amount of \$4,843,922 from the U.S. Department of Agriculture and participating landowners for implementation of the EWP program in Santa Cruz County;
3. Direct the Office of Response, Recovery & Resilience (OR3) to return to the Board on or before November 18, 2025 to provide an update on implementation of this program.

### Executive Summary

Santa Cruz County was previously awarded \$3,766,125 through U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) Emergency Watershed Protection (EWP) Program to implement repair measures at up to 15 eligible private residences threatened by bank failures that occurred during the 2022-2023 Atmospheric River Storms (DR-4699). Following receipt of formal construction bids, OR3 staff have submitted funding requests resulting in two formal amendments to the original EWP funding agreement totaling \$3,825,296 in additional federal funding to cover eligible technical assistance costs plus 75% of construction expenses. Prior to the 2025 calendar year construction season, participating homeowners will be expected to deposit an additional \$1,018,626 to cover the remaining 25% of project cost share.

This memo provides a status update on the project and seeks authorization from the Board of Supervisors to accept and appropriate \$4,843,922 in additional grant revenue and homeowner deposits into the OR3 budget for fiscal year 2024-2025.

### Discussion

The NRCS Emergency Watershed Protection (EWP) Program provides federal funding to help communities reduce risks to life and property from watershed impairments caused by natural disasters. During recovery from the 2022-2023 storms, the Office of Response, Recovery & Resilience (OR3) and CDI Environmental Planning identified 15 private residences eligible for slope stabilization projects through the EWP Program. Project sites are located along rivers and creeks throughout the county, distributed across Supervisorial District 5 (10 projects), District 1 (3 projects) and District 2 (2 projects). Many affected properties predate modern stream setback requirements, and

the cost and permitting complexity of these stabilization efforts highlight the ongoing challenges of maintaining vulnerable legacy development in sensitive riparian areas.

Under the program, NRCS reimburses 75% of eligible construction costs, while the remaining 25% is funded by property owners. A separate Technical Assistance (TA) budget, reimbursable at 100%, supports County staff time for project management, contract administration, and permitting. As the local sponsor under a Cooperative Agreement with NRCS, the County acts as the grant recipient agency—executing contracts, overseeing implementation, and seeking reimbursement upon project completion.

The County's initial EWP award for \$3,766,125, executed in August 2024, was based on preliminary cost estimates. As formal construction bids were developed through the County's Job Order Contracting (JOC) program, project costs were more accurately defined, resulting in a need for additional grant support. OR3 submitted two funding increase requests to the USDA—one in August 2024 and another in January 2025—to reflect updated costs.

During the early weeks of the federal spending freeze triggered by executive orders, both supplemental funding requests remained pending, placing the entire project at risk. Without additional federal support, homeowner contributions would have risen from 25% to upwards of 44% of total construction costs—an amount that would have been financially unfeasible for most participants.

Thanks to coordinated advocacy by our federal legislative delegation and persistence by County staff, both funding requests were ultimately approved. The additional support has been formalized through executed Notices of Agreement (NOAs) with NRCS, totaling \$3,825,296—including \$3,055,878 in Financial Assistance (FA) for construction and \$769,418 in Technical Assistance (TA) for project administration.

OR3 has adjusted the required property owner contributions to maintain the 25% cost share under the terms of the new agreement. Additionally, certain owner-held costs—such as inspections and required restoration—were accounted for in our latest funding request and are eligible for up to 75% reimbursement if contracted separately by owners. As of March 2025, 12 property owners remain active participants, with 3 owners opting out due to financial or technical challenges. Construction is scheduled to occur between April 15, 2025, and October 15, 2025, in alignment with environmental permits and seasonal work windows.

The increased TA budget, which is 100% reimbursable, will fund County staff time, fees for construction project management, JOC contract administration, and biological monitoring to fulfill state and federal permit requirements. Upon project completion in fall 2025, the County will apply for California Disaster Assistance Act (CDAA) reimbursement, which may cover up to 75% of the local 25% match (18.75% of total construction costs). If CDAA reimbursement for the project as a whole is secured final owner project cost share may decrease.

