



County of Santa Cruz

DEPARTMENT OF COMMUNITY DEVELOPMENT AND INFRASTRUCTURE

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CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) INITIAL STUDY/ENVIRONMENTAL CHECKLIST

Date: September 11, 2024

Application Number: 221077

Project Name: Locatelli Subdivision

Staff Planner: Jonathan DiSalvo

I. OVERVIEW AND ENVIRONMENTAL DETERMINATION

APPLICANT: Swift Consulting Service

APNs:

029-391-01, 029-391-02,
029-391-03, & 029-061-19

OWNER: Claudio Locatelli

SUPERVISORIAL DISTRICT: First District

PROJECT LOCATION: The project is located on the southeast side of Mattison Lane within the community of Live Oak in unincorporated Santa Cruz County. Santa Cruz County is bounded on the north by San Mateo County, on the south by Monterey and San Benito counties, on the east by Santa Clara County, and on the south and west by the Monterey Bay and the Pacific Ocean.

SUMMARY PROJECT DESCRIPTION:

Proposal to demolish two existing residential dwellings and related outbuildings and to construct 24 semi-detached townhomes and one detached townhome for a total of 25 residential units. This project requires approval of a Subdivision, Planned Unit Development, Residential Development Permit with Density Bonus, Park Site Review, Roadway/Roadside Exception, and Preliminary Grading Review. (FIGURE 2)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: *All of the following potential environmental impacts are evaluated in this Initial Study. Categories that are marked have been analyzed in greater detail based on project specific information.*

- | | |
|---|--|
| ☒ Aesthetics and Visual Resources | ☐ Mineral Resources |
| ☐ Agriculture and Forestry Resources | ☐ Noise |
| ☐ Air Quality | ☐ Population and Housing |
| ☒ Biological Resources | ☐ Public Services |
| ☒ Cultural Resources | ☐ Recreation |
| ☐ Energy | ☐ Transportation |
| ☒ Geology and Soils | ☐ Tribal Cultural Resources |

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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: *All of the following potential environmental impacts are evaluated in this Initial Study. Categories that are marked have been analyzed in greater detail based on project specific information.*

- | | |
|---|---|
| ☐ Greenhouse Gas Emissions | ☐ Utilities and Service Systems |
| ☐ Hazards and Hazardous Materials | ☐ Wildfire |
| ☐ Hydrology/Water Supply/Water Quality | ☐ Mandatory Findings of Significance |
| ☐ Land Use and Planning | |

DISCRETIONARY APPROVAL(S) BEING CONSIDERED:

- | | |
|--|---|
| ☐ General Plan Amendment | ☐ Coastal Development Permit |
| ☒ Land Division | ☒ Grading Permit |
| ☐ Rezoning | ☐ Riparian Exception |
| ☒ Development Permit | ☐ LAFCO Annexation |
| ☐ Sewer Connection Permit | ☒ Other: Park Site Review |

OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED (e.g., permits, financing approval, or participation agreement):

<u>Permit Type/Action</u>	<u>Agency</u>
Construction General Permit 1602/SAA	Regional Water Quality Control Board California Department of Fish and Wildlife

CONSULTATION WITH NATIVE AMERICAN TRIBES: *Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?*

No California Native American tribes traditionally and culturally affiliated with the area of Santa Cruz County have requested consultation pursuant to Public Resources Code section 21080.3.1.

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 or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

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- ☐ 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.

DocuSigned by:

