

CITY OF SANTA CRUZ
Mitigated Negative Declaration

The Administrator of Environmental Quality of the City of Santa Cruz has prepared this Mitigated Negative Declaration for the following described project:

Project: Encinal Street Minor Land Division **Application No.:** CP-18-0125

Project Location: 600 Encinal Street (APN 001-251-01) in the City of Santa Cruz, California

Project Description: The proposed project consists of a Tentative Map to create a minor land division, Slope Variance, Minor Modification to V-59-11, and Residential Demolition Authorization Permit to divide an existing parcel into four parcels, allow a driveway within slopes exceeding 30 percent, and allow for the demolition of one existing dwelling unit. The proposed project would subdivide an existing 13.5-acre property into four parcels, ranging in size from approximately 2 to 4 acres. Two existing dwelling units would be retained, one dwelling unit would be demolished, and two new residences would be constructed in the future, resulting in a net increase of one new dwelling unit. A new driveway would be developed to serve two proposed lots, and the existing driveway would continue to serve the existing homes that would be retained. An existing septic system would be abandoned and/or removed, and the lots would be connected to the City sanitary sewer system.

Applicant: Coastal Asset Holdings, LLC

Applicant Address: 1260 41st Avenue, Suite 0
Capitola, CA 95010

The City of Santa Cruz Department of Planning and Community Development has reviewed the proposed project and has determined that the project, based on the Initial Study attached hereto, will not have a significant effect on the environment. An Environmental Impact Report is not required pursuant to the California Environmental Quality Act of 1970. This environmental review process and Mitigated Negative Declaration is done in accordance with the State CEQA Guidelines and the local City of Santa Cruz CEQA Guidelines and Procedures.

The following mitigation measures will be incorporated into the project design or as conditions of approval, to ensure that any potential environmental impacts will not be significant.

Impact	Mitigation
Biological Resources. The proposed project would impact approximately 14,850 square feet of sensitive coastal prairie habitat.	MITIGATION MEASURE BIO-1: Implement proposed coastal prairie mitigation to include enhancement and management of retained coastal prairie/needlegrass grassland and conversion of mapped areas to native grassland. Develop and implement a plan that includes the following actions and performance criteria in accordance with recommendations in the project biological resources report (Biotic Resources Group, October 2018) as summarized below: a. Prior to site grading, install construction protective fencing at limits of disturbance to prevent

unauthorized uses within the coastal prairie/needlegrass grassland areas to be preserved. Show location of construction fencing on grading plans.

- b. Designate installation of fencing (wire or split rail) around the retained and enhanced prairie grassland.
- c. Initiate coastal prairie/grassland enhancement and management within one year of development of the driveway to Lots 1 and 2, utilizing a qualified native plant restoration specialist or biologist to obtain, install and maintain grass plantings. Evaluate the feasibility of salvaging and transplanting prairie grasses and forbs from the development area to the grassland revegetation/enhancement area. Install plugs of native grasses (i.e., needlegrass and California oatgrass) approximately on-center to increase native grass cover to reach a minimum of 20%. Install plugs in November / December to take advantage of winter rains. Provide a supplement irrigation and site maintenance during the plant establishment period to achieve 80% plant survival in Years 1-3.
- d. Implement annual seasonal mowing of retained and enhanced coastal prairie and needlegrass grassland. Mow at a height of four inches, at least twice year, to reduce the biomass and seedbank of non-native plant species, increase the vigor of the perennial bunchgrasses, and increase seedling establishment and survival of native grasses and forbs. Implement periodic weeding, thatch control (mowing and/or raking) or other actions to enhance native plant species diversity.
- e. Conduct annual quantitative monitoring of the effects of the vegetation and enhancement actions for a period of 5 years (or longer until performance standards have been met), repeating vegetation sampling conducted as part of the baseline documentation with recordation of species composition, species cover along permanent transects or in sampling plots. Submit annual monitoring reports to the City Planning and Community Development Department by December 31st of each monitoring year. Implement adaptive management techniques as needed and recommended by a qualified biologist or habitat restoration specialist to achieve performance standards if annual monitoring shows that performance criteria are not being met.

Biological Resources. Project grading, site preparation and construction could result in impacts to nesting birds and/or roosting bats if present.

MITIGATION MEASURE BIO-2. Schedule tree and vegetation removal to occur between September 1 and January 31 of any given year to avoid the bird nesting season. If that schedule is not practical, a qualified biologist shall be hired to conduct a pre-construction

nesting bird surveys no more than two weeks (14 days) prior to vegetation removal. If any active bird nests are observed, the biologist will designate a buffer zone around the nest tree or shrub as follows: 200 feet for nesting raptors and 50 feet for all other bird species. This buffer zone may be adjusted if the biologist determines that other factors may help shield the active nest, such as vegetative screening between the nest and the vegetation removal site that reduces the nesting bird's ability to see the activity. No vegetation removal will take place within the buffer zone until the biologist has determined that all chicks have fledged and are able to feed on their own. (Creek Plan Standard 12]

MITIGATION MEASURE BIO-3. Require a qualified biologist (bat ecologist) to check any trees proposed for removal to determine if the trees provide any roosting habitat for bats (e.g., suitable cavities, crevices or leaf cover). If trees provide suitable habitat for bat roosts, schedule tree removal between September 1 and November 1 of any given year to ensure that no maternity roosts are active. In addition, require a qualified biologist to meet with the tree removal crew prior to removal to instruct them on the methods to avoid harming roosting bats, such as not allowing cut truck sections to fall on top of downed limbs and waiting 24-hours before chipping limbs to allow bats to escape the foliage or bark.

Geology-Soils. The proposed driveway would cross areas of steep slopes that could result in slope erosion issues.

MITIGATION MEASURE GEO-1. Require annual inspection of the two spreader drainage features before and after the winter season and after any major storm event. If concentrated flow or erosion is observed, the project geotechnical and civil engineer should be immediately notified and correct action implemented.

Geology-Soils. construction of the driveway could lead to erosion.

MITIGATION MEASURE GEO-2. Implement erosion control measures during construction of the new driveway, including, but not limited to: limiting ground disturbance and vegetation removal during construction; conducting work prior to the rainy season if possible and protecting disturbed areas during the rainy season; and immediately revegetate disturbed areas. Require temporary fencing on the perimeter of the site during construction to prevent inadvertent erosion and offsite transport of sediments.

Hydrology-Water Quality. Project construction could result in water quality degradation in Pogonip Creek due to grading and potential resulting erosion.

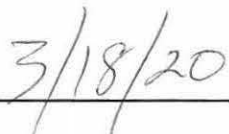
Mitigation Measures GEO-1 and GEO-2 (described above)

Utilities. Construction of the new driveway and utility installation would occur in areas where sensitive coastal prairie habitat is present and in areas of steep slopes, and construction would result in potentially significant impacts.

Mitigation Measures BIO-1 and GEO-1 (described above)



Lee Butler
Administrator of Environmental Quality
City of Santa Cruz, California



Date

City of Santa Cruz

ENVIRONMENTAL CHECKLIST FORM / INITIAL STUDY

I. Background

1. **Application No:** CP18-0125
2. **Project Title:** Encinal Street Minor Land Division
3. **Lead Agency Name and Address:**
City of Santa Cruz
809 Center Street, Room 101
Santa Cruz, CA 95060
4. **Contact Person and Phone Number:** Clara Stanger, 831-420-5247
5. **Project Location:** 600 Encinal (APN 001-251-01) in the City of Santa Cruz; see Figure 1¹
6. **Project Applicant's/Sponsor's Name and Address:**
Coastal Asset Holdings, LLC
1260 41st Avenue, Suite 0
Capitola, CA 95010
7. **General Plan Designation:** Very Low Density Residential – 0.1-1.0 du/acre
8. **Zoning:** RS-2-A – Residential Suburban District
9. **Description of the Project:** The proposed project consists of a Tentative Map for a minor land division to divide an existing parcel into four parcels, Slope Variance to allow for a driveway within a slope exceeding 30 percent, Minor Modification to V-59-11 to allow for retention of an existing dwelling, and Residential Demolition Authorization Permit, to allow for the demolition of one existing dwelling unit.

The proposed project would subdivide an existing 13.5-acre property into four parcels, ranging in size from approximately 2 to 4 acres as follows:

- Lot 1: 4.28 acres
- Lot 2: 3.16 acres
- Lot 3: 2.38 acres
- Lot 4: 3.69 acres

Existing homes would be retained on proposed Lots 3 and 4, and the existing unoccupied dwelling unit at the northwestern edge of proposed Lot 3 would be demolished. Building envelopes for future residences are proposed for Lots 1 and 2 as shown on the Tentative Map

¹ All figures are included at the end of the document for ease of reference.

on Figure 2. In addition to the residence proposed for demolition, an existing shed also would be demolished. The new homes would be constructed on two lots in the future, resulting in a net increase of one new dwelling unit. Development of the new residences is not part of the proposed application.

Access to the site is currently provided via an existing easement through the adjacent parcel that extends from Encinal Street north of Dubois Street to the project site. A new driveway would be developed to serve proposed Lots 1 and 2, and the existing driveway would continue to serve the existing homes on proposed Lots 3 and 4. An existing septic system would be abandoned and/or removed, and the lots would be connected to the City sanitary sewer system via a new sanitary sewer line extended to the project site from an existing 8-inch line in Encinal Street.

10. Other public agencies whose approval is required: None known.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? No

II. Environmental Setting and Surrounding Land Uses

The 13.5-acre project site is located north of Encinal Street in the Harvey West portion of the City of Santa Cruz in the Upper Westside neighborhood of the City as defined in the City's General Plan (SOURCE V1.a). The site is bordered by very low density residential uses to the north and east, the Pogonip open space to the west and south, and a mix of developed commercial and industrial uses to the south in the Harvey West Industrial Park area. The Santa Cruz County Office of Education office is located directly south of the site, and the Georgiana Bruce Kirby Preparatory School is located southwest of the site. The 640-acre Pogonip open space is part of the greenbelt owned and managed by the City.

The project site contains moderately steep to steep slopes with a relatively level central ridge. A portion of Pogonip Creek, a perennial tributary to the San Lorenzo River, runs through the northern edge of the site. Presently, the majority of the property is undeveloped, except for three existing residences served by an existing driveway, one outbuilding and associated residential landscaping. The property supports several plant community types: cottonwood-willow riparian woodland, coast live oak woodland, coast redwood tree grove, eucalyptus tree grove, coyote brush scrub, grassland, and coastal prairie.