## **Financial Impact**

Approval of this item will authorize acceptance and appropriation of an additional

\$3,825,296 in anticipated federal revenue (*GL Key 186100 / GL Object 41060*) and \$1,018,626 in local property owner contributions (*GL Key 186100 / GL Object 42372*) to cover increased project costs and technical assistance for the Emergency Watershed Protection (EWP) Program. These funds will be appropriated into the OR3 Fiscal Year 2024-2025 budget to fund expenses for construction and technical assistance (*GL Key 186100 / GL Object 62381*) for slope stabilization projects protecting 13 private residences impacted by the 2022-2023 storms.

The table below summarizes the total EWP Program funding to date, including the initial award and subsequent amendments:

Agreement (Date Executed by NRCS)	Total Approved Budget	Federal – Construction (FA) (75%)	Required Local Match (25%)	Federal – Technical Assistance (TA) (100%)
Original Agreement (8/23/2024)	\$4,907,375.00	\$3,423,750.00	\$1,141,250.00	\$342,375.00
Amendment 2 (2/24/2025)	\$6,963,149.82	\$4,858,011.50	\$1,619,337.17	\$485,801.15
Amendment 3 (3/7/2025)	\$9,751,296.53	\$6,479,627.54	\$2,159,875.85	\$1,111,793.14

The EWP Program reimburses 75% of eligible construction costs, with the remaining 25% funded through local property owner contributions. Technical Assistance (TA), which covers County staff time for project management, construction oversight, and biological monitoring required by permits, is 100% reimbursable by NRCS.

To mitigate financial risk, OR3 has executed Participation Agreements with each property owner. These agreements require owners to deposit their cost share prior to construction and clearly outline financial responsibilities if any portion of the work is deemed ineligible or not reimbursable by the federal government.

Based on the County’s experience with the 2024 EWP project and current invoicing under this agreement, federal reimbursement turnaround time for submitted expenses has averaged 30 to 60 days.

Following project completion, the County will pursue California Disaster Assistance Act (CDAA) reimbursement, which may cover up to 75% of the local match (equivalent to 18.75% of total construction costs). Any CDAA funds received will be used to reduce participant local match amounts.

### **Strategic Initiatives**

Operational Plan - Comprehensive Health & Safety, Sustainable Environment

#### **Submitted By:**

David Reid, OR3 Director

#### **Recommended By:**

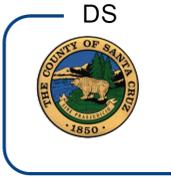
Carlos J. Palacios, County Administrative Officer

**Artificial Intelligence Acknowledgment:**

Chat GPT 4o, an Artificial Intelligence (AI) large language model tool, significantly contributed to the development of this agenda item, including Staff Report, in compliance with the County of Santa Cruz AI Appropriate Use Policy.

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

44.a  
Approved 4/8/2025  
Board of Supervisors  
DOC-2025-264



DS

**Resolution No. 45-2025**

On the motion of Supervisor Koenig  
Duly seconded by Supervisor De Serpa  
The following resolution is adopted:

**RESOLUTION ACCEPTING UNANTICIPATED REVENUE**

WHEREAS, the County of Santa Cruz is the recipient of funds, in the amount of \$ 4,843,922,  
from US DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE & PROGRAM PARTICIPANTS LOCAL MATCH,  
for the EMERGENCY WATERSHED PROTECTION program; and

WHEREAS, the above-referenced funds are either in excess of those anticipated or are not specifically set forth in the current fiscal year budget for the County; and

WHEREAS, pursuant to Government Code section 29130(b), such funds may be made available for specific appropriation by four-fifths vote of the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Santa Cruz County Auditor-Controller-Treasurer-Tax Collector accept the amount of \$ 4,843,922 for the EMERGENCY WATERSHED PROTECTION program.

GL Key	GL Object	JL Key	JL Object	Amount	Account Description
186100	41060			3,825,296	WATER PROJECTS/CONT. FRM. OTHER GOV. AGENCIES
186100	42372			1,018,626	WATER PROJECTS/ LOCAL MATCH CONTRIBUTIONS

**and that such funds be and are hereby appointed as follows:**

GL Key	GL Object	JL Key	JL Object	Amount	Account Description
186100	62381			4,666,882	WATER PROJECTS/ PROFESSIONAL SERVICES
186100	62114			177,040	WATER PROJECTS/GRANT REIMBURSEMENT

PASSED AND ADOPTED BY THE Board of Supervisors of the County of Santa Cruz, State of California, this 8th day of April, 2025 by the following vote (requires four-fifths vote for approval):

AYES: Supervisors Koenig, De Serpa, Cummings, Martinez and Hernandez

NOES: None

ABSENT: None

DocuSigned by: Julie Hernandez 4/9/2025  
309EB769DA614E4...  
Chair of the Board

ATTEST: Juliette Rezato 4/9/2025  
466B074F3141450...  
Clerk of the Board

DEPARTMENT HEAD I hereby certify that the fiscal provisions have been researched and that the Revenue(s) (has been)(will be) received within the current fiscal year.

