

PRISON PLAN-IT



Remember how I said that much of this scene was destroyed? At the time, I didn't say what happened, how, or why. I took these pictures, because, just by looking at it, I knew what would come. I suspect most readers already know or can guess what happened.



Developers had been after this property for a long time. The botanists I know considered it precious, not because it was "Natural" but because the way disturbance was managed here induced the expression of several rare plants and insects. Not one of them wanted the owner to stop grazing it.



June 2010

It's not as if I was clairvoyant or anything in knowing what was going to happen. The local school district had proposed a new high school across the street. So, the handwriting was on the wall for the meadow.



May 2002

The rancher who had owned it had never made a dime off this use of his property because all of his potential customers expected to enjoy it for free. That disinvested the source of this view, rendering it into a public commons (activists call it “view-shed”). So, he sold it to “Chop” Keenan, a developer, who had the connections and experience to put this land to use as something more profitable. Unfortunately, the control freaks of this world wouldn’t ol’ Chop build the 145 homes he wanted to put on it. So, he cut a deal.

NOTICE OF PROPOSED DEVELOPMENT

APPLICATION #GPA 99-02, SPA 99-01 LD 99-02, 2C 99-02, CRA 97-03

APPLICANT: AMERICAN DREAM / GLENWOOD, L.P.

DEVELOPMENT PROPOSED ON THIS SITE:

Residential subdivision of 17.99 acres to include
67 single-family homes on min. 10,000 & 20,000 sq. ft. lots:
dedication of 167.02 acres of permanent open space,
public trails and dedication of 9.74 acres of land for a future public park.

FOR INFORMATION CALL OR WRITE

KEENAN LAND COMPANY
700 EMERSON STREET
PALO ALTO, CA 94301
ATTN KERRY WILLIAMS
(650) 326-2244

CITY HALL PLANNING DEPARTMENT
ONE CIVIC CENTER DRIVE
SCOTTS VALLEY, CA 95066
(831) 440-5630

July 2003

Mr. Keenan was well versed in "Sustainable Development": He "donated" 9.74 acres to the City for a "dog park," and agreed to set aside 167 acres as "open space" in return for approval to build. This "conservation easement" would be managed by the Land Trust of Santa Cruz County, funded with a stingy \$1,000,000 "endowment" to cover the maintenance... Stingy? Think about that for a minute: Do you really believe that the investment return on a million bucks covers the management, personnel, and operating costs for 167 acres, including liability for fire??? I don't. The Land Trust has only one full-time professional "steward" for its 13,100 acres of holdings. Mr. Keenan will never again have to pay property taxes on that 167 acres again. You will provide those public services.



July 2003

So, knowing how environmentally valuable that meadow was, they obviously built passive solar houses into the hillsides, right? That way, the owners would have a great view of the meadow! Well, obviously not, because flat ground is a far cheaper place to build.

Now, if you are thinking that I believe the owner **should not** have the right to do what he wants with his land, you would be dead wrong. However, what I also believe is that owners should be free to market ALL their assets undistorted by political whim. The array of uses would have been different and the rancher would probably still be in business selling view opportunities, hiking access, gardening space, emergency shelter and remote food storage contracts, rainwater collection and transport services, hunting access, noise dissipation, fuels management... **all** assets. If people had to manage for all the liabilities induced by our sue-happy judiciary system prodding the whims of incompetent juries, the consequences would be equally different. Instead, we pass on decisions about those risks to the only entity with the legal muscle to rig a way to either stiff the litigant, or shake down taxpayers for the effective premiums without the customers having a clue about the deal. Once government takes control of those markets, what you get is a “planned” economy, with socialized risks suffering from inadequate or absent risk mitigation services for flood, fuel, weed control...



July 2003

...or endangered species habitat management. So, the houses end up in the middle of what was an occasionally swampy meadow populated with Federally listed species, until they drained it, "wetlands" and all.



June 2010

Once the two years of deal-making, protests, and negotiations were done, two years more later and VOILA! Welcome to **Glenwood!** Yup, the name “Glenwood” is borrowed from that long-abandoned private park, winery, and resort about four miles up the road on the old rail line to Los Gatos (Charlie Martin would be rolling in his grave). But **this** time it’s a modern “planned community,” and how. Ponderosa Homes, Inc. thought of *everything*, architectural elements that *mimic* history and permanence, while their substance subtly reminds you that they are fake. This “rustic” rail fence is made of recycled plastic, the “weathered” pattern identical on every board (here in a County that grows five times more redwood than it harvests). The rocks on the pilaster are stained concrete.