FIGURE 1: Vicinity Location

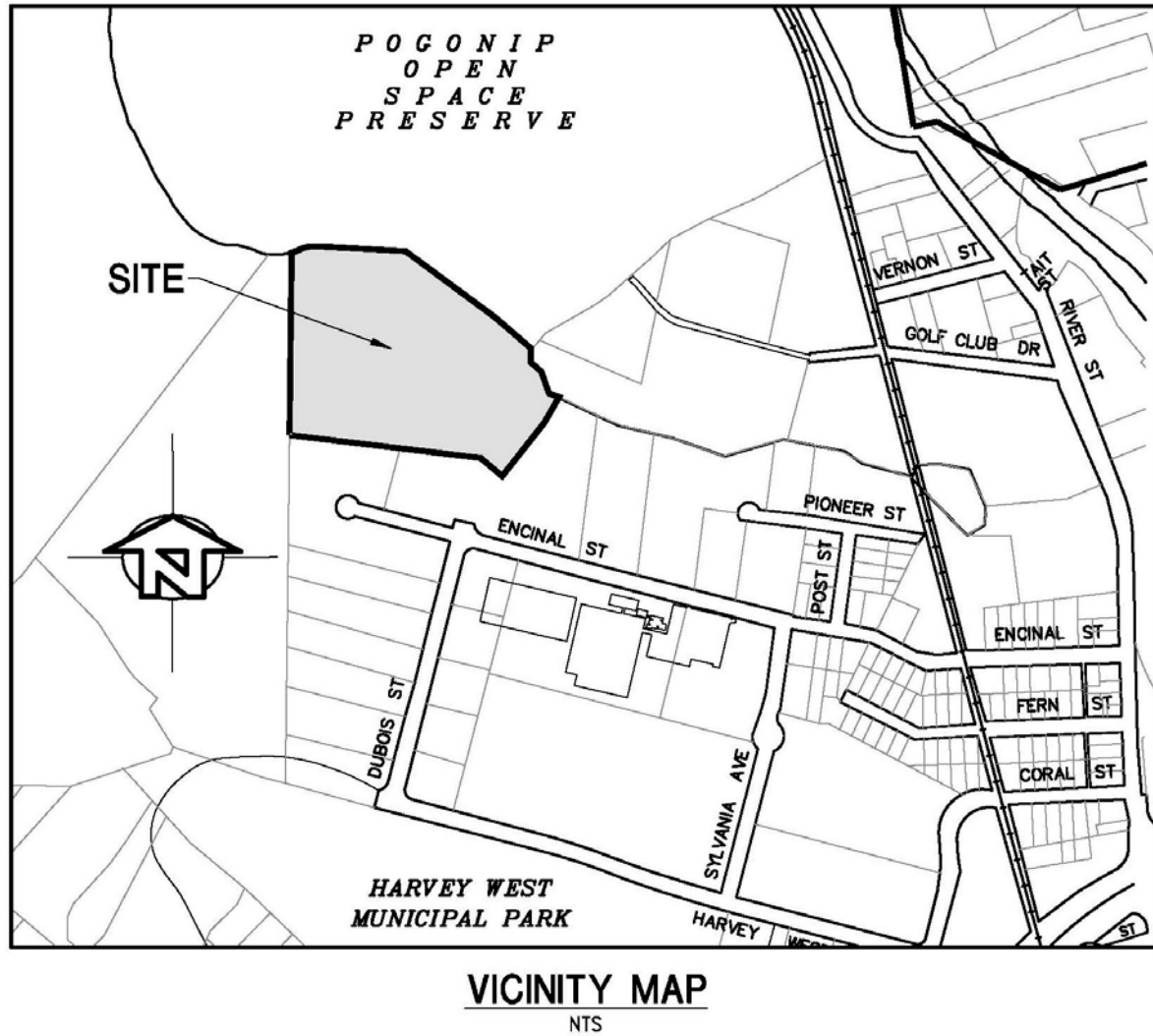
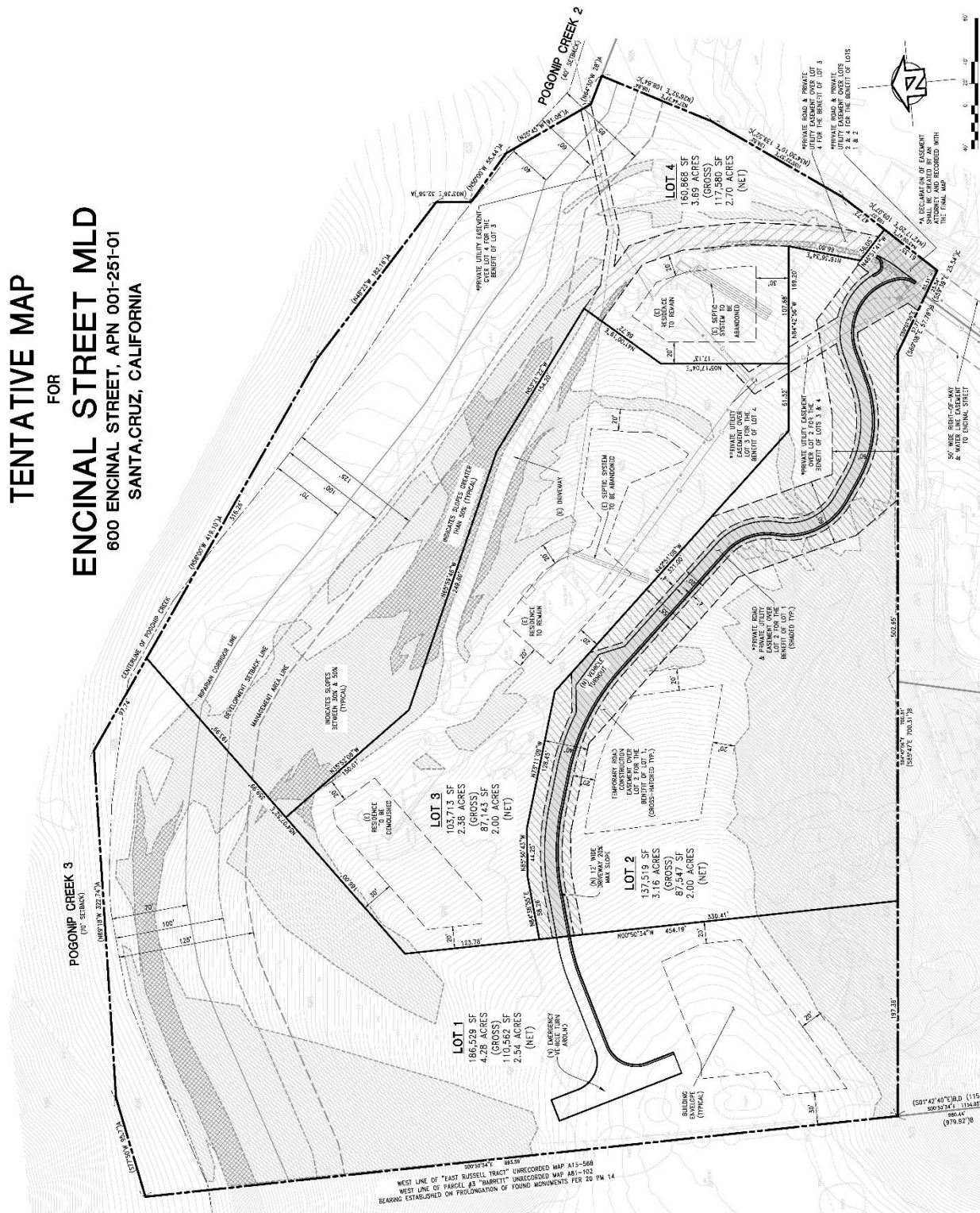


FIGURE 2: Proposed Tentative Map

**TENTATIVE MAP
FOR
ENCINAL STREET MLD
600 ENCINAL STREET, APN 001-251-01
SANTA CRUZ, CALIFORNIA**



III. Environmental Checklist

Environmental Factors Potentially Affected by the Project: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

✓	Aesthetics		Agricultural and Forestry Resources	✓	Air Quality
✓	Biological Resources	✓	Cultural Resources	✓	Energy
✓	Geology / Soils	✓	Greenhouse Gas Emissions		Hazards and Hazardous Materials
✓	Hydrology / Water Quality	✓	Land Use / Planning		Mineral Resources
✓	Noise	✓	Population / Housing	✓	Public Services
✓	Recreation	✓	Transportation		Tribal Cultural Resources
✓	Utilities / Service Systems	✓	Wildfire	✓	Mandatory Findings of Significance

A. Instructions to Environmental Checklist

1. A brief explanation is required (see Section VI, Explanation of Environmental Checklist Responses) for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question (see Section V, References and Data Source List, attached). A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that any effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level.

5. Earlier Analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case a discussion should identify the following on attached sheets:
 - a) *Earlier Analysis used*. Identify earlier analyses and state where they are available for review.
 - b) *Impacts adequately addressed*. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) *Mitigation measures*. For effects that are “Less than Significant with Mitigation Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluation each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

B. Use of Earlier Analyses

In analyzing the proposed project, the City may consider whether existing environmental documents already provide an adequate analysis of potential environmental impacts. An earlier analysis may be used where, pursuant to the tiering, program EIR, or other California Environmental Quality Act (CEQA) provisions, if it can be determined that one or more effects have been adequately analyzed in an earlier EIR or negative declaration (State CEQA Guidelines Section 15063(c)(3)(D)).

The preparation of this Initial Study has drawn from analyses contained in the *City of Santa Cruz General Plan 2030 EIR* (April 2012), which includes the Draft EIR volume (September 2011) and the Final EIR volume (April 2012). The Santa Cruz City Council certified the EIR and adopted the *General Plan 2030* on June 26, 2012. The General Plan EIR is a “program” EIR prepared pursuant to State CEQA Guidelines section 15168, which reviewed environmental impacts associated with future development and buildout within the City’s planning area that would be accommodated by the General Plan. A program EIR can be used for subsequent projects implemented within the scope of the program/plan and where the project is consistent with the general plan and zoning of the city or county in which the project is located. Typically, site-specific impacts or new impacts that weren’t addressed in the program EIR would be evaluated in an Initial Study, leading to preparation of a Negative Declaration, Mitigated Negative Declaration or EIR. Site-specific mitigation measures included in the General Plan EIR also would be a part of future development projects, and

supplemented, as may be necessary with site-specific mitigation measures identified in the subsequent environmental review process.

The General Plan EIR reviewed all of the topics included on the Appendix G environmental checklist in the State CEQA Guidelines. Specific future development of the project site was not noted or evaluated in the *General Plan 2030* EIR, and there were no site-specific impacts identified for the project site. However, as part of the overall estimated buildout, the EIR considered construction of new housing units and non-residential uses in the City with an estimated development of 3,350 new residential units throughout the City by the year 2030 with an associated population increase of 8,040 residents (SOURCE V.1b-DEIR volume). The project would result in a net increase of one new dwelling unit, which would be within the residential buildout evaluated in the General Plan EIR. Since 2009, the General Plan EIR “baseline” year, Since adoption of the General Plan, approximately 1,840 residential units, including single-family homes and accessory dwelling units have been constructed or approved throughout the City. Thus, the proposed project and future net increase in one dwelling unit would be within the buildout anticipated and evaluated in the General Plan 2030 EIR and would be within the time period covered by the EIR.

In accordance with CEQA and the State CEQA Guidelines, this Initial Study is being “tiered” from the *General Plan 2030* EIR. “Tiering” refers to using analyses of general matters contained in an EIR for a plan with later environmental analyses for development projects, concentrating solely on the issues specific to the later project. This approach is in accordance with State CEQA Guidelines section 15152, which encourages lead agencies to use an EIR prepared for a general plan or other program or ordinance, when the later project is pursuant to or consistent with the program or plan. The Initial Study tiers from the *General Plan 2030* EIR for the following topics:

- Greenhouse Gas Emissions,
- Population and Housing,
- Public Services,
- Recreation, and
- Utilities, except for water supply

The *General Plan 2030* EIR is on file at the City’s Planning and Community Development Department, 809 Center Street, Room 101, Santa Cruz, California from 7:00 AM to 12:00 PM and 1:00 to 3:00 PM, Monday through Thursday. The documents are also available for review on the City of Santa Cruz Planning Department’s website at:

<http://www.cityofsantacruz.com/Home/Components/BusinessDirectory/BusinessDirectory/102/1775>.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				✓
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			✓	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓	
2. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement Methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (V.1b-DEIR volume)				✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				✓
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				✓
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			✓	
c) Expose sensitive receptors to substantial pollutant concentrations?			✓	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?				✓
4. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				✓
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		✓		
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		✓		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓
5. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in Section 15064.5?				✓
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?			✓	
c) Disturb any human remains, including those interred outside of formal cemeteries?			✓	
6. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			✓	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				✓
7. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (v.1a, V.1b-DEIR volume) 				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ii. Strong seismic ground shaking? iii. Seismic-related ground failure, including liquefaction? iv. Landslides?			✓	
b) Result in substantial soil erosion or the loss of topsoil?		✓		
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			✓	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			✓	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				✓
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			✓	
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				✓
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				✓
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ miles of an existing or proposed school?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			✓	
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?		✓		
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				✓
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i) Result in substantial erosion or siltation on- or off-site; ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; or			✓	

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
iii) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff,			✓	
d) In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?				✓
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				✓
11. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?				✓
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				✓
12. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				✓
13. NOISE: Would the project:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?			✓	
b) Result in exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?				✓
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
14. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			✓	
15. PUBLIC SERVICES.				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physical altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
a) Fire protection?			✓	
b) Police protection?			✓	
c) Schools?			✓	
d) Parks?			✓	
e) Other public facilities?			✓	
16. RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			✓	
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			✓	
17. TRANSPORTATION. Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			✓	

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?				✓
c) Substantially increase hazards due to a design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?				✓
d) Result in inadequate emergency access?				✓
18. TRIBAL CULTURAL RESOURCES. Would the project:				
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				✓
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe				✓
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or which could cause significant environmental effects?		✓		
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			✓	

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			✓	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				✓
20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response land or emergency evacuation?				✓
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			✓	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				✓
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				✓
21. MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:				
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			✓	

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.)			✓	
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				✓

Discussion of Environmental Checklist

See **Section VI, Explanation of Environmental Checklist Responses**, for discussion.

IV. Determination

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	✓
I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Clara Stanger
Clara Stanger, Senior Planner

3/18/2020
Date

V. References and Data Source List

1. City of Santa Cruz General Plan and EIR.
 - a. Adopted June 26, 2012. General Plan 2030. Available online at: <http://www.cityofsantacruz.com/home/showdocument?id=71130>.
 - b. April 2012. "City of Santa Cruz General Plan 2030 Final EIR." [SCH#2009032007] Certified June 26, 2012. Includes Draft EIR document, dated September 2011. Available online at: <http://www.cityofsantacruz.com/Home/Components/BusinessDirectory/BusinessDirectory/102/1775>.
 - c. Adopted March 22, 2016. "City of Santa Cruz Draft 2015-2023 Housing Element."
2. City of Santa Cruz Adopted Plans.
 - a. Adopted August 2016. *2015 Urban Water Management Plan*. Prepared by City of Santa Cruz Water Department.
 - b. Adopted by City Council on February 28, 2006 and certified by the California Coastal Commission on May 9, 2008. *City-wide Creeks and Wetlands Management Plan*. Available online at: <http://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/area-plans-planning-documents-projects/city-wide-creeks-and-wetlands-management-plan>.
3. City of Santa Cruz. October 2017. Downtown Plan Amendments FEIR. SCH# 2017022050. Certified November 14, 2017. Includes Draft EIR document, dated July 2017. Available online at <http://www.cityofsantacruz.com/Home/Components/BusinessDirectory/BusinessDirectory/101/1775>.
4. Monterey Bay Air Resources District.
 - a. Adopted March 15, 2017. *2012-2015 Air Quality Management Plan*. Adopted March 15, 2017. Available online at: <http://www.co.monterey.ca.us/home/showdocument?id=62318>.
 - b. Revised February 2016, adopted April 1996. "Guidelines for Implementing the California Environmental Quality Act." Available online at: https://www.mbard.org/files/50d38962a/Attachment_Guidelines-for-Implementing-CEQA.pdf.
 - c. February 2008. "CEQA Air Quality Guidelines." Available online at: https://www.mbard.org/files/f665829d1/CEQA_full+%281%29.pdf.
5. Albion Environmental, Incorporated. July 2017.
 - a. May 2019. An Addendum to the Original Cultural Resources Assessment of a Proposed Land Division at 600 Encinal Street. Prepared by Stella D'Oro.
 - b. October 2018. An Addendum to the Original Cultural Resources Assessment of a Proposed Land Division at 600 Encinal Street. Prepared by Stella D'Oro.
 - c. July 2017. Cultural Resources Assessment of a Proposed Land Division at 600 Encinal Street. Prepared by Stella D'Oro.