Matt Johnston

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9/11/2024

MATT JOHNSTON, Environmental Coordinator

Date

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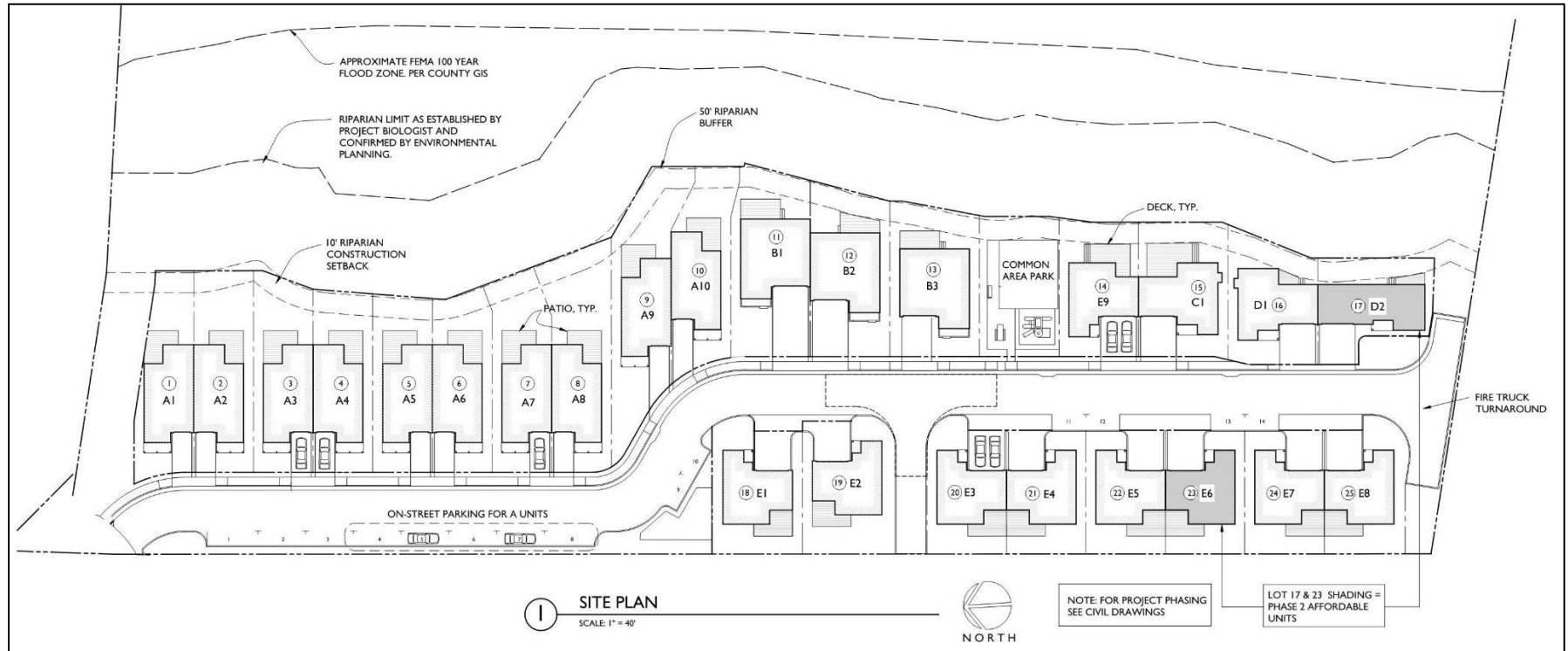
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Project Site Plan

Figure 2

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II. BACKGROUND INFORMATION

EXISTING SITE CONDITIONS:

Project Site Size (acres): 5.92 Acres
 Existing Land Use: Residential
 Vegetation: Oak woodland, riparian woodland, annual grassland, and residential/commercial landscaped areas.
 Slope in area affected by project: ☒ 0 - 30% ☐ 31 – 100% ☐ N/A
 Nearby Watercourse: Rodeo Gulch Creek
 Distance To: Varies. Approximately 50 to 60 feet

ENVIRONMENTAL RESOURCES AND CONSTRAINTS:

Water Supply Watershed:	No	Fault Zone:	No
Groundwater Recharge:	Partially Mapped	Scenic Corridor:	No
Timber or Mineral:	No	Historic:	No
Agricultural Resource:	No	Archaeology:	Partially Mapped
Biologically Sensitive Habitat:	Partially Mapped	Noise Constraint:	No
Fire Hazard:	No	Electric Power Lines:	No
Floodplain:	Partially Mapped	Solar Access:	Available
Erosion:	No	Solar Orientation:	Southeast
Landslide:	No	Hazardous Materials:	No
Liquefaction:	High Potential	Other:	None

SERVICES:

Fire Protection:	Central FPD	Drainage District:	Zone 5
School District:	Live Oak	Project Access:	Mattison Lane
Sewage Disposal:	Santa Cruz Sanitation District	Water Supply:	City of Santa Cruz

PLANNING POLICIES:

Zone Districts:	R-1-6-D, R-1-4, PR	Special Designation:	"D" Designated Park Site Combining District
General Plan Designations:	R-UL, R-UM, O-U		
Urban Services Line:	☒ Inside	☐ Outside	
Coastal Zone:	☐ Inside	☒ Outside	

ENVIRONMENTAL SETTING AND SURROUNDING LAND USES:

Natural Environment

Santa Cruz County is uniquely situated along the northern end of Monterey Bay approximately 55 miles south of the City of San Francisco along the Central Coast. The Pacific Ocean and Monterey Bay to the west and south, the mountains inland, and the prime agricultural lands along both the northern and southern coast of the county create limitations on the style and amount of building that can take place. Simultaneously, these natural features create an environment that attracts both visitors and new residents every year. The natural landscape provides the basic features that set Santa Cruz apart from the surrounding counties and require specific accommodations to ensure building is done in a safe, responsible and environmentally respectful manner.