June 2010



The whole thing was so expensive that, in order to make the project work, the developer really had to pack those houses in there. The back yard is tiny, with improvements subject to the Homeowner's Association. But there is another reason this is so tight...



June 2010



“Glenwood” is set on the only “buildable” (flat) land between two “sensitive riparian areas.” The watershed behind it is too narrow for the creek, streets, and houses, at least the way “modern” codes and ordinances allow them to be built. So despite the apparent generosity of Mr. Keenan (or his willingness to cave if you prefer), for the price of a mere million, NOBODY will ever pay property taxes, detailed maintenance, or insurance costs on all that land ever again, except taxpayers. Those risks have been socialized. Although the homeowners on the ridge above may own adequate clearance to manage a fuel buffer, with the probable accrual of brush due to the lack of animal impact, who owns the liability for the fuel is a very interesting question.



June 2010

Your fantasy starts here! Note the transition in the grass median at the base of the streetlight carefully designed to prevent “light pollution.” You can see within inches where the landscaping contract ends and “Nature” begins (no, I’m not kidding, a homeowner told me that this was exactly the excuse he was offered on this very question).

That must be some amazing “weed-n-feed” chemical and the sprinkler heads equally precise.



June 2010



But I think there is a simpler, and more "compelling" answer to that question of why the landscaper cannot use the lawn chemicals in this area (I asked him): The road crosses a "riparian corridor," where State and Federal regulations re use of said chemicals apply with serious fines for the most minuscule of transgressions. What do you bet there are people who live here that worry about herbicides affecting water quality from County roads miles away? Note also that the road crosses the corridor, probably with a large culvert.



June 2010

The open space is a hillside that will no longer be grazed. The lupines and wildflowers it exhibited a few years prior are now largely gone as slender oat has largely taken over. Coyote brush (*Baccharis pilularis*) is also slowly colonizing the area, and will constitute quite the fire hazard. Italian thistles are moving in too (the grey green in the foreground by the fence). Hillsides nearby are where "Scotts Valley polygonum" also lives, a Federally listed endangered plant, of which there were six (6) total patches left.



June 2010



Here along Glenwood Drive there was a volunteer project to install native landscaping, typical of many restoration projects today. The plants were from a nursery down in Monterey County; so the varieties were not local. I doubt anybody knew how to care for them, but then, native plants are Natural. So, when they didn't do well, the landscaper brought in the usual cultivars.