6. Nigel Belton Consulting Arborist. November 2018.
 - a. April 30, 2019. "An Addendum to the Original Tree Assessment Report Concerning the Proposed Residential Development at 600 Encinal Street – Santa Cruz, California".
 - b. November 6, 2018. "An Assessment of the Trees Located Within the Proposed Residential Development at 600 Encinal Street – Santa Cruz, California".
7. Biotic Resources Group. October 25, 2017.
 - a. September 17, 2019. Memo to Ifland Engineers from Kathleen Lyons regarding "Review of Biotic Restoration Area."
 - b. July 15, 2019. Memo to Ifland Engineers from Kathleen Lyons regarding "Biological Report Addendum".
 - c. October 17, 2018. 600 Encinal Street, Santa Cruz, CA (APN 001-251-01) Proposed Minor Land Division Biotic Report. Prepared by Kathleen Lyons with Dana Bland & Associates.
 - d. June 11, 2018. "600 Encinal Street, Santa Cruz, CA APN 001-251-01 Proposed Minor Land Division: Rare Plant Survey Report." Prepared by Kathleen Lyons.
 - e. January 5, 2018. "Results of Surveys for Monarch Butterflies at 600 Encinal Street Santa Cruz, CA." Prepared by Dana Bland & Associates.
 - f. October 25, 2017. "600 Encinal street, Santa Cruz, CA APN 001-251-01 Proposed Minor Land Division: Biotic Report." Prepared by Kathleen Lyons with Dana Bland & Associates.
8. Haro, Kasunich and Associates, Inc.
 - a. June 21, 2019. "Geotechnical Plan Review #1, Lots 1 and 2, APN 001-251-01, Two New Single Family Dwellings, 600 Encinal Street Santa Cruz, California".
 - b. September 2017. "Geotechnical Investigation for Proposed Residential Construction Lots 1 and 2 and 3 Lot MLD (APN 001-251-01), 600 Encinal Street Santa Cruz, CA."
9. Tim Hyland. April 2, 2018. Letter to Biotic Resources Group regarding "600 Encinal, Ohlone Tiger Beetle Surveys. Prepared by Tim Hyland.
10. Ifland Engineers, Incorporated. January 19, 2019 and revised July 1, 2019. *Preliminary Stormwater Control Plan for 600 Encinal Street.*

VI. Explanation of Environmental Checklist Responses

1. Aesthetics

(a) Scenic Views. The project site is located in the northern portion of the central area of the City in an area characterized by a mix of commercial, industrial, and community facilities. According to maps developed for the City's *General Plan 2030* and included in the General Plan EIR, a panoramic view that looks toward portions of the project site is identified from Pogonip, which borders the project site on the north and east (SOURCE V.1b-DEIR Figure 4.3 1). The project site is mostly screened from view due to existing topography and vegetation; due to intervening elevation changes, the project site is not visible from Pogonip trails. Therefore, the proposed minor land division and future construction of two new homes would not have an adverse effect on a scenic view. Therefore, the project would have *no impact* on scenic views.

(b) Scenic Resources. There are no designated state scenic highways or roads within the City. The project site is not located near a state scenic highway. Therefore, *no impact* to scenic resources within a state scenic highway would occur. One small oak tree is proposed for removal to accommodate the new driveway, but is not visually prominent or distinctive and would not be considered a scenic resource. No other trees on the project site are proposed for removal nor are there other physical features that would be considered scenic resources. Therefore, the project would have *no impact* on scenic resources.

(c) Visual Character. The project site is located in the northern portion of the central area of the City characterized by a mix of commercial, industrial, and community facilities. The project site has a semi-rural character due to the large lot size with open grasslands and scattered trees. Traveling west on Encinal Street toward the project site, the visual character of the surrounding area is defined by a mix of commercial, industrial, and community service facilities with a variety of building sizes and architecture. The end of Encinal Street transitions to a couple of larger lots, including the project site, adjacent to Pogonip.

The southern slope of the project site is visible from a short segment along Encinal Street, however due to dense vegetation and steep topography, the majority of the site is not visible from the street or adjacent areas, including trails at Pogonip. One a portion of one of the existing homes is visible from Encinal Street. There are no existing zoning or other regulations governing scenic quality that are applicable to the proposed project.

Impact Analysis. The existing use of the property consists of one residential parcel with three structures, one of which would be demolished, and two new homes would be constructed in the future as a result of the proposed minor land division. The proposed project would create minimum 2+-acre lots at the edge of the City adjacent to the developed Harvey West area and Pogonip open space. One new dwelling unit on proposed Lot 2 may be partially visible from westbound segments of Encinal Street. However, with the larger lots and typical residential development, the new homes would be similar to other single-family homes in the City and would not substantially degrade the existing visual character on the site and surrounding area. Despite the semi-rural character of the project site, the property is located within an urbanized City of Santa Cruz. The project does not conflict with applicable zoning and other applicable regulations governing scenic quality. Therefore, the project would have a *less-than-significant* impact on the visual character of public views.

(d) Light and Glare. The project would not result in introduction of a major new source of light or glare, although there would be exterior lighting on the two new homes that would be constructed in the future that would be typical of residential areas. This would not be expected to create significant visual impacts on the surrounding area as lighting would not be directed to off-site adjacent properties. Therefore, the project would have a *less-than-significant* impact related to creation of a new source of substantial light or glare.

2. Agriculture and Forestry Resources

The project site does not contain farmland or grazing land as mapped on the Santa Cruz Important Farmland Map by the California Department of Conservation Farmland Mapping and Monitoring Program (SOURCE V.1b-DEIR Figure 4.15-1). The project site is designated as “Urban and Built-Up Land.” Surrounding lands are designated as “Other Land” and “Urban and Built-Up Land.” Neither the site nor adjacent lands are designated for agricultural uses in the City’s General Plan. The project site is not zoned Timberland Production. Therefore, the project would not result in the conversion of agricultural or forest lands to other uses and *no impact* would occur.

3. Air Quality

(a) Conflict with Air Quality Management Plan. In 1991, the Monterey Bay Air Resources District² (MBARD) adopted the Air Quality Management Plan (AQMP) for the Monterey Bay Region in response to the California Clean Air Act of 1988, which established specific planning requirements to meet the ozone standards. The California Clean Air Act requires that AQMPs be updated every three years. The MBARD has updated the AQMP seven times. The most recent update, the *2012-2015 Air Quality Management Plan* (2016 AQMP), was adopted in 2017. The 2016 AQMP relies on a multilevel partnership of federal, state, regional, and local governmental agencies. The 2016 AQMP documents the MBARD’s progress toward attaining the state 8-hour ozone standard, which is more stringent than the state 1-hour ozone standard. The 2016 AQMP builds on information developed in past AQMPs and updates the 2012 AQMP. The primary elements from the 2012 AQMP that were updated in the 2016 revision include the air quality trends analysis, emission inventory, and mobile source programs (SOURCE V.4a).

The MBARD has a procedure for determining whether a residential project conflicts with the District’s adopted AQMP, which is based on the Association of Monterey Bay Area Governments’ (AMBAG’s) adopted housing unit forecast. The City of Santa Cruz had 23,801 existing dwelling units as of January 1, 2019, and approximately 820 residential units are under construction or have been approved. With the addition of these units, the City’s housing units would total 24,621 dwelling units within the City. With existing units and the proposed project’s increase of one new residential unit (and a replacement of an existing residential unit), there would be a total of 24,623 dwelling units within the City, which is below the AMBAG forecast of 26,890 dwelling units for the year 2020. Therefore, the proposed project would be consistent with the AQMP, would not conflict with or obstruct implementation of the AQMP and would result in *no impact*.

(b) Project Emissions. The U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards that are the maximum levels of ambient (background) air pollutants considered safe, with an adequate margin of safety to protect public health and welfare. Criteria pollutants include ozone (O₃), nitrogen dioxide (NO₂), carbon monoxide (CO), sulfur dioxide (SO₂), inhalable particulates (PM₁₀), fine particulates (PM_{2.5}), and lead. High O₃ levels are caused by the cumulative emissions of reactive

² The agency’s former name was the Monterey Bay Unified Air Pollution Control District (MBUAPCD).

organic gases (ROG) and nitrogen oxides (NO_x), which react under certain meteorological conditions to form O₃. In California, sulfates, vinyl chloride, hydrogen sulfide, and visibility-reducing particles are also regulated as criteria air pollutants. An area is designated as “in attainment” when it is in compliance with the federal and/or state standards, as further discussed below.

The project site is located within the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of the Monterey Bay Air Resources District (MBARD) and includes Santa Cruz, Monterey, and San Benito Counties. The NCCAB is designated attainment for the federal PM₁₀ and SO₂ standards and is designated attainment/unclassified for the other federal standards. The NCCAB is designated attainment for the state PM_{2.5}, NO₂, SO₂, and lead standards, and is designated unclassified for CO in Santa Cruz County. The NCCAB has nonattainment designations for state O₃ and PM₁₀ standards.

The MBARD 2012-2015 AQMP, adopted March 15, 2017, identifies a continued trend of declining O₃ emissions in the NCCAB primarily related to lower vehicle miles traveled (VMT), showing that the region is continuing to make progress toward meeting the state O₃ standard during the three-year period reviewed (SOURCE V.4a).

Impact Analysis. The proposed project would indirectly generate air pollutant emissions through new vehicle trips resulting from one new dwelling unit, as well as emissions during construction. The proposed project would not result in stationary emissions. The proposed residential use is at a level that is substantially below the MBARD’s screening level for the single-family residential units that could result in potentially significant O₃ impacts (SOURCE V.4c). Therefore, project emissions would not be considered substantial or result in an air quality violation, and the impact would be *less than significant*.

Project construction would result in generation of fugitive dust and PM₁₀ emissions. According to the MBUAPCD’s CEQA Air Quality Guidelines, 8.1 acres could be graded per day with minimal earthmoving or 2.2 acres per day with grading and excavation without exceeding the MBUAPCD’s PM₁₀ threshold of 82 pounds per day (SOURCE V.4c). Two houses would be retained, one existing residence would be demolished, and two new single-family dwelling units would be constructed in the future on two of the four proposed lots. The proposed tentative map identifies building envelopes of approximately 5,000 square feet in size on these lots. Therefore, the area of potential grading for new dwelling units would be less than the MBARD’s threshold and impacts related to fugitive dust generation and PM₁₀ emissions would be *less than significant*.

According to the MBARD CEQA Guidelines, projects that are consistent with the AQMP would not result in cumulative impacts, as the AQMP already accounts for regional emissions. The MBARD prepares air quality plans, which address attainment of the state and federal air quality standards, and which incorporate growth forecasts developed by AMBAG. The AQMP takes into account cumulative development within the City, and thus, cumulative emissions have been accounted for in the AQMP. As indicated above in criterion 3(a), the project would not conflict with the AQMP. Therefore, the project’s contribution to cumulative air pollutant emissions would be *less than significant*.

(c) Sensitive Receptors. For CEQA purposes, a sensitive receptor is defined as any residence, including private homes, condominiums, apartments, and living quarters; education resources such as preschools and kindergarten through grade 12 (K-12) schools; daycare centers; and healthcare facilities such as hospitals or retirement and nursing homes (SOURCE V.4c). The project site is located at the edge of a developed area of the City of Santa Cruz and is located adjacent to very low density residential uses to the north and east. The Pogonip open space area is located adjacent to the project site to the north and west. The Georgiana Bruce Kirby Preparatory School is located approximately 400 feet southwest of the site. As indicated above, the project would not result in stationary emissions. Thus, the proposed project would not expose sensitive receptors to substantial pollutant concentrations.

Diesel particulate matter (DPM) was identified as a toxic air contaminant (TAC) by the State of California in 1998. Subsequently, the CARB developed a comprehensive strategy to control DPM emissions. The *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*—a document approved by the CARB in September 2000—set goals to reduce DPM emissions in California by 75 percent by 2010 and 85 percent by 2020. This objective would be achieved by a combination of approaches, including emission regulations for new diesel engines and low-sulfur fuel program. An important part of the DPM risk reduction plan is a series of measures for various categories of in-use on- and off-road diesel engines, which are generally based on the following types of controls:

- Retrofitting engines with emission-control systems, such as DPM filters or oxidation catalysts;
- Replacement of existing engines with new technology diesel engines or natural gas engines; and
- Restrictions placed on the operation of existing equipment.

Once the DPM risk reduction plan was adopted, the CARB started developing emission regulations for a number of categories of in-use diesel vehicles and equipment. In July 2007, the CARB adopted regulations for in-use, off-road diesel vehicles that will significantly reduce particulate matter emissions by requiring fleet owners to accelerate turnover to cleaner engines and install exhaust retrofits.

Impact Analysis. Grading and project construction could involve the use of diesel trucks and equipment that would emit diesel exhaust, including DPM, which is classified as a TAC. The two new homes that would be constructed in the future as a result of the proposed project are not located immediately adjacent to sensitive receptors and would not be directly exposed to temporary construction emissions. Residential uses to the north of the project site are generally separated from the proposed building sites by existing vegetation and topography. Additionally, activities that would use diesel equipment (i.e., primarily during grading) would be temporary and short in duration. Future construction of two new single-family homes would be approximately 400 feet from the existing private school on Encinal Street.

Construction-related diesel emissions would be of limited duration (i.e., primarily during grading) and temporary. Assessment of TAC-related (including DPM) cancer risks is typically based on a 70-year exposure period. Project excavation and construction activities that would use diesel-powered equipment would expose receptors to possible diesel exhaust for a very limited number of days out of a 70-year (365 days per year, 24 hours per day) period. Because exposure to diesel exhaust would be well below the 70-year exposure period and, given the limited and short-term nature of activities that would use diesel equipment, construction-related DPM emissions would not be considered significant. Furthermore, the State is implementing emission standards for different classes of on- and off-road diesel vehicles and equipment that applies to off-road diesel fleets and includes measures such as retrofits. Additionally, Title 13 of the California Code of Regulations (Section 2485(c)(1)) prohibits idling of a diesel engine for more than five minutes in any location. Thus, the project would not expose sensitive receptors to substantial pollutant concentrations, and potential exposure of sensitive receptors to DPM and associated risks would be considered *less than significant*.

(d) Odors. According to the Air District's *CEQA Air Quality Guidelines* (SOURCE V.4c), land uses associated with odor complaints typically include landfills, agricultural uses, wastewater treatment plants, food processing plants, chemical plants, and refineries. The existing and planned residential use (would not create objectionable odors and *no impact* would occur).

