

# CHAPTER 1

## INTRODUCTION

---

### 1.1 PURPOSE OF THE EIR

This EIR has been prepared for the City of Santa Cruz (City), which is the lead agency for the *Parks Master Plan 2030* (Project). This EIR has been prepared in accordance with the California Environmental Quality Act (CEQA), which is found in the California Public Resources Code, Division 13, and with the State CEQA Guidelines, which are found in Title 14 of the California Code of Regulations, commencing with section 15000.

As stated in the CEQA Guidelines section 15002, the basic purposes of CEQA are to:

- Inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities.
- Identify the ways that environmental damage can be avoided or significantly reduced.
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- Disclose to the public the reasons a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

Pursuant to State CEQA Guidelines section 15121, an EIR is an informational document which will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information which may be presented to the agency. While the information in the EIR does not control the ultimate decision about the project, the agency must consider the information in the EIR and respond to each significant effect identified in the EIR by making findings pursuant to Public Resources Code section 21081.

This EIR is being prepared as a “Program EIR” pursuant to section 15168 of the State CEQA Guidelines. A program EIR is an EIR that may be prepared on a series of actions that can be characterized as one large project and are related geographically, by similar environmental effects, as logical parts in the chain of contemplated actions, or in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program. A program EIR can provide a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action and can ensure consideration of cumulative impacts. A program EIR can be used as part of the environmental review for later individual projects to be carried out pursuant to the project previously analyzed in the program EIR, where impacts have been adequately addressed in the program EIR. This is referred to as “tiering” as set forth in

section 15152 of the State CEQA Guidelines. “Tiering” uses the analysis of general matters contained in a broader program EIR (such as one prepared for a general plan) with later EIRs and negative declarations on narrower projects, incorporating by reference the general discussions from the broader EIR and concentrating the later EIR or negative declaration solely on the issues specific to the later project. The State CEQA Guidelines encourage agencies to tier the environmental analyses which they prepare for separate but related projects, including general plans, zoning changes, and development projects. For later individual projects covered in this EIR, the City will determine whether the individual project or subsequent activity is within the scope of this Program EIR. If appropriate and applicable to a proposed project, the City may also consider one or more statutory or categorical exemptions.

Pursuant to CEQA (Public Resources Code section 21002), public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which would substantially lessen the significant environmental effects of such projects. Pursuant to section 15021 of the State CEQA Guidelines, CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible. In deciding whether changes in a project are feasible, an agency may consider specific economic, environmental, legal, social, and technological factors. According to the State CEQA Guidelines, “feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. This section further indicates that CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors, and an agency shall prepare a “statement of overriding considerations” as to reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment. The environmental review process is further explained below in subsection 1.4.

## 1.2 PROJECT OVERVIEW

The Parks Master Plan is a guidance document that assesses existing conditions and community needs and guides the short- and long-term planning of parks, recreational facilities, beaches, and open space-greenbelt lands. The Parks Master Plan also will aid implementation of the City’s General Plan, and the plan’s recommendations are advisory. The Parks Master Plan provides an analysis of the current parks, open spaces, and recreational facilities based on an assessment of the existing assets, quantitative and qualitative data gathered from the community outreach, emerging trends in recreation, and standards for park development.

The Parks Master Plan includes goals, policies and actions for the provision of parks and recreational services. These include general recommendations for new and/or expanded recreational uses. The Master Plan also provides specific recommendations for improvements at the City’s individual parks, beaches, open spaces, and recreational facilities. The Parks Master Plan lays out recommendations for the next 15 years but is designed to be updated over time, providing

a guiding framework while allowing for adjustments based on both presently anticipated and unforeseen future needs and community desires.

The proposed Parks Master Plan includes the following components; a full Project Description is included in Chapter 3.0:

- An inventory of existing conditions, parks, open space and recreational facilities
- An assessment of emerging trends and community needs
- Goals, policies and actions
- Recommendations for specific facilities
- Implementation and funding strategies

### 1.3 SCOPE OF THE EIR

The City has identified the topics listed below for analysis in the EIR based on the analyses in the February 2019 Initial Study and responses to the EIR Notice of Preparation. This EIR also evaluates topics required by CEQA and CEQA Guidelines, including growth inducement, cumulative impacts, and project alternatives.

- Aesthetics
- Air Quality and Greenhouse Gas Emissions
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards
- Hydrology and Water Quality
- Noise
- Public Services
- Transportation and Traffic
- Utilities and Energy Conservation
- Land Use

Other issues are evaluated in the 2019 Initial Study, which is available for review at the Parks and Recreation Department, 323 Church Street, Santa Cruz during regular business hours, Monday through Friday between 8:00 AM and 12:00 and 1:00 PM and 5:00 PM. The Initial Study also is available for review on the City's website at: <http://www.cityofsantacruz.com/government/city-departments/parks-recreation/parks-beaches-open-spaces/parks-master-plan>. Section 4.13 of this EIR identifies and discusses impacts which have not been found to be significant and are therefore not addressed in the EIR.