BY: David Reid 3/27/2025  
5FFF6E6813B1490...  
Date: \_\_\_\_\_  
Department Head

COUNTY ADMINISTRATIVE OFFICER / MS / Recommended to Board  
/ \_\_\_\_\_ / Not Recommended to Board

APPROVED AS TO FORM:  
John Ng  
F0F6FD189D784BF...  
Office of the County Counsel

APPROVED AS TO ACCOUNTING DETAIL:  
Steve Salatti  
90FD5DD1F612471...  
Auditor-Controller-Treasurer-Tax Collector

- Distribution:
- Auditor-Controller-Treasurer-Tax Collector
  - County Counsel
  - County Administrative Officer
  - Originating Department

### Certificate Of Completion

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Subject: Complete with DocuSign: AUD60 Resolution rev 11-2020\_EWP 4.11.25 (1).pdf  
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Certificate Pages: 5  
AutoNav: Enabled  
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Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Status: Completed  
  
Envelope Originator:  
Annie Puckett  
701 Ocean Street  
Santa Cruz, CA 95060  
Annie.Puckett@santacruzcountyca.gov  
IP Address: 63.194.190.100

### Record Tracking

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Annie.Puckett@santacruzcountyca.gov  
Pool: FedRamp  
Pool: County of Santa Cruz

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Location: DocuSign

### Signer Events

John Nguyen  
John.Nguyen@santacruzcountyca.gov  
Lead Assistant County County Counsel  
Security Level: Email, Account Authentication (None)

### Signature

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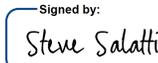
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Steve Salatti  
Steve.Salatti@santacruzcountyca.gov  
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David Reid  
David.Reid@santacruzcountyca.gov  
Director, Office of Response, Recovery & Resilience  
County of Santa Cruz  
Security Level: Email, Account Authentication (None)

DocuSigned by:  
  
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Melodye Serino  
Melodye.Serino@santacruzcountyca.gov  
Deputy CAO  
County of Santa Cruz  
Security Level: Email, Account Authentication (None)

DS  


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Intermediary Delivery Events	Status	Timestamp
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Certified Delivery Events	Status	Timestamp
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Carbon Copy Events	Status	Timestamp
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Clare Peabody  
 Clare.Peabody@santacruzcountyca.gov  
 Emergency Services Analyst  
 County of Santa Cruz  
 Security Level: Email, Account Authentication (None)



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Electronic Record and Signature Disclosure
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- ii. send us an email to [nada.algharib@santacruzcounty.us](mailto:nada.algharib@santacruzcounty.us) and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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### Certificate Of Completion

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Document Pages: 7	Signatures: 2
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
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Time Zone: (UTC-08:00) Pacific Time (US & Canada)	701 Ocean Street
	Santa Cruz, CA 95060
	Helen.Bayly@santacruzcountyca.gov
	IP Address: 63.194.190.100

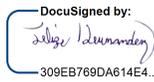
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Storage Appliance Status: Connected	Pool: County of Santa Cruz	Location: Docusign

### Signer Events

Felipe Hernandez  
 Felipe.Hernandez@santacruzcountyca.gov  
 Security Level: Email, Account Authentication (None)

### Signature



Signature Adoption: Uploaded Signature Image  
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Juliette Rezzato  
 Juliette.Rezzato@santacruzcountyca.gov  
 Chief Deputy Clerk of the Board of Supervisors  
 County of Santa Cruz  
 Security Level: Email, Account Authentication (None)



Signature Adoption: Pre-selected Style  
 Using IP Address: 63.194.190.100

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Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp

David Reid  
 David.Reid@santacruzcountyca.gov  
 Director, Office of Response, Recovery & Resilience  
 County of Santa Cruz  
 Security Level: Email, Account Authentication (None)