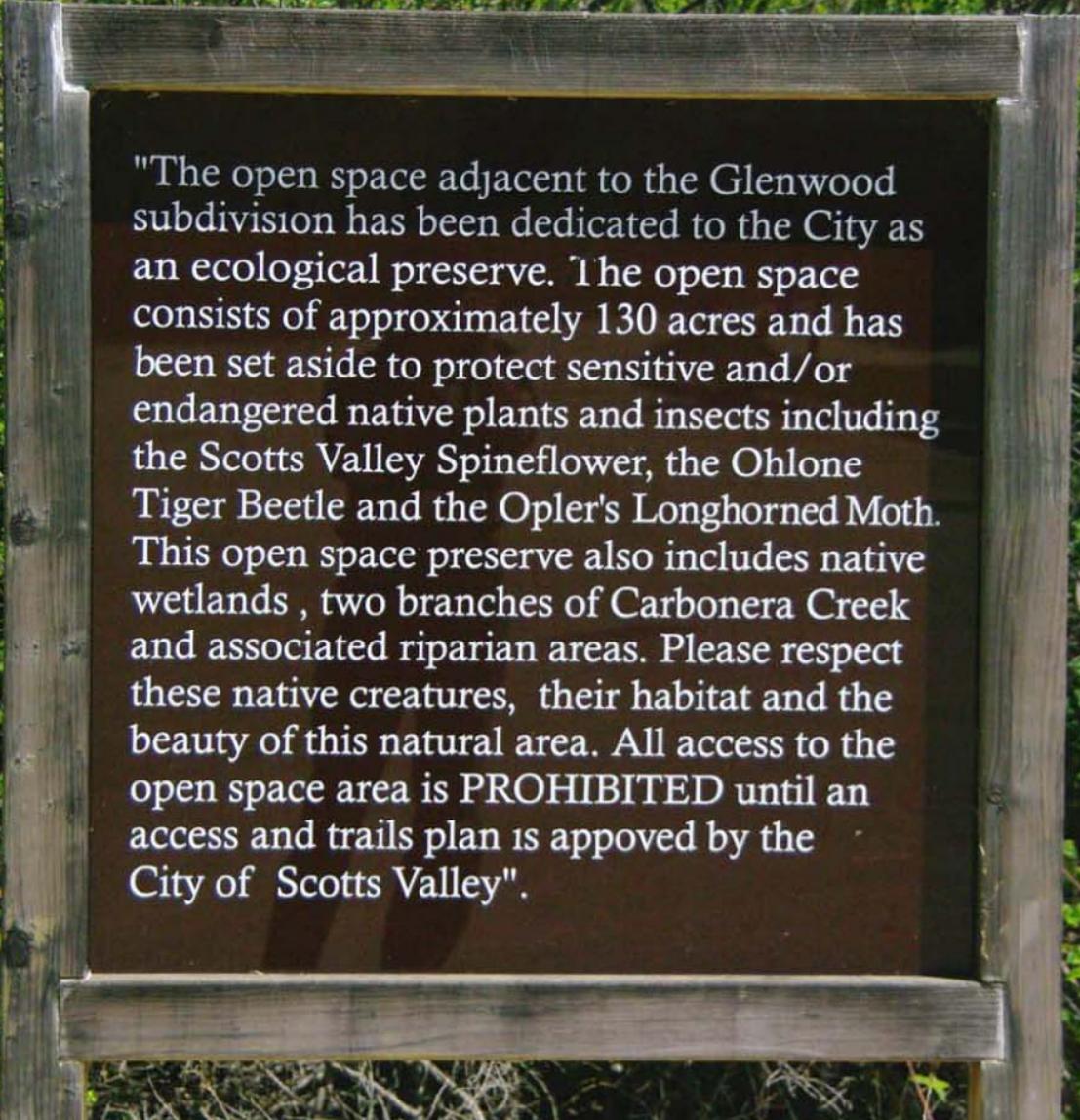
June 2010

Inside our “planned community,” every house is oriented in the same fashion: living spaces face away from their neighbors and toward the “Nature area” on the opposite hillside. The side of their homes they show each other is maintained by the same landscaping firm, with no alternatives beyond a fixed menu. Every house is finished with a similar mix of concrete reinforced and stucco materials, no maintenance necessary. The play area is on the inside of the development, not on the land for which they pay the checks every month on a 30-year mortgage. What they get is a private *view* of the “Natural open space,” until the trees grow enough to block it.



June 2010

This home, adjoining the entry to the “open space,” exemplifies how sharply the transition from urban to “wild” is to be in the minds of Ponderosa Homes’ community architects. Interestingly, there is Spanish lotus in these untended grasses, representing the seed bank in the graded soils, a legacy of the horse grazing in this part of the meadow. I suspect that the owners hold this proximity to the entry to the promised trail system as an added benefit of feeling closer to the wild. One problem though...



"The open space adjacent to the Glenwood subdivision has been dedicated to the City as an ecological preserve. The open space consists of approximately 130 acres and has been set aside to protect sensitive and/or endangered native plants and insects including the Scotts Valley Spineflower, the Ohlone Tiger Beetle and the Opler's Longhorned Moth. This open space preserve also includes native wetlands, two branches of Carbonera Creek and associated riparian areas. Please respect these native creatures, their habitat and the beauty of this natural area. All access to the open space area is PROHIBITED until an access and trails plan is approved by the City of Scotts Valley".

June 2010



This is the REAL deal. Look at this sign. How old is it? How permanent is its construction? Note that we went from 167.02 acres of "open space" to "approximately 130 acres." Note also that access to the "open space" is CLOSED, until the City of Scotts Valley approves an unspecified plan. When? This development has been here over five years and that "open space" is still officially closed. Why? The FEDERAL government has yet to approve the Santa Cruz Land Trust's plan, which then becomes Scotts Valley's plan. If you think the Land trust is charging the planning time against that million... The land itself will get the money eventually though, right?