As indicated above, the focus of the environmental review process is upon significant environmental effects. As defined in section 15382 of the CEQA Guidelines, a “significant effect on the environment” is:

... a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether a physical change is significant.

In evaluating the significance of the environmental effects of a project, the State CEQA Guidelines require the lead agency to consider direct physical changes in the environment and reasonably foreseeable indirect physical changes in the environment which may be caused by the project (CEQA Guidelines section 15064[d]). A direct physical change in the environment is a physical change in the environment which is caused by and immediately related to the project. An indirect physical change in the environment is a physical change in the environment, which is not immediately related to the project, but which is caused indirectly by the project. An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project.

CEQA Guidelines section 15064(e) further indicates that economic and social changes resulting from a project shall not be treated as significant effects on the environment, although they may be used to determine that a physical change shall be regarded as a significant effect on the environment. In addition, where a reasonably foreseeable physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project.

## **1.4 ENVIRONMENTAL REVIEW AND APPROVAL PROCESS**

### **1.4.1 Background**

An Initial Study (IS) and Mitigated Negative Declaration (MND) were prepared and circulated for a 30-day public review period from January 22, 2018 through February 20, 2018. Comments were received from two public agencies (California Coastal Commission and California Department of Transportation [Caltrans]), five organizations (Beach Flats Junior Youth Group, Friends of Jessie Street Marsh, Friends of Pogonip, Sierra Club, and Wildlife Emergency Services), and 39 individuals. The comments are on file at the City Parks and Recreation Department.

The IS/MND was revised to provide expanded analyses in response to public comments and was recirculated for public review and comment for a 30-day public review period from February 11, 2019 through March 12, 2019. The IS/MND was recirculated due to revision of impact significance

and new mitigation measures (geology-soils-water quality-erosion), as well as revised text. However, the Initial Study did not identify significant effects that would require preparation of an EIR as outlined in the State CEQA Guidelines section 15065. The IS/MND determined that potentially significant impacts would be mitigated to a less-than-significant level and had been agreed to by the City, in which case an EIR need not be prepared solely because without mitigation, an environmental effect would be significant (State CEQA Guidelines section 15065(b)(1)).

Comments were received from one public agency (California Coastal Commission [same letter as previously submitted]), three organizations (California Native Plant Society, Friends of Pogonip, and Sierra Club), and six individuals. The comments are on file at the City Parks and Recreation Department. In consultation with the City Attorney, City staff determined that although identified significant impacts could be reduced to a less-than-significant level and an EIR was not warranted, an EIR should be prepared to provide full public disclosure of potential impacts and mitigation measures.

### 1.4.2 Scoping

Under CEQA, the lead agency for a project is the public agency with primary responsibility for carrying out or approving the project, and for implementing the requirements of CEQA. CEQA Guidelines section 15083 authorizes and encourages an early consultation or scoping process to help identify the range of actions, alternatives, mitigation measures, and significant effects to be analyzed and considered in an EIR, and to help resolve the concerns of affected regulatory agencies, organizations, and the public. Scoping is designed to explore issues for environmental evaluation, ensuring that important considerations are not overlooked and uncovering concerns that might otherwise go unrecognized.

A Notice of Preparation (NOP) for this EIR was circulated for a 30-day comment period on July 26, 2019. The NOP was circulated to the State Clearinghouse and to local, regional, and federal agencies in accordance with State CEQA Guidelines. The NOP also was sent to organizations and interested citizens that have requested notification in the past. The NOP is included in Appendix A.

Written comments were received in response to the NOP from two public agencies (Caltrans and California Native Heritage Commission) and two individuals. These letters are included in Appendix A. The comments have been taken into consideration in the preparation of this EIR for comments that address environmental issues.

### 1.4.3 Public Review of Draft EIR

The Draft EIR will be published and circulated for review and comment by the public and other interested parties, agencies, and organizations for a 45-day public review period from March 11, 2020 through April 24, 2020. Written comments on the Draft EIR may be submitted to the Noah

Downing at the address below or may be submitted by email to [ndowning@cityofsantacruz.com](mailto:ndowning@cityofsantacruz.com), by 5:00 pm on April 24, 2020.

City of Santa Cruz Parks and Recreation Department  
323 Church Street  
Santa Cruz, California 95060

The Draft EIR will be available for public review during the comment period at the following locations:

- City of Santa Cruz Parks and Recreation Department, located at 323 Church Street
- Reference Desk of the Downtown Public Library, located at 224 Church Street
- Online at: <http://www.cityofsantacruz.com/government/city-departments/parks-recreation/parks-beaches-open-spaces/parks-master-plan>

The City of Santa Cruz encourages public agencies, organizations, community groups, and all other interested persons to provide written comments on the Draft EIR prior to the end of the 45-day public review period. Section 15204(a) provides guidance on the focus of review of EIRs, indicating that in reviewing draft EIRs, persons and public agencies “should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated,” and that comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. This section further states that: “CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.”