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<b>Payment Events</b>	<b>Status</b>	<b>Timestamps</b>
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<b>Electronic Record and Signature Disclosure</b>
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### **All notices and disclosures will be sent to you electronically**

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

**How to contact County of Santa Cruz:**

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: [nada.algharib@santacruzcounty.us](mailto:nada.algharib@santacruzcounty.us)

**To advise County of Santa Cruz of your new email address**

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at [nada.algharib@santacruzcounty.us](mailto:nada.algharib@santacruzcounty.us) and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

**To request paper copies from County of Santa Cruz**

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to [nada.algharib@santacruzcounty.us](mailto:nada.algharib@santacruzcounty.us) and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

**To withdraw your consent with County of Santa Cruz**

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to [nada.algharib@santacruzcounty.us](mailto:nada.algharib@santacruzcounty.us) and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

### **Required hardware and software**

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

### **Acknowledging your access and consent to receive and sign documents electronically**

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

By selecting the check-box next to ‘I agree to use electronic records and signatures’, you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify County of Santa Cruz as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by County of Santa Cruz during the course of your relationship with County of Santa Cruz.

### Certificate Of Completion

Envelope Id: 1650B9CB-7CA2-42C3-B8E9-9C4C7AA15576	Status: Completed
Subject: Complete with Docusign: Resolution 45-2025 Accepting Unanticipated Revenue for EWP Grant Progra...	
Source Envelope:	
Document Pages: 12	Signatures: 0
Certificate Pages: 4	Initials: 0
AutoNav: Enabled	Stamps: 1
Envelopeld Stamping: Enabled	Envelope Originator:
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	CBD eSignature
	701 Ocean Street
	Santa Cruz, CA 95060
	cbd.esignature@santacruzcountyca.gov
	IP Address: 63.194.190.100

### Record Tracking

Status: Original	Holder: CBD eSignature	Location: DocuSign
4/9/2025 3:20:23 PM	cbd.esignature@santacruzcountyca.gov	
Security Appliance Status: Connected	Pool: FedRamp	
Storage Appliance Status: Connected	Pool: County of Santa Cruz	Location: Docusign

### Signer Events

CBD eSignature  
 cbd.esignature@santacruzcountyca.gov  
 County of Santa Cruz  
 Security Level: Email, Account Authentication (None)

### Signature



Using IP Address: 63.194.190.100

### Timestamp

Sent: 4/9/2025 3:20:46 PM  
 Viewed: 4/9/2025 3:20:50 PM  
 Signed: 4/9/2025 3:20:54 PM

**Electronic Record and Signature Disclosure:**  
 Accepted: 6/20/2024 3:08:48 PM  
 ID: 4b7794de-1393-406f-a9a3-56a92d4b90d7

### In Person Signer Events

### Signature

### Timestamp

### Editor Delivery Events

### Status

### Timestamp

### Agent Delivery Events

### Status

### Timestamp

### Intermediary Delivery Events

### Status

### Timestamp

### Certified Delivery Events

### Status

### Timestamp

### Carbon Copy Events

### Status

### Timestamp

### Witness Events

### Signature

### Timestamp

### Notary Events

### Signature

### Timestamp

### Envelope Summary Events

### Status

### Timestamps

Envelope Sent	Hashed/Encrypted	4/9/2025 3:20:46 PM
Certified Delivered	Security Checked	4/9/2025 3:20:50 PM
Signing Complete	Security Checked	4/9/2025 3:20:54 PM
Completed	Security Checked	4/9/2025 3:20:54 PM

### Payment Events

### Status

### Timestamps

### Electronic Record and Signature Disclosure

## **ELECTRONIC RECORD AND SIGNATURE DISCLOSURE**

From time to time, County of Santa Cruz (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

### **Getting paper copies**

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

### **Withdrawing your consent**

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

### **Consequences of changing your mind**

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

### **All notices and disclosures will be sent to you electronically**

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

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If you created a DocuSign account, you may update it with your new email address through your account preferences.

### **To request paper copies from County of Santa Cruz**

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to [nada.algharib@santacruzcounty.us](mailto:nada.algharib@santacruzcounty.us) and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

### **To withdraw your consent with County of Santa Cruz**

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- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to [nada.algharib@santacruzcounty.us](mailto:nada.algharib@santacruzcounty.us) and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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- Until or unless you notify County of Santa Cruz as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by County of Santa Cruz during the course of your relationship with County of Santa Cruz.