

BEFORE THE BOARD OF DIRECTORS
OF THE SANTA CRUZ COUNTY SANITATION DISTRICT
SANTA CRUZ COUNTY, CALIFORNIA

RESOLUTION NO. 24-07

On the motion of Alternate Director Klosinski
duly seconded by Director Brown
the following resolution is adopted:

A RESOLUTION MODIFYING THE DISTRICT'S WAIVER CONDITIONS FOR
THE CONTINUED USE OF A CROSS-STREAM SEWER LATERAL
BY THE SHADOWBROOK RESTAURANT, APN: 035-111-04,
AS ESTABLISHED BY RESOLUTION NO. 87-46, AND MODIFIED BY RESOLUTION NO. 89-3

WHEREAS, the Board of Directors of the Santa Cruz County Sanitation District (District) did previously waive its requirement to order Shadowbrook Restaurant (Shadowbrook) to abandon its cross-stream sewer lateral, while stipulating that District policy prohibiting cross-stream laterals, be waived in regard to APN: 035-111-04 with the following conditions: (1) The section of sewer lateral that is under Soquel Creek (approximately 83 feet) must be encased in concrete (or otherwise anchored) as per District standards, (2) the owner shall apply to the City of Capitola Public Works Department for the necessary permits and arrange with the District for a reconnection permit and inspection of these improvements, (3) the work shall be accomplished pursuant to Department of Fish and Wildlife regulations, and (4) the grease interceptor shall be cleaned frequently to ensure that grease does not enter the sewer lateral and restrict sewage flow through the inverted siphon; and,

WHEREAS, the District has required Shadowbrook to employ effective solids removal in order that no detrimental effects to their effluent discharge will occur to the District's downstream sewer and appurtenances, Soquel Creek, or the DeLara property (APN: 035-121-19); and

WHEREAS, on February 7, 2022, the Shadowbrook sewer lateral leaked sewage into Soquel Creek due to the failure of the aged ductile iron sewer lateral; an emergency permit was issued by the District to replace it; and,

WHEREAS, on March 10, 2023, the Shadowbrook sewer lateral broke off from its cross-stream connection during a severe atmospheric river event, causing it to float downstream. An unknown amount of sewage was spilled into Soquel Creek at this time. An emergency sewer lateral permit was granted by the District to reconnect the sewer lateral. During this emergency repair work, Shadowbrook hired an engineering firm to perform additional work to anchor the sewer lateral to the riverbed without review or issuance of additional permits from the District or the City of Capitola.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the District hereby modifies its waiver conditions for the continued use of a cross-stream lateral for APN: 035-111-04 by requiring Shadowbrook to meet the following additional conditions:

1. Shadowbrook is hereby required to obtain and execute permits from all relevant permitting agencies for the work performed to anchor the lateral to the Soquel Creek riverbed, no later than August 1, 2025;

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2. Failure to obtain permits by August 1, 2025, will result in the requirement to relocate the sewer lateral out of Soquel Creek;
3. The permit issued by the District shall require the sewer lateral to be inspected annually by a licensed plumbing contractor; and
4. If the cross-stream sewer lateral fails or leaks sewage again, the District will issue a temporary emergency permit to resolve the immediate lateral failure and will require the permanent relocation of the cross-stream sewer lateral out of Soquel Creek within one (1) year from the initial failure and/or spill date.

Should any of the above conditions, or those conditions established on July 22, 1982, Resolution No. 87-46 and modified by Resolution No. 89-3, be violated, Shadowbrook will be required to abandon its cross-stream sewer lateral and relocate it out of Soquel Creek. Any proposed design must be approved and permitted by all required regulatory agencies.

PASSED AND ADOPTED by the Board of Directors of the Santa Cruz County Sanitation District this 3rd day of October, 2024, by the following vote:

AYES: ALTERNATE DIRECTOR KLOSINSKI AND DIRECTOR BROWN

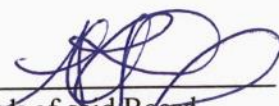
NOES: NONE

ABSENT: DIRECTOR KOENIG AND DIRECTOR FRIEND

ABSTAIN: NONE




 Chairman of said Board

ATTEST: 

 Clerk of said Board

Approved as to Form:

Signed by:


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 District Counsel

Distribution:

- District Counsel
- City of Capitola Planning Department
- Environmental Health
- District Operations
- Industrial Waste Inspector
- Shadowbrook Restaurant

Secretary
 County of Santa Cruz

I, the undersigned Secretary of the Board of Directors of the Santa Cruz County Sanitation District, County of Santa Cruz, State of California, do hereby certify that the foregoing is a true and correct copy of a resolution passed and adopted by and entered in the Minutes of said Board.

In witness whereof, I have hereunto set my hand and placed the seal of the said Board on October 4, 2024

Signed: 