'The open space adjacent to the Glenwood subdivision has been dedicated to the City as an ecological preserve. The open space consists of approximately 130 acres and has been set aside to protect sensitive and/or endangered native plants and insects including the Scotts Valley Spineflower, the Ohlone Tiger Beetle and the Opler's Longhorned Moth. This open space preserve also includes native wetlands, two branches of Carbonera Creek and associated riparian areas. Please respect these native creatures, their habitat and the beauty of this natural area. All access to the open space area is PROHIBITED until an access and trails plan is approved by the City of Scotts Valley.

POSTED
NO HUNTING
FISHING
TRESPASSING

November 2013

Here we are over three years later and the pretense of adjacent "open space" they used to sell the houses is now unnecessary. I guess the residents didn't like the REAL deal. They probably thought that somebody should keep the deal they were sold. They just need a reminder of who's in charge. Plus ça change, plus ça même chose, or... "Read the fine print."



June 2010

So, on one side, “open space,” on the other side, is “human habitat,” where the trees are carefully groomed. It is as if every aspect of their lives must be completely alien from their surroundings. That without, for which they long and have paid for so dearly, is forbidden within. Mother Nature doesn’t need grooming; she is for viewing only, “Look, but don’t touch.”



June 2010

Again, similar to urban Sustainable Development, we have the obligatory “meandering footpath.” Here again there are boundaries, where children are not to meander among the plants. ‘People are harmful you know. The experts take care of those things.’ There is no community garden, there is no orchard, there are no vines or edible berries. Those are messy; people are too busy to pick them.



June 2010



Once these trees get big enough, the “tree-lined street” will offer not a hint of the outside world. It is a bimodal reality, one as seen from their cars as they approach their homes. They’ll view “Nature” from their windows. It might as well be a big-screen TV.



June 2010

I couldn't stand it. Most of these people work their Silicon Valley lives in a total frenzy, aching to get home for a respite, the one thing for which they spent all that professional effort so tantalizingly close, but absolutely forbidden. They get their food from a store. Soon, it may be ordered from all over the world with delivery coordinated by software and the food coming off a truck along with everything else they buy. This is an alienation from everything upon which they depend, totally, so complete it is akin to madness.



June 2010

Here, at the end of the street, is your Human-Nature Interface, graced with a stately pair of pilasters, and fenced for your protection (a mountain lion could hop it without a blink). It's your gateway!



June 2010

Except that the gate is locked. If a kid lost his basketball over the fence, could he or she go get it?



Note that one line on this sign was erased. Apparently some clever lawyer figured out that telling people reclaimed water was safe enough for drinking was a bad idea. **Nothing** is left to chance.

This ecologically sensitive project has been developed with the following features:

The front yards and common areas owned by the project homeowner's association are irrigated with reclaimed water.

the irrigation system has been approved by the California Department of Health Services.

The dedicated open space preserve consists of approximately 130 acres and has been set aside to protect sensitive and/or endangered native plants and insects including the Scotts Valley Spineflower, the Ohlone Tiger Beetle and the Opler's Longhorn Moth. This open space preserve also includes native wetlands, two branches of Carbonero Creek and associated riparian areas.

All owners of homes in the Glenwood project will be required to become members of the Glenwood Homeowner's Association. Details of the responsibilities of the Association can be obtained from the sales office.



June 2010

There is no promise when this part of the "open space" (the 9.74-acre "dog park") will be open to the public (given Federal protection of these listed species there may even be a fine for trespassing). Sadly, for the foreseeable future, the deal is all for show. The plan includes but ONE (1) acre for species protection. Worse, the Scotts Valley Spineflower (*Chorizanthe robusta* var. *hartwegii*) needs disturbance to provide habitat in which to germinate. It did just fine in this wet bottomland when it was grazed. The Ohlone Tiger beetle needs disturbed sandy spots near native grasses. Without grazing, the slender oat you see here will continue to establish dominance over both the spineflower and the few native bunch grasses that are left. Sadder still is that the sign does not mention the Scotts Valley polygonum at all! Yet the construction of this very development destroyed one of but six remaining patches of this Federally-listed endangered plant (with the water reclamation plant directly adjacent to another). Paradoxically, if you ask the residents if they care about rare and endangered plants, they virtually all answer "Yes!" It would probably take very little to get some of these same people all up in arms to protect some endangered plant or animal **on somebody else's land**. But if you asked them to be responsible to GROW some polygonum, you would probably get a blank stare. Don't worry, it's illegal to even try.