4. Biological Resources

A biological assessment for the project was prepared by Biotic Resources Group (SOURCE V.7c,f), and the results are provided in the following subsections. The property supports several plant community types: cottonwood-willow riparian woodland, coast live oak woodland, coast redwood tree grove, eucalyptus tree grove, coyote brushy scrub, grassland, and residential landscaping. The grassland areas include annual, non-native grasses, native needlegrass grassland, and coastal prairie. Pogonip Creek, a perennial tributary to the San Lorenzo River, flows through the northern portion of the site, and riparian vegetation is found along the creek.

(a) Special Status Species. The biotic resources assessment focused on special status plant species that are officially listed by the state and/or federal government or on the California Native Plant Society (CNPS) List 1A/1B. No special status plant species have been recorded for the project site based on the records search at the California Natural Diversity Data Base (CNDDB). Four special status plant species have been documented in the greater project vicinity: robust spineflower (*Chorizanthe robusta*), San Francisco popcorn flower (*Plagiobothrys diffusus*), Santa Cruz clover (*Trifolium buckwestiorum*), and Santa Cruz tarplant (*Holocarpha macradenia*). A focused plant survey was conducted in the spring of 2018 during the flowering season, which found no evidence of special status plant species on the project site (SOURCE V.7d).

Special status wildlife species include those federally- or state-listed, proposed or candidate species, as well as those identified as State species of special concern. Two special status wildlife species were considered to have the potential to occur on the project site: wintering monarch butterflies (*Danaus plexippus*) and Ohlone tiger beetle (*Cicindela ohlone*).

Monarch butterflies are ranked as a rare and restricted species in the CNDDDB. The small eucalyptus grove on the project site was evaluated for wintering habitat for monarch butterflies, but the site was considered marginal habitat due to the small size of the grove and its isolation from other known wintering sites. A focused survey for wintering monarchs was conducted in November and December 2017, and no monarch butterflies were found wintering on the project site (SOURCE V.7e).

The Ohlone tiger beetle is a federally listed endangered species. Potentially suitable habitat was found to exist on the project site, and there is a record in the CNDDDB of the species occurring in the Pogonip Open Space meadow in 2004, although the population in that area has been described as marginal. A focused survey for the Ohlone tiger beetle was conducted on the project site in February and March 2018, and no beetles were found (SOURCE V.9).

Therefore, the project would result in *no impact* to special status plant or wildlife species.

(b) Riparian and Sensitive Habitat Areas. Sensitive habitats are defined by local, state, or federal agencies as those habitats that support special status species, provide important habitat values for wildlife, represent areas of unusual or regionally restricted habitat types, and/or provide high biological diversity. The California Department of Fish and Wildlife (CDFW) classifies and ranks the State's natural communities to assist in the determining the level of rarity and imperilment. Vegetation types are ranked between S1 and S5. For vegetation types with ranks of S1-S3, all associations within the type are considered to be highly imperiled. If a vegetation alliance is ranked as S4 or S5, these alliances are generally considered common enough to not be of concern; however, it does not mean that certain associations contained within them are not rare.

The onsite cottonwood-willow riparian woodland is ranked sensitive (i.e., S1-S3) by CDFW (SOURCE V.7c). Riparian habitat, coastal prairie, and areas supporting special status species also, are recognized as "sensitive habitat" in the City's *General Plan 2030* (SOURCE V.1b-DEIR Figure 4.8-3).

Activities within and adjacent to the riparian area along Pogonip Creek are regulated by the *City-wide Creeks and Wetlands Management Plan* (Creeks Plan). The Creeks Plan was adopted by the City Council to provide a comprehensive approach to managing all creeks and wetlands within the City. The Plan recommends specific setback requirements based on biological, hydrological, and land use characteristics for various watercourse types within the City. The recommended setbacks within a designated management area include a riparian corridor setback and a development setback area; an additional area extends from the outward edge of the development area to the outer edge of the management area. The Management Plan outlines a process for permitting development adjacent to watercourses. Projects that require a Watercourse Development Permit would be subject to the provisions in Chapter 24.08, Part 21 of the City's Municipal Code (Zoning Regulations) that pertain to issuance of these permits. The Plan and zoning regulations include specified development standards and management guidelines (SOURCE V.2b).

On the project site, Pogonip Creek is identified as mostly Reach 3 with a small eastern segment that is part of Reach 2. The Creeks Plan identifies the following setbacks for Reach 3: riparian corridor of 70 feet, development setback of 100 feet, and management area of 125 feet (measured from the creek centerline). For Pogonip Creek Reach 2, the Creeks Plan specifies a 40-foot riparian setback and a 60-foot development setback within an 85-foot management area, all measured from the creek centerline. The eastern edge of the project site includes this reach, and proposed Lot 4 and building envelope siting is consistent with the setbacks for Reach 2.

Proposed Lots 4 and a portion of proposed Lot 1 are located adjacent to Pogonip Creek. The proposed minor lot division, driveway and utility improvements and future construction of two new homes would maintain the City-designated riparian setbacks along Pogonip Creek. The proposed building envelopes on proposed Lots 1 and 4 are consistent with the required setbacks; all development would be placed outside the City-designated development setback creek management areas. The existing outbuilding on proposed Lot 3 is located within the 70-foot creek setback area, but is proposed to be removed. An existing dirt road traverses a portion of the creek development setback area and riparian corridor on proposed Lots 1 and 4.

Impact Analysis. The proposed project would not result in direct impacts to riparian habitat, but would result in removal of approximately 14,850 square feet (0.34 acres) of coastal prairie habitat. Therefore, the project would result in a *significant impact* to sensitive habitat.

Riparian Habitat. No direct impacts to sensitive riparian habitat would occur as a result of the proposed minor land division and future construction of two new homes. The proposed lot configuration and layout meet the setbacks required in the *City-wide Creeks and Wetlands Management Plan*. Consistent with the Creeks Plan, landscaping on proposed Lots 1 and 4 should not utilize invasive, non-native plant species as identified in the Creeks Plan. Although no mitigation is required as a significant impact has not been identified, the project biological resources report recommends removal of the existing dirt path on proposed Lots 1 and 4 and riparian vegetation enhancement.

RECOMMENDED CONDITION OF APPROVAL: Remove and revegetate the existing dirt trail on proposed Lots 1 and 4 and revegetate with native riparian species. Implement a riparian restoration and enhancement plan for the riparian corridor along proposed Lots 1 and 4 to consist of:

- 1) Installation of native riparian vegetation (see Table 4-5 in the *City-wide Creeks and Wetlands Management Plan* for list of suitable species) in areas currently supporting annual grassland to attain the designated riparian corridor width for Pogonip Creek Reach 2 (40 feet) and Pogonip Creek Reach 3 (70 feet);
- 2) Remove invasive, non-native plant species within the riparian corridor (see Table 4-6 in the *City-wide Creeks and Wetlands Management Plan* for list of species to be removed/controlled); and
- 3) Provide temporary (three years) irrigation for installed plants.

Coastal Prairie Habitat. The proposed project would result in two lots with identified building envelopes (Lots 1 and 2) and a driveway to the lots would be in areas of sensitive coastal prairie and native needlegrass grassland. Approximately 14,850 square feet of sensitive coastal prairie habitat could be impacted (SOURCE V.7b). Residential activities associated with the two lots may also adversely affect these plant community types. Development of residential uses on proposed Lots 1 and 2 would also cause some fragmentation of the onsite coastal prairie and needlegrass grasslands and these grassland types would be bisected by a lot line (SOURCE V.7b,c). Proposed stormwater drainage improvements are located outside sensitive coastal prairie habitat and would not result in impacts to this sensitive habitat (SOURCE V.7b).

The proposed project plans also show areas where coastal prairie and needlegrass revegetation is proposed to mitigate for loss of coastal prairie habitat. The proposed revegetation would result in replanting approximately 60,750 square feet of habitat, which represents a 4-to-1 replacement ratio and is consistent with recommendations included in the project biological resources study. The designated areas currently support annual grassland and are appropriate for mitigation as they support suitable soil and topography and provide connectivity to extant prairie and needlegrass grassland (SOURCE V.7b).

With implementation of the proposed coastal prairie revegetation-habitat mitigation plan and recommendations set forth in Mitigation Measure BIO-1 below, the impact to sensitive coastal prairie habitat would be reduced to a *less-than-significant impact*.

MITIGATION MEASURE BIO-1: Implement proposed coastal prairie mitigation to include enhancement and management of retained coastal prairie/needlegrass grassland and conversion of mapped areas to native grassland. Develop and implement a plan that includes the following actions and performance criteria in accordance with recommendations in the project biological resources report (Biotic Resources Group, October 2018) as summarized below:

- a. Prior to site grading, install construction protective fencing at limits of disturbance to prevent unauthorized uses within the coastal prairie/needlegrass grassland areas to be preserved. Show location of construction fencing on grading plans.
- b. Designate installation of fencing (wire or split rail) around the retained and enhanced prairie grassland.
- c. Initiate coastal prairie/grassland enhancement and management within one year of development of the driveway to Lots 1 and 2, utilizing a qualified native plant restoration specialist or biologist to obtain, install and maintain grass plantings. Evaluate the feasibility of salvaging and transplanting prairie grasses and forbs from the development area to the grassland revegetation/enhancement area. Install plugs of native grasses (i.e., needlegrass and California oatgrass) approximately on-center to increase native grass cover to reach a minimum of 20%. Install plugs in November / December to take advantage of winter rains. Provide a supplement irrigation

and site maintenance during the plant establishment period to achieve 80% plant survival in Years 1-3.

- d. Implement annual seasonal mowing of retained and enhanced coastal prairie and needlegrass grassland. Mow at a height of four inches, at least twice year, to reduce the biomass and seedbank of non-native plant species, increase the vigor of the perennial bunchgrasses, and increase seedling establishment and survival of native grasses and forbs. Implement periodic weeding, thatch control (mowing and/or raking) or other actions to enhance native plant species diversity.
- e. Conduct annual quantitative monitoring of the effects of the vegetation and enhancement actions for a period of 5 years (or longer until performance standards have been met), repeating vegetation sampling conducted as part of the baseline documentation with recordation of species composition, species cover along permanent transects or in sampling plots. Submit annual monitoring reports to the City Planning and Community Development Department by December 31st of each monitoring year. Implement adaptive management techniques as needed and recommended by a qualified biologist or habitat restoration specialist to achieve performance standards if annual monitoring shows that performance criteria are not being met.

(c) Wetlands. No impacts to federally-defined wetlands are expected from the minor land division as none have been identified on the project site. Therefore, the project would result in *no impact* to wetlands.

(d) Wildlife Movement/Nesting.

Wildlife Movement. Wildlife corridors are segments of land that provide a link between these different habitats while also providing cover. Wildlife dispersal corridors, also called dispersal movement corridors, wildlife corridors or landscape linkages, are features whose primary wildlife function is to connect at least two significant or core habitat areas and which facilitate movement of animals and plants between two or more otherwise disjunct habitats (SOURCE V.1b-DEIR). Three main corridors have been identified within the City that could provide connectivity between core habitats within or adjacent to the city: western corridor (Moore Creek), central corridor (San Lorenzo River and major tributaries), and eastern corridor (Arana Gulch) (Ibid.).

The project site is located adjacent to Pogonip Creek and maintains the required setbacks established in the Creeks Plan. Thus, the proposed development would not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, resulting in *no impact*.

Nesting Birds. The trees and shrubs on the property provide potential nesting habitat for migratory birds which are protected by the Migratory Bird Treaty Act and California Department of Fish and Wildlife (CDFW) Code. No special status birds are expected to nest on this site (SOURCE V.7c,f). In addition, all raptor nests are protected by the CDFW Code.

Impact Analysis. Removal of trees or vegetation has the potential to destroy bird nests, eggs or chicks if any are present during construction. Roosting bats also may be injured or killed if any are present when trees are removed. This would be a potentially significant impact if nesting birds are present. The proposed plan avoids removal of heritage trees, but construction of the new driveway is in close proximity to existing mature trees. Project grading, site preparation and construction could result in impacts to nesting birds and/or roosting bats if present. Implementation of Mitigation Measures BIO-2 and BIO-3 would reduce the impact to a *less-than-significant* level.

MITIGATION MEASURE BIO-2. Schedule tree and vegetation removal between September 1 and January 31 of any given year to avoid the bird nesting season. If that schedule is not practical, a qualified biologist shall be hired to conduct a pre-construction nesting bird surveys no more than two weeks (14 days) prior to vegetation removal. If any active bird nests are observed, the biologist will designate a buffer zone around the nest tree or shrub as follows: 200 feet for nesting raptors and 50 feet for all other bird species. This buffer zone may be adjusted if the biologist determines that other factors may help shield the active nest, such as vegetative screening between the nest and the vegetation removal site that reduces the nesting bird's ability to see the activity. No vegetation removal will take place within the buffer zone until the biologist has determined that all chicks have fledged and are able to feed on their own. (Creek Plan Standard 12]

MITIGATION MEASURE BIO-3. Require a qualified biologist (bat ecologist) to check any trees proposed for removal to determine if the trees provide any roosting habitat for bats (e.g., suitable cavities, crevices or leaf cover). If trees provide suitable habitat for bat roosts, schedule tree removal between September 1 and November 1 of any given year to ensure that no maternity roosts are active. In addition, require a qualified biologist to meet with the tree removal crew prior to removal to instruct them on the methods to avoid harming roosting bats, such as not allowing cut truck sections to fall on top of downed limbs and waiting 24-hours before chipping limbs to allow bats to escape the foliage or bark.