The California Coastal Zone affects nearly one third of the land in the urbanized area of the unincorporated County with special restrictions, regulations, and processing procedures required for development within that area. Steep hillsides require extensive review and engineering to ensure that slopes remain stable, buildings are safe, and water quality is not impacted by increased erosion. The farmland in Santa Cruz County is among the best in the world, and the agriculture industry is a primary economic generator for the County. Preserving this industry in the face of population growth requires that soils best suited to commercial agriculture remain active in crop production rather than converting to other land uses.

PROJECT BACKGROUND:

The project site is located at 2450 Mattison Lane spanning four contiguous parcels [Assessor's Parcel Numbers (APNs) 029-391-01, 02, 03 & 029-061-19]. The site is bounded by townhomes and single-family residential uses and Mattison Lane on the north, residential uses on the south, residential properties on the west, and Rodeo Creek Gulch to the east. The project site is located in a developed area, consisting primarily of low-density residential development with primarily single-family homes. The project site and several adjacent properties are underdeveloped.

The property contains two homes, several abandoned greenhouses and storage structures, trellises, and remnants of a former agricultural property that had two uses: poultry farmstead and nursery. The homes were originally constructed in 1935 and have been highly altered since original construction. The existing impervious surface area on the site is approximately 7,006 square feet. Vegetation on the site consists of oak woodland, riparian woodland, annual grassland, and residential/commercial landscaped areas. The project will remove one oak tree located along the eastern property line. The 11 oak trees that were previously on-site were removed and are considered a project impact.

Prior work has been completed in preparation of the current subdivision application. This work has included pre-application consultations and technical report reviews. Key technical reviews and approvals include:

- Review and acceptance of Geotechnical Report (REV221076)
- Review and conditioned acceptance of Biotic Report Review (REV221075)
- Review and acceptance of Archeological Report Review (REV221074)
- Review and conditioned acceptance of Arborist Report Review (REV221073)

DETAILED PROJECT DESCRIPTION:

The project proposes access off Mattison Lane, via a new road. The proposal would demolish two existing residential dwellings and related outbuildings to construct 24 semi-detached townhomes and one detached townhome ranging from approximately 1,300 square feet to 2,100 square feet in size. Due to limitations within the Rodeo Gulch Sewer Moratorium area in which the project site is located, the project is proposed to be constructed in two phases. The first phase would construct 16-units, and the second phase would construct the remaining nine units if the sewer moratorium is lifted in the future. As shown on the preliminary tentative map, dwellings would each be located on individual lots, for a total of 25 residential townhome lots. All common areas would be located within one common area lot identified as 'Parcel A'.

As proposed, the project would provide four moderate-income units for sale, thus is eligible for a Density Bonus of 40 percent pursuant to California Government Code sections 65615-65918 and SCCC Chapter 17.12, referred to herein collectively as Density Bonus Law. The applicant is proposing to construct one of the bonus units earned, for a total of 25 units.

A formal development permit application for this project was submitted to the County on May 23, 2022, and after review by applicable agencies, the application was deemed complete on February 23rd, 2024, in conformance with the Permit Streamlining Act. On December 13th, 2022, the Santa Cruz County Board of Supervisors adopted the Sustainability Policy and Regulatory Update ("Sustainability Update") after certifying an Environmental Impact Report ("EIR") prepared for the Update. The Sustainability Update was a comprehensive update to the County's General Plan/Local Coastal Program (LCP) and consists of amendments to the County's General Plan/LCP, including four updated General Plan elements, amendments to sections of the Santa Cruz County Code, adoption of County Design Guidelines, and land use and zoning map amendments. On March 15th, 2024, the California Coastal Commission certified the Sustainability Update LCP Amendment. With Coastal Commission certification, the Sustainability Update became effective on March 15th, 2024.

Under the provisions of the Permit Streamlining Act, the Applicant is subject to the version of the County Code in effect when the application was deemed complete; however, the Applicant also has the option to proceed under the provisions of the Sustainability Update. The Application was deemed complete on February 23rd, 2024, predating the Sustainability Update

becoming effective on March 15th, 2024; therefore, the project was originally analyzed under the version of County Code predating the Sustainability Update.

This project requires approval of a Subdivision, Planned Unit Development, Residential Development Permit with Density Bonus, Park Site Review, Roadway/Roadside Exception, and Preliminary Grading Review.

