

Illegal grading charges add fire to Gray Whale controversy

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SANTA CRUZ — Alleged illegal grading at the Gray Whale Ranch has fueled the ire of community members already upset with proposed logging plans for the property.

The grading apparently took place the weekend of Nov. 14, said county planners, and was red-tagged Nov. 16, after officials were alerted that an old oxen trail had been widened and bulldozed through Wilder Creek at the south end of the 2,319-acre parcel.

Property owner Ron Yanke could face as much as \$50,000 in fines for violations of state Fish and Game regulations, plus county penalties that could go as high as \$5,000 a day, said Morgan Taylor of the District Attorney's environmental strike force. Attorneys for both sides are scheduled to discuss the matter today.

The grading incident came to light just

before today's public hearing of an appeal by the county Board of Supervisors of the owner's plans to log a 124-acre part of the ranch that partially overlaps an area proposed for a 73-unit luxury housing subdivision.

The property runs along the southwest side of Empire Grade, sandwiched between the UC Santa Cruz campus and Wilder Ranch State Park. Efforts to develop or log it have been stymied by environmental activists since it was purchased five years ago by Yanke, an Idaho businessman, as a source of logs for his out-of-county sawmill.

Members of Save the Gray Whale Ranch Parklands hope to buy the property to preserve it as parkland, and so far have come up with \$300,000 in state funds.

Activists fighting the proposed development of the property used words like "shocking" and "outrage" to describe the grading and are demanding that the project be penalized.

"Please do not allow the Gray Whale Ranch to be exploited by its out-of-state owners, who would not have to live with the consequences of their actions," wrote Santa Cruz resident Valerie Bartholomew, one of a half-dozen residents who have written to the Board of Supervisors.

A spokesman for the property owner, however, said the work was planned as routine maintenance of a badly eroded ranch road. He blamed the damages on a contractor whose "freelance grading" went beyond the scope of what he had been told to do.

"I was appalled and deeply angered by what the contractor had done," said John Steinbacher in a letter to the county's environmental coordinator. He worried that besides damaging the area graded, the incident also would damage relations with county officials, and will play into the hands of activists fighting the project.

"Our sense is there's a lot of politics going on," Steinbacher said Wednesday.

"There's no surprise there. People are

making a great deal out of something ... People are trying to fan the flames," he said, referring to both community activists and county staff. "Clearly this is the kind of thing that the opposition would have seized on to make a lot of hay out of it."

Contractor Daryl Jessen, a lifelong resident of Bonny Doon and a professional excavator for the last 12 years, defended his work.

"Well, I probably was a little over-anxious on part of it," Jessen said. "We looked at it, and walked it. And he did tell me to stay out of the stream. But I had to get the Cat across the stream anyway. ... I took it a little bit upon myself to clean it up."

Jessen said he might not have clearly understood county grading regulations, but he was careful not to damage Wilder Creek itself.

"I did not push any dirt into the stream," Jessen said. "I did not change the stream, did not get it muddy. ... I more or less did what common sense told me to do."

Whether the incident will affect today's timber harvesting hearing remains to be seen.

Members of Save the Gray Whale Ranch Parklands have attempted to link the proposed housing project with the timber harvest, saying the logging is just the first step in developing the housing sites, which partly overlap each other.

The grading of the road, they say, provides a critical secondary access to the area that would be developed for housing.

Steinbacher says the grading should not affect the hearing, because the projects are unrelated. His forester said he agrees — but only partly, because of the fight against development on the ranch.

"This grading violation shouldn't have anything to do with the harvesting plan," said forester Roy Webster. "But who knows?"

The public hearing by the state Board of Forestry is at 10:30 a.m. today in the Holiday Inn, 611 Ocean St., Santa Cruz.