(e) Conflicts with Local Ordinances – Tree Removal. An arborist review was conducted to review approximately 120 trees on the project site, of which 34 trees were determined to be heritage trees under City definitions. The existing trees consist mostly of coast live oak, redwood and ponderosa pine trees

Chapter 9.56 of the City Municipal Code defines heritage trees, establishes permit requirements for the removal of a heritage tree, and sets forth mitigation requirements as adopted by resolution by the City Council. Generally, trees with a 14-inch or larger diameter are heritage trees. Resolution NS-23, 710 adopted by the City Council in April 1998 establishes the criteria for permitting removal of a heritage tree and indicates that one or more of the following findings must be made by the Director of Parks and Recreation:

- 1) The heritage tree or heritage shrub has, or is likely to have, an adverse effect upon the structural integrity of a building, utility, or public or private right of way;
- 2) The physical condition or health of the tree or shrub, such as disease or infestation, warrants alteration or removal; or
- 3) A construction project design cannot be altered to accommodate existing heritage trees or heritage shrubs.

Resolution NS-21, 436 sets forth the tree replacement/mitigation requirements for approved removal of a heritage tree to include replanting three 15-gallon or one 24-inch size specimen or the current retail value which shall be determined by the Director of Parks and Recreation. Removal would be permitted if found in accordance with the above criteria and requirements. Approval of a tree removal permit automatically requires replacement trees as set forth above. Removal of heritage trees consistent with City regulations and requirements is not considered a significant impact.

No heritage trees would be removed due to construction of the new driveway and location of the proposed building envelopes. Therefore, the project would result in *no impact* related to conflicts with City regulations protecting trees. The project arborist report does provide recommendations for protection of retained trees during construction, which should be included as a project condition of approval.

(f) Habitat Conservation Plans. There are no adopted Habitat Conservation or Natural Community Conservation Plans in the project vicinity.

5. Cultural Resources

(a) Historical Resources. The project site is not located within a designated historic district (SOURCE V.1b-DEIR Figure 4.9-4). The existing residences on the project site are not listed in the Santa Cruz Historic Building Survey. The existing residence to be demolished is an older manufactured structure that is less than 45 years old and is not considered by City staff to be a historic structure. Therefore, the project would result in *no impact* to historical resources.

(b-c) Archaeological Resources. According to maps developed for the City's *General Plan 2030* and included in the General Plan EIR, the project site is located within an area that is sensitive and highly sensitive for archaeological resources (SOURCE V.1b-DEIR Figure 4.9-1). The site is not located within an area that is sensitive for historic archaeological resources (SOURCE V.1b-DEIR Figure 4.9-3).

An archaeological investigation of the site was conducted in 2017, which included a records search of the California Historical Resources Information System (CHRIS) at the Northwest Information Center (NWIC) at Sonoma State University. The records search and field reconnaissance identified two archaeological resources within a ¼-mile radius of the project site and evidence of a possibly intact historic-era archaeological deposit in the southeast portion of the project area (SOURCE V.5c). The investigation recommended further testing in the

southeast corner of the project site to define and determine significance of historic-era archaeological deposits.

Section 24.12.430 of the City's Municipal Code sets forth the procedure to follow in the event that prehistoric or cultural features are accidentally discovered during construction. Under provisions of this Code section, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, the Planning Director shall be immediately notified, and appropriate mitigation measures shall be formulated and implemented. Additionally, the County Coroner and shall be notified in accordance with provisions of Public Resources Code 5097.98-99 in the event human remains are found and the Native American Heritage Commission shall be notified in accordance with the provisions of Public Resources Code section 5097 if the remains are determined to be Native American.

Impact Analysis. The project site is located within an area of known archaeological sensitivity or archaeological resources, and construction may disturb unknown resources. However, a project cultural resources assessment did not find evidence of cultural resources, except for the existence of a historic artifact scatter may be evidence of a buried deposit in the southeastern corner of the project site (SOURCE V.5c). However, none of the proposed improvements or future building sites are located within 50 feet of this area, and no impacts would occur (SOURCE V.5b). Subsequent archaeological reviews determined that the proposed onsite biological restoration work would occur outside of this area, and no impacts would occur (SOURCE V.5a). Therefore, potential disturbance to cultural resources is a *less-than-significant impact*.

Although, there is a potential for the discovery of unknown cultural resources on the property during soil disturbing construction, such discoveries would be subject to review in accordance with City and state requirements. If archaeological resources or human remains are exposed or discovered during either site clearing or during subsurface construction, operations shall stop within 150 feet of the find, and a qualified professional archaeologist shall be contacted for further review and recommendations. If a find is determined to be significant, the Planning Director shall be immediately notified, and appropriate measures shall be formulated and implemented in accordance with Section 24.12.430 of the City's Municipal Code – "Protection of Archaeological Resources." The County Coroner and shall be notified in accordance with provisions of Public Resources Code 5097.98-99 in the event human remains are found and the Native American Heritage Commission shall be notified in accordance with the provisions of Public Resources Code section 5097 if the remains are determined to be of Native American origin.

6. Energy

Pacific Gas and Electric Company (PG&E) provides electricity and natural gas service to the City. PG&E, a subsidiary of PG&E Corporation, provides natural gas and electric service to approximately 16 million homes and businesses across a 70,000 square-mile service area.

The state of California's per capita electrical use has been the lowest or one of lowest of any state in the. California is among the top states in the nation in net electricity generation from renewable resources. The state leads the nation in net electricity generation from solar, geothermal, and biomass (SOURCE V.3).

Monterey Bay Community Power (MBCP) was formed in March 2017 as a joint powers authority to provide locally controlled, 100% carbon-free electricity to residents and businesses in Monterey, San Benito and Santa Cruz Counties through the Community Choice Energy (CCE) model established by the State of California. The CCE model enables communities to choose clean-source power at a cost equivalent to PG&E while retaining PG&E's role in maintaining power lines and providing customer service. The CCE model helps ensure local economic vitality because surplus revenues that would normally flow to PG&E will stay in the community. MBCP started supplying electricity to customers in spring 2018 with existing customers automatically enrolled.

In 2007, Santa Cruz became one of the first municipalities in the nation to require new construction to include the adoption of environmentally superior building materials and designs. Builders in Santa Cruz now use best practices for their construction projects that enhance building energy efficiency and water conservation as well as to improve air quality, waste reduction and recycling, and erosion and runoff control.

(a) Energy Use. The project includes demolition of one existing residence and would result in future construction of two new residences. The new residences would be subject to City and state building code requirements and would result in more energy efficient building design than the existing structure to be demolished. Future construction of two new homes would not contribute to the wasteful, inefficient, or unnecessary consumption of energy and other resources. Residential uses that comply with the 2016 California Title 24 are about 28% more efficient than the 2013 Title 24, and energy efficiency will increase as older buildings are replaced (Ibid.).

Overall, the future consumption of electrical and natural gas resources would not represent unnecessary, inefficient, or wasteful use of resources given the ongoing implementation of the City's Climate Action Plan and General Plan 2030 policies that address lighting and energy conservation measures. In addition, new structures will be required to be constructed in accordance with specifications contained in Title 24 of the California Code of Regulations and the City's Green Building Regulations. Such measures have been factored into California energy forecasts which predict an overall reduction in per capita use of electricity due to energy efficiency standards and conservation. Therefore, the proposed project would not result in wasteful or inefficient energy use during construction or operation and would result in a *less-than-significant impact*.

(b) Conflicts with Plans. Construction and operation of the project would not conflict with or obstruct implementation of a state or local plan for renewable energy. Therefore, the project would result in *no impact*.

7. Geology and Soils

(a.i) Fault Rupture. The project site is located in a seismically active region of California and the region is considered to be subject to very intense shaking during a seismic event. The City of Santa Cruz is situated between two major active faults: the San Andreas, approximately 11.2 miles to the northeast and the San Gregorio, approximately 9.9 miles to the southwest. There are no active fault zones or risk of fault rupture within the City (SOURCE V.1b-DEIR Section 4.10). The closest active fault is the San Andreas fault, located approximately 9.9 miles northeast of the project site.

(a.ii-iv) Seismic Hazards. Seismically induced hazards include ground shaking, surface rupture, ground failure, settlement, landslides, and water waves (SOURCE V.1a). According to maps developed for the City's *General Plan 2030* and included in the General Plan EIR, the project site is located adjacent to an area somewhat susceptible to liquefaction (SOURCE V.1b-DEIR Figure 4.10-4), but is not located within a mapped landslide area (SOURCE V.1b-DEIR Figure 4.10-3).

A geotechnical investigation was conducted of the project site that included soils borings and testing. Site soils consist of clay underlain by silty clay and sands (SOURCE V.8b). The investigation indicated that seismic shaking was primary geotechnical consideration at the site.

Impact Analysis. The proposed structures would be subject to seismic shaking from an earthquake on regional faults, but with implementation the geotechnical investigation recommendations, exposure to seismic hazards would be considered a *less-than-significant impact*.

The City is in relative proximity to historically active faults; as such, there is potential for development to be subject to strong seismic ground shaking. While the potential for seismic ground shaking cannot be eliminated, the project would be required to comply with the 2016 California Building Standards Code (California Code of Regulations, Title 24), which includes requirements for geotechnical investigations that establish seismic design parameters. Compliance with recommendations in the project geotechnical report and with the California Building Standards Code would reduce risks associated with strong seismic ground shaking at the project site. Therefore, the project would have a *less-than-significant impact* with regard to strong seismic ground shaking. Although mitigation measures are not required as a significant impact has not been identified, the following measure is recommended as a condition of project approval.

RECOMMENDED CONDITION OF APPROVAL: Require implementation of recommendations set forth in the geotechnical investigation (Haro, Kasunich and Associates, Inc., September 2017 and June 2019) regarding site preparation, driveway improvements, drainage, structural foundations, and all other recommendations.

(c) Geologic Hazards. Seismically induced hazards include ground shaking, surface rupture, ground failure, settlement, landslides, and water waves. Non-seismically induced hazards include slope instability, cliff retreat, and non-seismic settlement and landslides (SOURCE V.1a).

The project site has moderate to steep slopes with areas of slopes exceeding 50 percent, and portions of the site are located in areas of 30-50 percent slopes as shown in the City's *General Plan 2030* and included in the General Plan EIR (SOURCE V.1b-DEIR Figure 4.10-5).

Impact Analysis. The proposed driveway would cross areas of steep slopes that could result in slope erosion issues, which is considered a *potentially significant impact*.

Portions of the new driveway to serve proposed Lots 1 and 2 traverses slopes that are between 30 and 50 percent. The new driveway would vary in grades from approximately 3.75 to 20 percent and would be paved over an aggregate base that would be determined by the geotechnical engineer in the final design plans. Review of the project plans by the project geotechnical consultant indicates that runoff should be controlled to prevent concentrated flows in these areas, while managed to maintain existing drainage patterns. Runoff from the proposed driveway would be collected in two inlets and discharged to flow spreaders along the north facing slope leading to Pogonip Creek, which exceeds 15 percent. Monitoring and maintenance of these facilities is recommended to ensure their success and prevent slope erosion or slope stability problems (SOURCE V.8a). With implementation of Mitigation Measure GEO-1 as recommended in the project geotechnical reviews, the impact would be mitigated to a *less-than-significant* level.

MITIGATION MEASURE GEO-1. Require annual inspection of the two spreader drainage features before and after the winter season and after any major storm event. If concentrated flow or erosion is observed, the project geotechnical and civil engineer should be immediately notified and correct action implemented.

(b, d) Soils and Erosion. The geotechnical investigation prepared for the project included exploratory borings and laboratory testing. Site soils consist of clay underlain by silty clay and sands (SOURCE V.8b). Groundwater was not encountered. Testing indicated that the soils have a low potential for expansion (Ibid.).

According to maps developed for the City's *General Plan 2030* and included in the General Plan EIR, soils on the project site consist primarily of the Tierra-Watsonville complex, 30 to 50 percent slopes and Watsonville loam (SOURCE V.1b-DEIR Figure 4.10-6). The Tierra-Watsonville complex has a high to very high erosion hazard potential (SOURCE V.1b-DEIR Section 4.10).

Impact Analysis. The proposed project could be developed with implementation of recommendations in the project geotechnical report. However, construction of the driveway could lead to erosion, which is considered a *potentially significant impact*.

The geotechnical investigation concluded that the site is suitable for the proposed development, provided the detailed recommendations presented in the geotechnical investigation are followed during design and construction, which includes foundation recommendations for future homes constructed on proposed Lots 1 and 2. Grading would occur for the new driveway that could lead to erosion during construction, and post-construction erosion may occur related to drainage as discussed in the previous subsection. Implementation of Mitigation Measure GEO-1 regarding drainage control and

Mitigation Measure GEO-2 regarding implementation of erosion control measures during construction would prevent substantial erosion or loss of topsoil. With implementation of these mitigation measures, the impact would be reduced to a *less-than-significant* level.

MITIGATION MEASURE GEO-2. Implement erosion control measures during construction of the new driveway, including, but not limited to: limiting ground disturbance and vegetation removal during construction; conducting work prior to the rainy season if possible and protecting disturbed areas during the rainy season; and immediately revegetate disturbed areas. Require temporary fencing on the perimeter of the site during construction to prevent inadvertent erosion and offsite transport of sediments.

(e) Septic Systems. The project would be connected to an existing 8-inch sanitary sewer in Encinal Street and would not use septic systems. The existing septic system would be abandoned or removed. Therefore, *no impact* would occur.

(f) Paleontological Resources. According to maps developed for the City's *General Plan 2030* and included in the General Plan EIR, the project site is located within an area mapped as the Santa Margarita Sandstone unit (SOURCE V.1b-DEIR Figure 4.9-5), which is known to contain fossils. Santa Margarita is one of four geologic units in Santa Cruz County known to contain fossils: Late Pleistocene alluvium; the Purisima Formation; the Santa Cruz Mudstone; and the Santa Margarita Sandstone. Santa Margarita Sandstone comprises coarse-grain sandstone and siltstone, with some mudstone. This unit is Late Miocene era and is the sequence of uplifted coastal terraces. Paleontological resources have been found along the coast and scattered locations in the city and this area is highly sensitive for paleontological resources (SOURCE V.1b, DEIR volume).