#### 1.4.4 Final EIR / Project Approval

Following the close of the public and agency comment period on this Draft EIR, responses will be prepared for all comments received during the public review period that raise CEQA-related environmental issues regarding the project. The responses will be published in the Final EIR document. The Final EIR will include written responses to any significant environmental issues raised in comments received during the public review period in accordance with State CEQA Guidelines section 15088. The Final EIR document also will include Draft EIR text changes and additions that become necessary after consideration of public comments.

The Final EIR, which includes both the Draft and Final EIR documents, will be presented to the City Council. The City Council will make the final decision on certification of the EIR and the Parks Master Plan. The Parks Master Plan and EIR also will be reviewed by the City Parks and Recreation Commission, and the Commission will provide a recommendation to the City Council. The City Council must ultimately certify that it has reviewed and considered the information in the EIR, that

the EIR has been completed in conformity with the requirements of CEQA, and that the document reflects the City's independent judgment.

Pursuant to sections 21002, 21002.1 and 21081 of CEQA and sections 15091 and 15093 of the State CEQA Guidelines, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects unless both of the following occur:

- (a) The public agency makes one or more of the following findings with respect to each significant effect:
  1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects on the environment.
  2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by such other agency.
  3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.
- (b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

Although these determinations (especially regarding feasibility) are made by the public agency's final decision-making body based on the entirety of the agency's administrative record as it exists after completion of a Final EIR, the Draft EIR must provide information regarding the significant effects of the proposed project and must identify the potentially feasible mitigation measures and alternatives to be considered by that decision-making body.

#### **1.4.5 Adoption of Mitigation Monitoring & Reporting Program**

CEQA requires that a program to monitor and report on mitigation measures be adopted by a lead agency as part of the project approval process. CEQA requires that such a program be adopted at the time the agency approves a project or determines to carry out a project for which an EIR has been prepared to ensure that mitigation measures identified in the EIR are implemented. The Mitigation Monitoring and Reporting Program will be included in the Final EIR, although it is not required to be included in the EIR.

## 1.5 INTENDED USE OF THE EIR

The City of Santa Cruz will consider the EIR prior to the adoption and implementation of the *Parks Master Plan 2030*. No other agencies have approval or review authority over the Parks Master Plan. Some of the recommended projects may need additional permits from other agencies at the time a specific project is proposed.

## 1.6 ORGANIZATION OF DRAFT EIR

The content and format of this Draft EIR are designed to meet the requirements of CEQA and the CEQA Guidelines (sections 15122 through 15132). This Draft EIR is organized into the following chapters:

- **Chapter 1, Introduction**, explains the CEQA process; describes the scope and purpose of this Draft EIR; provides information on the review and approval process; identifies intended uses of the EIR; and outlines the organization of the Draft EIR document.
- **Chapter 2, Summary**, presents an overview of the project; provides a summary of the impacts of the project and mitigation measures; provides a summary of the alternatives being considered; includes a discussion of known areas of controversy; and lists the topics not carried forward for further analysis.
- **Chapter 3, Project Description**, provides information about the location, setting, and background for the project; identifies project-specific objectives; and provides a detailed description of the project elements and components.
- **Chapter 4, Environmental Setting, Impacts, and Mitigation Measures**, explains the approach to the environmental analysis for this Draft EIR, and provides environmental setting, impacts, and mitigation measures for the topics identified for inclusion in the EIR. Each topical section in this Draft EIR presents information in three parts. The “Environmental Setting” section provides an overview of the existing conditions on and adjacent to the project site. Local, State and federal regulations also are identified and discussed, when relevant.

The “Impacts and Mitigation Measures” section provides an outline of the criteria used to evaluate whether an impact is considered significant based on standards identified in the CEQA Guidelines. Agency policies or regulations and/or professional judgment also are used to further define what actions may cause significant effects. Any project feature or element that may cause impacts, as well as project features that may serve to eliminate or reduce impacts, will be identified and addressed for both direct and reasonably foreseeable indirect impacts. Mitigation measures that would reduce significant impacts are identified. The significance of the impact after mitigation also is identified. For impacts found to be less-than-significant, mitigation measures are not required, but where relevant, the EIR recommends project modifications or appropriate conditions of approval.



- **Chapter 5, Other CEQA Considerations**, evaluates the topics required to be included in an EIR, including significant unavoidable impacts, irreversible impacts growth inducement, cumulative impacts, and project alternatives.
- **Chapter 6, References and EIR Preparation**, identifies all agencies contacted during the preparation of the Draft EIR, all references that were cited or utilized in preparation of the Draft EIR and individuals who were involved in preparing this Draft EIR and the individuals who provided information.
- **Appendices** contain additional information used in preparing this Draft EIR. Appendix A contains the NOP and comment letters that were submitted in response to the NOP. Appendix B includes a summary of the Parks Master Plan recommendations for specific existing park sites and facilities.

*INTENTIONALLY LEFT BLANK*