June 2010

If you remember the first sign, it mentions that the project provided “wetlands.” Well, here’s one, a drainage ditch with cat-tails!



June 2010



I wrote this in 2010: "Through the fence is your 9.74 acre "future dog park." They mow the annual grasses and thistles annually to reduce the fire hazard. After seven years, it is still closed. Nothing will good happen here until the Federal government agrees to it. In the mean time, it will get worse." So, how long did "worse" take to happen? Two years.



Dittrichia

October 2013



Three years later and “worse” is now “obviously worse.” Meet *Dittrichia graveolens*, aka “stinkwort.” I have seen this weed spread like nothing I have **ever** seen before. It is now along whole sections of Highway 280 near Stanford where I saw none only last year. It is a member of the tarweed tribe, so the seed is sticky. Worse, it has a pappus that blows it on the wind like a dandelion. It produces **30,000 seeds per plant**. Nothing eats it, because it’s mildly toxic. Last year, I saw only a few plants in the area, although I wasn’t looking for them. I thought then that maybe, just maybe, this will be the weed that finally gets people’s attention.



October 2013

On the other side of the hedge from what's left of the grazed meadow is this turn in the road. It's a dangerous spot to weed because the road has a minimal shoulder, so one has to park a quarter mile away and walk. Last year, there were just a few stinkworts here. This year, they had spread over a quarter mile down the road. Should I have pulled it? From what I can tell, it was futile even then.



October 2013



It is hard to comprehend how much seed this represents. I wrote a friend of mine with the Wildlands Restoration Team about this a few weeks prior to this photo and he contacted the Santa Cruz Land Trust. Bless them the WRT put in a total of 64 hours of labor, most of it in Dog-Patch-Park. Should I have weeded it last year? No, my take is that this stuff is so bad that this was inevitable unless something changes. I can't police it all and this is five miles from home. The WRT hopes to keep it out of the County.



October 2013

Too late. I had already seen it on my place, which is in the middle of nowhere compared to this spot. That meant it has the potential to be just about anywhere. This is another infestation of *Dittrichia* at a Christmas tree farm, less than half the distance from our place to "Glenwood." This is where the County parks their road mowers. Yes, once again you can thank a government beholden to the Sierra Club and other activist lawyers for a problem for which they take no responsibility. I told some of the neighbors about the weed, and they dutifully weeded... right up to the fence. Among the weeds I've stopped here are poison hemlock, spiny cocklebur, and Iberian star thistle. This one was just too much for me acting on my own. One just has to set control boundaries according to what one believes *can* be accomplished. *Senecio vulgaris* and *Dittrichia* were beyond me here, and for similar reasons.



June 2010



Back to “Glenwood.” This is another “wetland,” a collection pond for flood control deep enough to help drain the historically swampy meadow. Although they planted native cat-tails in the bottom, the surrounding dry-land plants are nearly all exotics, predominantly Italian thistle, slender oat, and an exotic clover (*T. angustifolium*). We’ll see what it looks like in 2014.



June 2010



To me, this was the scariest view of all. This is one of only two exits to this community. Across the street is the entry to Scotts Valley High School (the elementary school is on the other side of the development to the southwest). Effectively, a child raised in Glenwood need never leave. Work, work, work (play basketball, there's your view of Nature), work, work, work (watch Nature TV), cross the street, learn about Nature from the mouth of Authority, work, work, work... This architecture effectively guides a child to grow up without ever having felt the soil, pulled a weed, or planted a seed.

The control is total. "Nature" is to be left untouched.



These folks obviously pay a lot to live this way. Unfortunately, the mortgage-payers typically stay at a job only a few years and then move, too soon to truly come to understand the local ecology, much less have a stake in it. Virtually none of them has any tangible knowledge about how the land works as learned from the ends of their arms. They believe what they are told according to Authority, in most cases, the mass media, “Experts say that...” Lacking any direct contact with the land, when they are prompted, some get stressed about what is supposedly happening to it. They “get involved,” feeling entitled to agitate, direct their leaders, and decide what is to be done with roads, land, water, air... most of it belonging to somebody else, like me. Just as they were told.

Hopefully, now you know why this segment is in this book. I am educating you, the reader, to help save my land from busybodies who believe what have all been taught, years of conditioning that “Nature is separate from people.” It’s just not true.