Impact Analysis. While the project site does not contain known paleontological resources, construction activities could potentially destroy unknown paleontological resources. General Plan Action HA1.2.3 requires the City to notify applicants within paleontologically sensitive areas of the potential for encountering such resources during construction and condition approvals that work will be halted and resources examined in the event of encountering paleontological resources during construction. If the find is significant, the City would require treatment of the find in accordance with the recommendations of the evaluating paleontologist. Treatment may include, but is not limited to, specimen recovery and curation or thorough documentation. With implementation of *General Plan 2030* policies and actions, the impact would be considered *less than significant*.

RECOMMENDED CONDITION OF APPROVAL: In the event that paleontological resources are encountered during construction, work shall be halted in the vicinity of the find until it can be evaluated by a professional paleontologist. If a find is determined to be significant, treatment of the find in accordance with the recommendations of the evaluating paleontologist shall be required. Treatment may include, but is not limited to, specimen recovery and curation or thorough documentation.

8. Greenhouse Gas Emissions

(a) Greenhouse Gas Emissions. Climate change refers to any significant change in measures of climate, such as average temperature, precipitation, or wind patterns over a period of time. Climate change may result from natural factors, natural processes, and human activities that change the composition of the atmosphere and alter the surface and features of the land. Significant changes in global climate patterns have recently been associated with global warming, an average increase in the temperature of the atmosphere near the Earth's surface, attributed to accumulation of greenhouse gas (GHG) emissions in the atmosphere. Greenhouse gases trap heat in the atmosphere, which in turn heats the surface of the Earth. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities. Climate change models predict changes in temperature, precipitation patterns, water availability, and rising sea levels, and these altered conditions can have impacts on natural and human systems in California that can affect California's public health, habitats, ocean and coastal resources, water supplies, agriculture, forestry, and energy use (SOURCE V.1b-DEIR volume).

The most common GHG that results from human activity is carbon dioxide, followed by methane and nitrous oxide. The primary contributors to GHG emissions in California are transportation (about 37 percent), electric power production (24 percent), industry (20 percent), agriculture and forestry (6 percent), and other sources, including commercial and residential uses (13 percent). Approximately 81 percent of California's emissions are carbon dioxide produced from fossil fuel combustion (SOURCE V.1b-DEIR volume).

The State of California passed the Global Warming Solutions Act of 2006 (AB 32), which seeks to reduce GHG emissions generated by California. The Governor's Executive Order S-3-05 and AB 32 (Health & Safety Code, § 38501 et seq.) both seek to achieve 1990 emissions levels by the year 2020. Executive Order S-3-05 further requires that California's GHG emissions be 80 percent below 1990 levels by the year 2050. AB 32 defines GHGs to include carbon dioxide, methane, nitrous oxide, hydrocarbons, perfluorocarbons and sulfur hexafluoride.

The California Air Resources Board (CARB) is the lead agency for implementing AB 32. In accordance with provisions of AB 32, CARB conducts an annual statewide GHG Emission Inventory that provides estimates of the amount of GHGs emitted to the atmosphere by human activities within California. In accordance with requirements of AB 32, CARB adopted an Initial Scoping Plan in 2008 and is required to update the scoping plan at least every five years. The First Update to the Scoping Plan, approved in 2014, established a 2030 emissions target of 40 percent below 1990 levels. The current (2017) Scoping Plan identifies a balanced mix of strategies to meet the State's 2030 GHG limit.

The City's *General Plan 2030* includes goals, policies, and actions on climate change, including reducing communitywide GHG emissions 30 percent by 2020, reducing 80 percent by 2050 (compared to 1990 levels), and for all new buildings to be emissions neutral by 2030. In October 2012, the City also adopted a "Climate Action Plan" that outlines the actions the City will take over the next 10 years to reduce GHG emissions by 30 percent.

Impact Analysis. The project consists of a minor land division to create four parcels, which would result in a demolition of one existing dwelling and future construction of two new dwelling units. As indicated in Section III.B above, the City's General Plan EIR considered construction of approximately 3,350 new residential units throughout the City to the year 2030 (SOURCE V.1b-DEIR volume). The General Plan EIR estimated GHG emissions that could result from potential development and buildout accommodated by the General Plan that included 3,350 residential dwelling units with an associated population increase of 8,040 residents and approximately 3,140,000 additional square feet of new commercial, office, and industrial uses by the year 2030 with an estimated 8,665 new jobs. The EIR analysis determined that the emissions levels associated with buildout would not be considered substantial compared to long-term forecasts and state and regional targets and would actually be less than forecast statewide per capita emission rates with required reductions. Implementation of the proposed *General Plan 2030* policies and actions, as well as planned implementation statewide actions, would further reduce emissions. Therefore, the impact was considered less than significant. (The analysis is included on pages 4.12-24 to 4.12-31 of the Draft EIR volume and pages 3-26 to 3-27 of the Final EIR volume.)

The proposed minor land division and resulting two additional dwelling units would be within the overall amount of future residential use evaluated at a program level in the General Plan EIR. This Initial Study tiers off and incorporates by reference the General Plan EIR (as discussed in Section III.B above) for the GHG emissions analysis, which concluded impacts would be less than significant. Therefore, the project would have a *less-than-significant* impact on GHG emissions.

(b) Conflicts with Applicable Plans. The project would not conflict with state plans adopted for the purpose of reducing GHG emissions. The General Plan EIR found no impacts related to conflicts with applicable plans related to GHG emissions and reduction strategies.

In October 2012, the Santa Cruz City Council adopted a Climate Action Plan (CAP) that addresses citywide greenhouse emissions and reduction strategies. The CAP outlines the actions the City and its partners may take pertaining to reduction of GHG emissions to meet the goals and implement the policies and actions identified in the *General Plan 2030*. The CAP provides City emissions inventories, identifies an emissions reduction target for the year 2020, and includes measures to reduce energy use, reduce vehicle trips, implement water conservation programs, reduce emissions from waste collection, increase solar systems, and develop public partnerships to aid sustainable practices. Measures are outlined for the following sectors: municipal, residential, commercial, and community programs. Each chapter, as well as Appendix A, provides a table of actions necessary to meet each reduction measure, quantifies the potential GHG emission reduction, and prioritizes implementation based on funding, ease, and current infrastructure. With a couple of exceptions, all measures establish the year 2020 as the target date to achieve the specified reductions. The CAP includes an Implementation chapter that identifies tracking and reporting of the success of the measures, including City staff responsibilities.

The two new residential units that would be constructed in the future as a result of the project would be subject to approval of building permits that meet the California Building Code and City Green Building Code requirements and City requirements for water conservation fixtures and features, including drought-resistant landscaping. These measures are consistent with those recommended for residential uses in the CAP related to building and energy efficiency, water conservation, and encouraging use of solar systems. Thus, the project would not conflict with provisions of the CAP, and *no impact* would occur.

9. Hazards and Hazardous Materials

(a-d) Hazardous Material Use, Sites and Emissions. The proposed minor land division, demolition of an existing dwelling, and future construction of two new single-family residences would not involve the routine transport, use, or disposal of hazardous materials or wastes and would not result in the creation of a public health hazard. The site is not included on the list of hazardous material sites compiled pursuant to Government Code Section 65962.5. The project site is located approximately 300 feet northeast of Georgiana Bruce Kirby Preparatory School. However, the project consists of residential uses and would not involve emissions of hazardous materials. Therefore, *no impact* would occur.

(e) Location Near Airports. The project site is not located within two miles of a public airport or private airstrip. Therefore, the project would result in *no impact*.

(f) Emergency Response. Existing and proposed access to the project site is from Encinal Street. The project would not include any changes to existing public roadways that provide emergency access to the site. Therefore, the project would have *no impact* related to interference with adopted emergency response or evacuation plans.

(g) Wildland Fire Hazard. According to maps developed for the City's *General Plan 2030* and included in the General Plan EIR, the western portion of the project site is located in a high fire hazard area (SOURCE V.1b-DEIR Figure 4.6-1). There are three existing structures on the project site, one of which would be demolished, and two new residences constructed in the future as a result of the project. The project would result in a net increase of one new home that would not significantly increase exposure to wildland fire hazards. The proposed building envelopes are set back from the wooded portions of the site and fire clearance would be provided around new structures. Therefore, the project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, resulting in a *less-than-significant impact*. See also section IV.20 below.

10. Hydrology and Water Quality

(a) Water Quality. The principal surface water drainage in the City is the San Lorenzo River, which. Pogonip Creek, a tributary to the San Lorenzo River, is located along the southern boundary of the project site. The project site is relatively flat with approximately 3,330 square feet of existing impervious area.

Urban runoff and other “non-point source” discharges are regulated by the 1972 Federal Clean Water Act (CWA), through the National Pollutant Discharge Elimination System (NPDES) permit program that has been implemented in two phases through the California Regional Water Quality Control Boards (RWQCB). Phase I regulations, effective since 1990, require NPDES permits for stormwater discharges for certain specific industrial facilities and construction activities, and for municipalities with a population size greater than 100,000. Phase II regulations expand the NPDES program to include all municipalities with urbanized areas and municipalities with a population size greater than 10,000 and a population density greater than 1,000 persons per square mile. Phase II regulations also expand the NPDES program to include construction sites of one to five acres.

Construction activity on projects that disturb one or more acres of soil must obtain coverage under the State’s General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit, 99-08-DWQ). Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling or excavation. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must list best management practices (BMPs) that the discharger will use to protect stormwater runoff and the placement of those BMPs. A Notice of Intent (NOI) and SWPPP must be prepared prior to commencement of construction. Proposed grading and development on the project site would disturb more than 1 acre and, thus, the project would be subject to preparing a SWPPP. The City’s regulatory requirements and BMPs, as detailed in the “Stormwater Best Management Practices Manual” published by the City’s Public Works Department, must be implemented

The City of Santa Cruz (City) has developed a Storm Water Management Program (SWMP) in order to fulfill the requirements of the Phase II NPDES General Permit for Discharges of Storm Water from Small Municipal Separate Storm Sewer Systems (MS4) (General Permit) and to reduce the amount of pollutants discharged in urban runoff. In compliance with the Phase II regulations, the City’s comprehensive SWMP is designed to reduce the discharge of pollutants to the Maximum Extent Practicable (MEP) and to protect water quality (SOURCE V.1b-DEIR volume).

In 1998, the City of Santa Cruz adopted an ordinance for “Storm Water and Urban Runoff Pollution Control” (Chapter 16.19 of the city’s Municipal Code) as part of its Storm Water Management Program in accordance with the RWQCB’s requirements. The ordinance identifies prohibited discharges and required Best Management Practices (BMPs) for construction and new development.

Impact Analysis. Project construction could result in water quality degradation in Pogonip Creek due to grading and potential resulting erosion. This would be a *potentially significant impact*.

The project would result in construction of a new driveway with approximately 13,320 square feet of impervious surfacing. Additional impervious surfacing would be created with future construction of two new homes on proposed Lots 1. New impervious surfaces could increase the delivery of urban pollutants to Pogonip Creek. However, the project

would be required to adhere to City stormwater requirements that would avoid or reduce potential impacts. The project stormwater plan includes collection of runoff from the driveway via “flow spreaders” with filters that would pre-treat and discharge runoff in a controlled flow through existing vegetation. Therefore, stormwater runoff as a result of the proposed development would not result in adverse impacts to water quality. However, potentially significant erosion impacts during construction or as a result of drainage releases through the flow spreaders, as discussed in subsection VI.7b above, could occur, but would be *mitigated to a less-than-significant* level with implementation of Mitigation Measures GEO-1 and GEO-2.

(b) Groundwater. The project site is located within the West Santa Cruz Terrace groundwater basin (SOURCE V.1b-DEIR Section 4.5). Groundwater was not encountered during the geotechnical soil borings. A portion of the site along Pogonip Creek on the southern boundary of the project site provides groundwater recharge which would not be obstructed by project development. The project site is not located within a water supply aquifer. The project would not include groundwater wells and would continue to receive municipal water from the City of Santa Cruz. Therefore, the project would have *no impact* on groundwater supplies or recharge.

(c) Drainage. Pogonip Creek, a perennial tributary to the San Lorenzo River, flows through the northern portion of the site. Pogonip Creek drains a small watershed in Pogonip open space and has a consistent year-round base flow due to the presence of springs emanating from the karst formation on the UCSC campus (SOURCE V.2b). The creek enters the project site from the adjacent Pogonip Open Space and travels eastward along the southern portion of the property. The creek continues eastward through adjacent properties, enters a culvert east of the railroad tracks and ultimately empties into the San Lorenzo River near the Tannery Arts Center.

Impact Analysis. The proposed project would result in an increase in runoff due to an increase in impervious surfaces with construction of the new driveway and future construction of two new single-family dwelling units, but would not result in alteration of existing drainage patterns or exceed capacity of storm drainage systems, and thus, would result in a *less-than-significant impact*.

The project would increase the net impervious area on the site by 13,320 square feet with construction of the new driveway. Runoff would be captured and dispersed through flow spreaders on the western portion of the site and collected and discharged in a storm drain that connects to an existing 21-inch storm drain in Encinal Street. The system would be designed in accordance with City regulations and no onsite retention is required (SOURCE V.10). Therefore, the project would not alter existing drainage pattern or result in substantial increases in runoff.

(d) Flood and Tsunami Zones. The project site is not located within a Federal Emergency Management Agency (FEMA) flood hazard area (SOURCE V.1b-DEIR Figure 4.7-1). The project site is not in a tsunami inundation zone (SOURCE V.1b-DEIR Figure 4.7-2). Therefore, the project would result in *no impact* related to release of pollutants in flood or tsunami zones.

(e) Conflict with Plans. The project site is located adjacent to Pogonip Creek, which is a tributary to the San Lorenzo River. Water quality objectives are included in the Water Quality Control Plan for the Central Coastal Basin (Basin Plan) for protection of surface water and groundwater quality in the Central Coast Region. This Basin Plan lists beneficial uses for surface waters and describes the water quality objectives that must be maintained to allow those uses. The proposed project would not result in new discharges or conflict with provisions in the Basin Plan as all stormwater would be directed into the City's storm drain system with pre-treatment or discharged via surface flow over existing vegetation away from Pogonip Creek, which would prevent water quality degradation in accordance with the City's stormwater requirements. A sustainable groundwater management plan for the area in which the project is located has not yet been prepared. Therefore, the project would not conflict with adopted water quality or groundwater plans.

11. Land Use and Planning

(a) Physical Division of Community. The project site is located in an existing very-low-density residential neighborhood in the City. The proposed minor land division and future construction of two new dwelling units would not physically divide an established community and would result in *no impact*.

(b) Consistency with Local Policies/Plans. The project site is designated Very Low Density Residential and is zoned RS-2-A (Suburban Residential) and is consistent with the General Plan and zoning designations for the site. The proposed minor land division and building envelopes meet a or exceed the riparian and development setbacks established for Pogonip Creek in the *City-wide Creeks and Wetlands Management Plan*.

Portions of the proposed new driveway to proposed Lots 1 and 2 cross areas of 30-50 percent slopes, which requires a variance to the City's slope regulations set forth in the City's Municipal Code sections 24.08.800 to 24.08.820. The General Plan also includes policies to discourage development on unstable slopes (Policy H6.2). With implementation of recommendations in the project geotechnical report and Mitigation Measure GEO-1, the project would not result in slope instability problems as discussed above in subsection IV.7(c) and would not conflict with regulations or policies regarding slope setbacks.

12. Mineral Resources

There are no mines or areas of known mineral resources within the City (SOURCE V.1b-DEIR). Therefore, the project would have *no impact* on mineral resources.

13. Noise

(a-b) Generation of Noise and Vibration. The project site currently supports two existing single-family homes and one unoccupied home that would be demolished. The proposed project would create four residential lots, resulting in future construction of two new single-family homes in addition to the two existing homes that would be retained. Low-density residential

homes would not result in activities that would include outdoor activities associated with residential uses, i.e., mowing of yards, but would not generate substantial new noise sources levels. Additionally, the sites are not located adjacent to sensitive noise receptors. Therefore, the project would not result in generation of a substantial permanent increase in ambient noise levels, resulting in a *less-than-significant impact*.

Project construction or future residential uses would not result in activities or use of equipment that would create vibration or exposure people to excessive vibration. There would be a temporary increase in existing noise levels during grading and construction of the new driveway, demolition of the existing dwelling unit, and future construction of two homes. Noise impacts resulting from construction depend on the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive receptors, as well as existing ambient noise levels. Noise generated during construction would vary throughout the construction period and on any given day, depending on the construction phase and the type and amount of equipment used at the construction site. The highest noise levels would be generated during grading of the site, with lower noise levels occurring during building construction and finishing. The areas immediately adjacent to the project site are generally open space and non-residential uses to the south. Overall, construction noise levels would be temporary, short-term, and fluctuate throughout the course of project construction. Because construction noise impacts would be temporary, the impact of construction noise would be *less than significant*.

(c) Location Near Airport. The project site is not located near a public airport or private airstrip.

14. Population and Housing

(a) Population Growth. The division of one parcel into four lots residential units with future construction of two new homes would result in an increase of approximately 5 residents based on the City's average household size of 2.4 persons per household. This would be within and consistent with population growth projections developed for the City and the amount of development described in the General Plan EIR (SOURCE V.1b-DEIR). Therefore, the minor increase in population would be within planned growth, and the project would result in a *less-than-significant impact*.

(b) Displacement of People or Housing. The project would result in demolition of an older, unoccupied dwelling unit which has been vacant. Therefore, the project would not displace people or result in a substantial displacement of housing. The project would result in future construction of two new homes, thus replacing the unit to be demolished, and would not require construction of replacement housing elsewhere. Therefore, the project would result in a *less-than-significant impact*.

15. Public Services

(a-b, d-e) Fire, Police, Parks, and Other Public Services. The proposed project would be served by existing public services. The project would have no measurable effect on existing public services in that the incremental increase in demand would not require expansion of any services to serve the project. Construction of new fire or police facilities to serve the project would not be warranted. New development would be required to install automatic fire sprinklers and alarms in accordance with City requirements and comply with other Fire Department recommendations regarding access.

As indicated in Section III.B above, the City's General Plan EIR considered construction of approximately 3,350 residential units throughout the City to the year 2030 (SOURCE V.1b-DEIR volume). The proposed minor land division and resulting future construction of two new homes would be within the overall amount of residential development evaluated at a program level in the General Plan EIR, and this Initial Study tiers off and incorporates by reference the General Plan EIR for public services as discussed in Section III.B above. The EIR analyses concluded that impacts of potential development and buildout accommodated by the General Plan would be less than significant for fire and police protection services and parks and recreation. (The analyses are included on pages 4.6-33 to 4.6-40 of the Draft EIR volume and pages 3-19 to 3-22 of the Final EIR volume.) Since the size of the proposed project would fall within the total amount of potential development analyzed in the General Plan EIR, no further analysis is required regarding public services and the project's impact would be *less than significant*.

(c) Schools. The project would result in future construction of two new single-family residential units. The proposed home would be served by the Santa Cruz City Schools. The project and future construction of two single-family residences would result in an estimated enrollment increase of less than one student throughout all grades based on student enrollment factors included in the General Plan EIR (SOURCE V.1b, DEIR volume). Schools serving the project site (DeLaveaga Elementary, Branciforte Middle School, and Harbor High School) have capacity to serve the project based on current enrollments, and expansion would not be required to serve the project (Ibid.). The project would be required to pay school impact fees that are collected at the time of issuance of a building permit. Therefore, the project would result in a *less-than-significant* impact on public schools.

16. Recreation

As indicated in Section III.B above, The City's General Plan EIR considered construction of approximately 3,350 residential units throughout the City to the year 2030 (SOURCE V.1b-DEIR volume). Thus, the proposed minor land division and future construction of two residential units would be within the overall amount of residential development evaluated at a program level in the General Plan EIR, and this Initial Study tiers off and incorporates by reference the General Plan EIR for public services, as discussed in Section III.B above. The EIR analyses concluded that impacts of potential development and buildout accommodated by the General Plan would be less than significant for parks and recreation. (The analyses are included on pages 4.6-37 to 4.6-40 of the Draft EIR volume and pages 3-19 to 3-22 of the Final EIR volume.) Given that the proposed project would be within the overall amount of residential development evaluated in

the General Plan EIR, the project's impact on parks and recreational facilities would be *less than significant*.

17. Transportation/Traffic

(a) Conflict with Circulation Plan, Policy, or Ordinance. The project site is located off of Encinal Street in the Harvey West Industrial area. The *General Plan 2030* includes goals, policies and actions that set forth comprehensive measures to reduce vehicle trips, increase vehicle occupancy, encourage use of alternative transportation modes, and promote alternative-sustainable land use patterns, all of which would help reduce vehicle trips, and avoid and minimize adverse impacts related to traffic. The City's General Plan strives to maintain the established "level of service" D or better at signalized intersections (M3.1.3). "Level of service" (LOS) is typically used to evaluate traffic operations, in which operating conditions range from LOS "A" (free-flowing) to LOS "F" (forced-flow). Caltrans endeavors to maintain a target LOS at the transition between LOS C and D on State highway facilities. The City's General Plan also accepts a lower level of service and higher congestion at major regional intersections if necessary improvements would be prohibitively costly or result in significant, unacceptable environmental impacts (M3.1.4).

The nearby Encinal Street/River Street (Highway 9) and River Street/Highway 1 intersections are currently operating at acceptable LOS during the weekday PM peak hour based on City and Caltrans LOS standards (SOURCE V.1b, DEIR volume). Improvements are planned at both intersection, although improvements at the River Street/Highway 1 intersection would improve operations, but would not result in an acceptable LOS of D or better. However, the City has historically accepted a lower LOS at these intersections, which would be considered major intersections, and are also included in the existing General Plan as deficient intersections for which a lower LOS would be accepted (SOURCE V.1a).

Impact Analysis. The proposed minor land division and future construction of two new single-family residences would result in approximately two PM peak hour vehicle trips that would be added to the River Street intersections at Encinal Street and Highway 1. Two trips would not result in a measurable change in operations or delays. Both intersections operate at an unacceptable LOS. While improvements are planned, the City has accepted a lower LOS of these regional intersections. Therefore, the project would not conflict with plans or policies regarding the City's circulation system. Additionally, the project would be required to pay the City's traffic impact fee at the time of building permit issuance. The project would not affect the performance of transit, bicycle, or pedestrian facilities. Therefore, the project would have a *less-than-significant* impact on traffic and circulation.

(b) Conflicts with State CEQA Guidelines. CEQA Guidelines section 15064.3, subdivision (b) codifies the switch from LOS to vehicle miles traveled (VMT) as the metric for transportation analysis pursuant to state legislation adopted in 2013. In September 2013 Governor Brown signed Senate Bill 743 which made significant changes to how transportation impacts are to be assessed under CEQA. SB 743 directs the Governor's Office of Planning and Research (OPR) to develop a new metric to replace LOS as a measure of impact significance and suggests vehicle

miles travelled as that metric. According to the legislation, upon certification of the guidelines, automobile delay, as described solely by LOS shall not be considered a significant impact (Section 21009(a)(2)). SB 743 also creates a new CEQA exemption for certain projects that are consistent with the regional Sustainable Communities Strategy.

A lead agency has discretion to choose the most appropriate methodology to evaluate a project's VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's VMT and may revise those estimates to reflect professional judgment based on substantial evidence. A lead agency may elect to be governed by the provisions of this section immediately; beginning on July 1, 2020, the provisions shall apply statewide. The City of Santa Cruz has not yet adopted a VMT threshold and has until July 1, 2020 to do so. Thus, the project would not conflict or be inconsistent with CEQA Guidelines section 15064.3.

(c) Design-Safety. The proposed driveway has been designed in accordance with City requirements, and there are no access designs that would substantially increase hazards. Therefore, the project would result in *no impact* related to project design that could result in substantial increases in hazards.

(d) Emergency Access. The project has been designed in accordance with City police and fire department requirements and would provide for adequate emergency access. Therefore, the project would result in *no impact* related to emergency access.

18. Tribal Cultural Resources

Assembly Bill (AB) 52 requires that California lead agencies consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a proposed project, if so requested by the tribe. AB 52 also specifies that a project with an effect that may cause a substantial adverse change in the significant of a tribal cultural resource (TCR) is a project that may have a significant effect on the environment. Defined in Section 21074(a) of the Public Resources Code, a TCR is a site feature, place, cultural landscape, sacred place, or object, which is of cultural value to a California Native American tribe and is either listed in or eligible for listing in the California Register of Historical Resources or a local historic register, or the lead agency, at its discretion, chooses to treat the resource as a TCR.

No Native American tribe has contacted the City of Santa Cruz and requested consultation. As described in Section VI.6 above, an archaeological investigation of the site was conducted and the project would not result in impacts to known resources. It is possible that the project site contains pre-contact archaeological resources associated with this site as well as historic archaeological resources. While no known TCRs are located on the project site, it is possible that ground-disturbing activities would have the potential to encounter unknown subsurface resources, the discovery of which would be subject to procedures outline in City regulations as described in section VI.6. Therefore, the proposed project would result in *no impact* to tribal cultural resources.

19. Utilities and Service Systems

(a) Relocation or Construction of Utilities. The project would be served by existing utilities. The project would include extension of sanitary sewer lines to the site from Encinal Street. The utilities would be located within the existing and proposed driveways on the project site. Construction of the new driveway and utility installation would occur in areas where sensitive coastal prairie habitat is present and in areas of steep slopes, and construction would result in a *potentially significant impact* that can be *mitigated to a less-than-significant level* with implementation of the project's proposed revegetation plan, Mitigation Measures BIO-1 and GEO-1.

(b) Water Supply. The project site is located within the service area of the City of Santa Cruz Water Department, which serves an approximate 20-square-mile area. The service area includes the entire City of Santa Cruz, adjoining unincorporated areas of Santa Cruz County, a small part of the City of Capitola, and coastal agricultural lands north of the City. Water is treated at the City's Graham Hill Water Treatment Plant (GHWTP), except for groundwater, which is treated as part of the Beltz well system.

Water Supplies. The City's water system is comprised of four main sources of supply: San Lorenzo River diversions (including the Tait wells); North Coast spring and creeks; Loch Lomond Reservoir; and the Beltz wells. Over the past decade, the North Coast sources represented 26 percent of the total water supply, the San Lorenzo River represented 55 percent, Newell Creek (Loch Lomond Reservoir) represented 14 percent, and Beltz wells contributed the remaining 5 percent (SOURCE V.2a).

Water Demand. Water demand in the City's water service area has fluctuated over the past 10 years. The 2015 UWMP indicates that water consumption in the service area ranged between nearly 3,800 MGY in 2006 to approximately 2,500 MGY in 2015 (SOURCE V.2a). The 2015 water demand was during the second year of a severe drought with water use restrictions and rationing in place.

The adopted 2015 UWMP forecasts a 20-year water demand forecast at approximately 3,200 MGY. This is slightly reduced from the estimated 3,500 MGY forecast in the 2010 UWMP due to continuing conservation efforts (SOURCE V.2a). Until recently, the general trend in system demand was one in which water use rose roughly in parallel with account and population growth over time, except during two major drought periods in the late 1970s and the early 1990s. Around 2000, this pattern changed and system demand began a long period of decline, accelerated by pricing changes, drought, economic downturn, and other factors (ibid.). The UWMP predicts a decrease in water use of approximately 100 MGY over the next 20 years despite regional population growth forecasts.

When any new water service is connected to the City system, it is charged a System Development Charge (SDC) that is to be used to do whatever needs to be done to the system to accommodate new demand. A portion of that SDC is dedicated to funding and administering water conservation projects that help to offset the increased demand.