June 2010

I met a few of these homeowners while I was taking pictures. These are nice people. I know they don't mean anybody any harm. They have no idea why or how their beliefs are manipulated by the wealthy and powerful to fleece the very people who did more than anyone else to keep those rare and endangered plants reproducing. Most know they do not understand as much about these issues as they are led to believe. When shown a few details, they listen politely, acknowledging that condition. I really do hope to help them consider their possibilities someday, to care for and learn from their surroundings **with** their children...
...IF we can get the Land Trust, Federal, and City officials to cooperate. Haven't we all had enough of this madness?



June 2010

As to the condition of the meadow, the story is strongly bifurcated. This portion of the flatland is dedicated to the remaining 23 houses yet to be built. Ponderosa Homes isn't exactly in a rush to build them now. The hillsides will not be grazed, so they have only to wait before it blows up in a fire to be followed by successive waves of weed infestations. Yet this area remains completely closed to either humans or heavy grazing animals. There is no disturbance to stimulate native forbs; instead, thistles and annual grasses are taking over. That the plan is for it to be developed presents an opportunity for the residents to provide that disturbance, learning how to manage this space around them; with the blessing that whatever mistakes they might make would be of no consequence **at all**. They could even grow some native herbs for dinner! Where to get the seed? That is why what we are doing in the Wildergarten is important. Restoring reproduction of those local native sources would not take much in the grand scheme of things.



May 2002

These homes are above what is now that closed “open space.” If the vegetation under homes like these is not grazed and becomes heavily loaded with brush, will the owners have any recourse against the Land Trust of Santa Cruz County in the event of a fire? Given the assumptions pursuant to both Federal and State regulations protecting “critical habitat” for endangered species, probably not, even when the rules are demonstrably counterproductive for those “species of concern.” I would bet that there are provisions that protect the Trust from liability for negligence in fuels management as well. There is absolutely no way a \$1,000,000 endowment can fund both management and adequate indemnification for fire hazards. Note the infrequent brush in the bottoms of the draws.



November 2013

Here we are only eleven years later, no grazing (I had to move to the left because construction and trees had obscured the sight line). Note how bare these hills are despite not having been grazed and the increase in brush. It won't stop there although this soil is so infertile that the process may take a while. Some of those houses are already at risk. Do you think that it might have been worth it for the homeowners to have paid the former landowner for vegetation management? They might have got a better job than this.



Still
Grazed

“Glenwood”
Expansion
Area

Axis of the prior photo

April 2013 – Satellite photo via Google Earth

This satellite photo shows the difference in fertility between the draws and ridges, but it didn't look this bad in 2002. The area still grazed is at the upper left. The parent material of the soils here is sand. Note the accrual of brush at the bottoms of the more fertile draws within the “open” space. It will work its way up from there, just as it did in the area at the top of the frame.



June 2010

The remainder of the meadow is still grazed by the horse stable, effectively the one undeveloped element of the 130 acres still under intense anthropogenic influence. Here, the thistles and annual grasses are less prevalent and the brush is obviously under control. There is some friction between the “horse people” and those wishing to see this land put to other uses, so what that means for the vegetation in the long run is anybody’s guess. No one here is developing processes to enhance production of those endangered plants and insects or marketing their habitat under contract to preserve endangered species. That just isn’t done. It’s Natural.



June 2010

Well, I wish that “Natural” was the “end” to this story, because it is not. This is where we come back to the beginning. Yes, this is “Marywood,” once the site of Charlie Martin’s Glenwood. The developers to whom the City of Scotts Valley is beholden have had their sights on the parcel for years. Now, complicit planners of the County of Santa Cruz have proposed improving ALL the roads surrounding this land using “carbon credit” money from the State, calling the improvements “bicycle paths” even though they all dead end into a very dangerous State Highway 17. It’s flat, so it’s cheap to build here. They’ll use “nitrate impairment” of the creek to get their way, having already tried to run a sewer up here getting the residents to pay for it. If you go to Google Earth, it now shows a city of “Glenwood,” right here. I wrote a whole book about this process, and it stinks. It is not about the environment; it’s about money.

A place where cows still roamed, once celebrated for its biodiversity, is now under the ax, thanks to the power WE gave to government to decide what is worth “protecting” and what is not, when what is truly worth protecting is people who care for *their* land.