Water Supply Reliability. There are several constraints and challenges that affect the long-term reliability of the City's water supplies. The primary constraint relates to potential water shortfalls during multi-year droughts. In addition, the City also faces other challenges that potentially could affect water supplies, including: potential flow releases associated with a Habitat Conservation Plan (HCP) currently under development, the outcome of water rights petitions, groundwater availability and climate change issues. The following recommendations for water augmentation strategies are included in the 2015 UWMP that were made by the Council-appointed Water Supply Advisory Committee (WSAC):

- Additional water conservation with a goal of achieving an additional 200 to 250 million gallons of demand reduction by the year 2035.
- Passive recharge of regional aquifers by working to develop agreements for delivering surface water as an in lieu supply to the Soquel Creek Water District and/or Scotts Valley Water District so they can "rest their wells", help aquifers recover and store water that can become available to the City of Santa Cruz Water Department in drought years.
- Active recharge of regional aquifers by using existing and some potential new infrastructure in the regionally shared Purisima aquifer in the Soquel-Aptos basin and/or in the Santa Margarita/Lompico/Butano aquifers in the Scotts Valley area to store water that can be available for use by Santa Cruz in drought years.
- A potable water supply using advanced treated recycled water as its source, as a supplemental or replacement supply in the event the groundwater storage strategies described above prove insufficient to meet the Plan's goals of cost effectiveness, timeliness and yield. In the event advanced treated recycled water does not meet the needs, desalination would become the last element (SOURCE V.2a).

The initial phase of the supply augmentation strategy involves enhancement of the existing conservation programs as well as evaluation of the feasibility alternative future supply. Implementation of the supply augmentation strategy work plan has been underway since 2016, and a revised work plan schedule was approved by City Council in November 2019. The City is currently working with the Soquel Creek Water District (SqCWD) to pilot an in-lieu transfer project. In-lieu transfers include short-term and long-term projects that would deliver excess City water to SqCWD and/or other neighboring water districts during winter that would reduce pumping from regional aquifers and assist with groundwater recharge and recovery. An aquifer storage and recovery (ASR) study is also underway that is looking at regional options for groundwater injection, storage, and future extraction in order to actively recharge regional aquifers. ASR piloting is currently underway utilizing the City's existing Beltz wells. A portion of the water delivered using in-lieu transfers or ASR facilities would be effectively banked in the aquifers to be extracted and returned to the City when needed in future dry years. A phase two recycled water study is also being initiated to look further at recycled water alternatives. The City's current work plan includes continued piloting and implementation of in-lieu transfers and ASR at the Beltz wells and provides for a decision on pursuit of additional ASR and/or recycled water options in 2022.

Impact Analysis. The proposed project would result in increased potable water demand, which would not be substantial and could be served by existing City water supplies, which would be adequate to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. Therefore, the impact is *less than significant*.

The proposed project would result in future construction of two new single-family homes, although one would be a replacement of an existing unoccupied home, with an estimated water demand of approximately 0.070 MGY based on water demand rates identified in the City's General Plan EIR. There would also be some water demand for landscaping. Current water supplies are adequate during normal years to serve the project. The 2015 UWMP and General Plan EIR predict that water supplies will be adequate in normal years to serve estimated growth within the City of Santa Cruz water service area, although the documents acknowledge that the outcome of the pending HCP may affect supplies in the future. Under present conditions, there are adequate supplies to serve the project and reasonably foreseeable development during normal conditions.

The 2015 UWMP documents a trend of declining water demand since the year 2000, and total water demand is projected to decline over the 20-year UWMP period due to continued implementation of conservation programs and other measures. However, projections for the year 2035 estimate a shortfall of approximately 40 MGY during normal periods, 528 MGY during single dry year periods, and 1,639 MGY during multiple dry year periods (SOURCE V.2a). Current water supplies are adequate during average and normal years to serve the project and other reasonably foreseeable development. During periods of dry years and drought, water customers would be subject to water curtailment as enacted by the City. A multiple dry year scenario would require more substantial curtailment of all water customers. However, the proposed project's minimal demand (less than one hundredth of one percent of the total water service area demand) would not have significant effects on the levels of water supply or curtailment that would be required throughout the service area. Therefore, the impact of increased water demand on water supplies due to the proposed project is considered less than significant as there are sufficient supplies from existing sources to serve the project.

The City also considered availability of water supplies to serve the project and other "reasonably foreseeable future development" in accordance with the recently revised CEQA Guidelines (Appendix G). Reasonably foreseeable development was determined to be those projects that are under construction or approved within the City's service area.³ Based on this review, approximately 1,107 residential units, 370 hotel rooms, and 291,000 square feet of commercial uses would be considerable reasonably foreseeable as projects have been approved or are under construction. Based on City water demand rates, reasonably foreseeable development could result in a water demand of approximately 46 MGY and approximately 49 MGY with the water demand associated with the proposed Project. Based on the water demand trends observed over the last few years, total water demand in the service area has been about 2,400 MGY. Based on the UWMP supply projections, adequate supplies would be available to serve the project and reasonably foreseeable development in normal and single-year drought periods. Water supplies would be deficient during multiple dry years without implementation of the City's planned water augmentation strategies.

³ Based on review of City cumulative projects; see <http://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/active-planning-applications-and-status>, and review with Santa Cruz County Planning Department.

However, the demand from the project and reasonably foreseeable development represents about two percent of total demand, which would not result in more stringent contingency measures than already anticipated for a multiple dry year period. Therefore, water supplies are sufficient to serve the project and reasonably foreseeable development, and the impact is less than significant.

As described above, the City continues to administer its water conservation program, has completed a Conservation Master Plan, and is implementing a water augmentation plan. The City has defined water supply augmentation strategies that are being studied in order to provide increased production between 2020 and 2035 to address potential drought shortages. The plan includes the pursuit of the following portfolio of options: continued and enhanced conservation programs; passive recharge of regional aquifers; active recharge of regional aquifers; and a potable supply using advanced treated recycled wastewater or desalinated water if recycled water did not meet City needs. These prospective sources are still under evaluation. A water transfer pilot program is underway for the passive recharge strategy.

(c) Wastewater Treatment Capacity. The project would be served by existing utilities, and the General Plan EIR concluded that the City's wastewater treatment facility would be adequate to handle growth and development accommodated by the General Plan and would not require expansion or construction of facilities to serve future growth. As indicated in section III.B above, the City's General Plan EIR considered development of approximately 3,350 residential units and 3,140,000 square feet of commercial, office, and industrial development within the City to the year 2030 (SOURCE V.1b, DEIR volume). The proposed project is within the remaining unbuilt residential units evaluated in the General Plan EIR as discussed in section IV.B. The General Plan EIR analyses concluded that impacts of potential development and buildout accommodated by the General Plan would be less than significant for wastewater treatment. Since the size of the proposed project would fall within the total amount of potential development analyzed in the General Plan EIR, as well as remaining undeveloped residential units, and this Initial Study tiers off and incorporates by reference the General Plan EIR for public utility and service systems, increased wastewater generated by the project would result in a *less-than-significant impact* on wastewater treatment capacity. (The General Plan EIR analyses are included on pages 4.6-41 to 4.6-43 of the Draft EIR volume.)

(d-e) Solid Waste Disposal. The General Plan EIR concluded that the City's landfill would be adequate to handle growth and development accommodated by the General Plan and would not require expansion or construction of facilities to serve future growth. As indicated in section IV.B above, the City's General Plan EIR considered development of approximately 3,350 residential units and 3,140,000 square feet of commercial, office, and industrial development within the City to the year 2030 (SOURCE V.1b, DEIR volume), and the proposed project is within the total and remaining unbuilt residential units. The EIR analyses concluded that impacts of potential development and buildout accommodated by the General Plan would be less than significant for solid waste disposal. Since the size of the proposed project would fall within the total amount of potential development analyzed in the General Plan EIR, as well as remaining undeveloped residential units, and this Initial Study tiers off and incorporates by reference the General Plan EIR for public utility and service systems, solid waste generated by the project would result in a *less-than-*

significant impact on landfill capacity. (The General Plan EIR analyses are included on pages 4.6-43 to 4.6-44 of the Draft EIR volume.)

20. Wildfire

(a) Emergency Plans. Existing and proposed access to the project site is from Encinal Street. The project includes a new driveway for two of the proposed new lots, but would not include any changes to existing public roadways that provide emergency access to the site. Therefore, the project would not substantially impair an adopted emergency response or evacuation plan and would result in *no impact*.

(b-d) Wildfire Impacts and Exposure. The project site is not located in or near a state responsibility area, but the western portion of the project site is located in a high fire hazard area as identified in the City's General Plan (SOURCE V.1b-DEIR Figure 4.6-1). There are three existing structures on the project site, one of which would be demolished, and two new residences constructed in the future as a result of the project. The project would result in a net increase of one new home that would not significantly increase exposure to wildland fire hazards. The proposed building envelopes are set back from the wooded portions of the site and fire clearance would be provided around new structures. The project would not exacerbate wildfire risks with the addition on one structure with appropriate setbacks from wooded areas. Therefore, the project would not exacerbate wildfire risks, resulting in a *less-than-significant impact*.

(c-d) Fire Hazards. The project would not require installation of infrastructure that would exacerbate fire risks. Utilities would be underground. Therefore, the project would not expose people or structures to a significant risk related to wildfires, resulting in *no impact*. See also section IV.9(g) above.

21. Mandatory Findings of Significance

(a) Quality of the Environment. The proposed project would have no significant effect on cultural resources or result in elimination of important examples of major period of California history or prehistory with implementation of mitigation measures. The project would have a less-than-significant effect on biological resources with implementation of mitigation measures. The project would not degrade the quality of the environmental or otherwise substantially adversely affect fish and wildlife habitats or threaten to eliminate a plant or animal community.

(b) Cumulative Impacts. Cumulative impacts related to development accommodated by the City's General Plan over the next 12+ years were found to be less than significant in the General Plan EIR, except for potential significant cumulative impacts related to traffic, water supply, population, and noise. The proposed project would not contribute to the identified significant cumulative noise impact as the identified street segments where increased noise levels are projected are outside of the project area (Westside industrial area). The cumulative population impact included growth within the City and at the University of California Santa Cruz campus if

the North Campus area were annexed to the City. While the proposed project would contribute to cumulative population growth, the population resulting from the one single-family residence and accessory dwelling unit would not be cumulatively considerable given the projected cumulative growth.

The proposed project would contribute to significant cumulative impacts related to traffic and water supply as identified in the General Plan EIR. As indicated in Section III.B above, the City's General Plan EIR considered development of 3,350 residential units throughout the City to the year 2030 (SOURCE V.1b-DEIR volume). The City's General Plan includes a range of policies and actions to reduce vehicular trips, and the City has also updated its Traffic Impact Fee Program, which identifies improvements to citywide intersections. The project would be subject to payment of traffic impact fees that would mitigate the project's contribution to a significant cumulative traffic impacts, and thus, the project's incremental contribution would not be cumulatively considerable.

As disclosed in the General Plan EIR, the City's future water supply availability continues to be uncertain, and overall water demand continues to decrease. The 2015 UWMP predicts water supply shortfalls by the year 2035 of 40 approximately MGY in normal rainfall years, 528 MGY during a single dry year, and 1,639 MGY in multiple dry year periods even though demand is forecast to decrease. Without augmented water supplies, cumulative future water demand during dry periods is considered a potentially significant cumulative impact on water supplies.

As discussed in Section 18 (b, d), the City continues to administer its water conservation program, has completed a Conservation Master Plan, and is implementing a Water Augmentation Plan. The City has defined water supply augmentation strategies that are being studied in order to provide reliable production during drought shortages between 2020 and 2035 to address potential drought shortages. The plan includes the pursuit of the following portfolio of options: continued and enhanced conservation programs; passive recharge of regional aquifers; active recharge of regional aquifers; and a potable supply using advanced treated recycled wastewater or desalinated water (if recycled water did not meet City needs). A water transfer pilot program is underway for the passive recharge strategy. Supply volumes for the other augmentation elements have not yet been defined, and specific projects have not been selected or constructed, as these prospective sources are still under evaluation. Thus, the long-term provision of augmented water supplies is under development, but uncertain.

The proposed project would result in a net increase in water demand of approximately 0.070 MGY, which is not considered substantial in relation to the estimated future demand in the City's water service area of approximately 3,200 MGY. New facilities and improvements implemented pursuant to the Wharf Master Plan would be subject to City requirements for installation of water conserving fixtures in accordance with City Municipal Code and building requirements. Additionally, under drought conditions, project residents, like other City customers, would be required to curtail water use by varying amounts, depending on the severity of the drought. The potential increase due to project water demand would not substantially exacerbate water supply reliability during a drought or due to cumulative growth because the amount of additional demand when spread across all service area customers would not result in any noticeable increase in the curtailment in customer use that would otherwise

be implemented during drought conditions. The project water demand represents less than one-hundredth of one percent of the annual water demand. Therefore, the project's incremental contribution to a significant cumulative water supply impact would not be cumulatively considerable. The project would be subject to City requirements for installation of water conserving fixtures and landscaping in accordance with City Municipal Code and building requirements.

The General Plan EIR did identify a potential significant impact related to increased student enrollments in grades K-12, which could exceed existing school facility capacities depending on the timing and rate of growth as the increase would not happen all at once. The EIR concluded that with required payment of school impact fees to fund necessary facility expansion and/or additions, in conjunction with the District's potential reuse of the former Natural Bridges Elementary School if needed, the impact would be mitigated to a less-than-significant level. The EIR also found that potential addition or expansion of school classroom facilities is not expected to result in significant physical impacts due to the location of existing facilities within developed footprints. The proposed project and resulting increase in one new residence would not result in impacts to schools that are at or approaching capacity as discussed in subsection 15(c) above. Additionally, the new dwelling units would be subject to payment of school impact fees in effect at the time of issuance of building permits. Therefore, the project's cumulative contribution would not be considerable.

(c) Substantial Adverse Effects on Human Beings. No environmental effects have been identified that would have direct or indirect adverse effects on human beings.

INTENTIONALLY LEFT BLANK