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Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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III. ENVIRONMENTAL REVIEW CHECKLIST

A. AESTHETICS AND VISUAL RESOURCES

Except as provided in Public Resources Code section 21099, would the project:

1. Have a substantial adverse effect on a scenic vista? ☐ ☐ ☐ ☒

Discussion: The project is located within an existing developed residential neighborhood within the County's designated Urban Services Line (USL). The site is not located within a scenic vista, such as views from designated scenic roads, Coastal Special Scenic Areas, sites with unique geological areas, or areas with ocean views, agricultural fields, wooded forests, open meadows, ridgetops, or mountain hillside views that are identified as public scenic assets. While the project site is underdeveloped, it is generally surrounded by urban development and not within areas of scenic views. Thus, the project is not located in a scenic area and would not have an adverse effect on a scenic view as none have been identified, mapped or observed that include the project site. The project would not directly impact any public scenic vistas in the area.

2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? ☐ ☐ ☐ ☒

Discussion: The project site is not located along a designated state scenic highway, a County-designated scenic road, public viewshed area, scenic corridor, or scenic resource area. Therefore, no impact is anticipated.

3. 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? ☐ ☐ ☐ ☒

Discussion: The project is designed to be consistent with County Code sections that regulate height, bulk, density, setback, landscaping, and design of new structures in the County, including County Code Chapter 13.11, Site, Architectural and Landscape Design Review, including all applicable design guidelines.

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4. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

☐	☒	☐	☐
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Discussion: The project would create a potentially significant increase in night lighting. Mitigations have been included to reduce any impacts to less than significant. See Bio-1 in section D.1.

B. 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:

1. 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?

☐	☐	☐	☒
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Discussion: The project site does not contain any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. In addition, the project does not contain Farmland of Local Importance. Therefore, no Prime Farmland, Unique Farmland, Farmland of Statewide or Farmland of Local Importance would be converted to a non-agricultural use. No impact would occur from project implementation.

2. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

☐	☐	☐	☒
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Discussion: The property on which the project is proposed is zoned R-1-6-D, R-1-4, and PR which are not considered to be agricultural zones. Additionally, the project site's land is not under a Williamson Act contract. Therefore, the project does not conflict with existing zoning for agricultural use, or a Williamson Act contract. No impact is anticipated.

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
3. 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))?	☐	☐	☐	☒

Discussion: The project is not located near land designated as Timber Resource. Therefore, the project would not affect the resource or access to harvest the resource in the future.

4. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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Discussion: No forest land occurs on the project site or in the immediate vicinity. See discussion under B-3 above. No impact is anticipated.

5. 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?	☐	☐	☐	☒
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Discussion: The project site and surrounding area within a radius of 1.7 miles does not contain any lands designated as Prime Farmland, Unique Farmland, Farmland of Statewide Importance or Farmland of Local Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. Therefore, no Prime Farmland, Unique Farmland, Farmland of Statewide, or Farmland of Local Importance would be converted to a non-agricultural use. In addition, the project site contains no forest land, and no forest land occurs within 1.75 miles of the project site. Therefore, no impacts are anticipated.

C. AIR QUALITY

The significance criteria established by the Monterey Bay Air Resources District (MBARD)¹ has been relied upon to make the following determinations. Would the project:

1. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
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¹ Formerly known as the Monterey Bay Unified Air Pollution Control District (MBUAPCD).

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Discussion: The project would not conflict with or obstruct any long-range air quality plans of the MBARD. Because general construction activity related emissions (i.e., temporary sources) are accounted for in the emission inventories included in the air quality plans, impacts to air quality plan objectives are less than significant.

General estimated basin-wide construction-related emissions are included in the MBARD emission inventory (which, in part, form the basis for the air quality plans cited below) and are not expected to prevent long-term attainment or maintenance of the ozone and particulate matter standards within the North Central Coast Air Basin (NCCAB). Therefore, temporary construction impacts related to air quality plans for these pollutants from the project would be less than significant, and no mitigation would be required, since they are presently estimated and accounted for in the District’s emission inventory, as described below. No stationary sources would be constructed that would be long-term permanent sources of emissions.

The project would result in new long-term operational emissions from vehicle trips (mobile emissions), the use of natural gas (energy source emissions), and consumer products, architectural coatings, and landscape maintenance equipment (area source emissions). Mobile source emissions constitute most operational emissions from this type of land use development project. However, emissions associated with buildout of this type of project is not expected to exceed any applicable MBARD thresholds. No stationary sources would be constructed that would be long-term permanent sources of emissions. Therefore, impacts to regional air quality as a result of long-term operation of the project would be less than significant.

Santa Cruz County is located within the NCCAB. The NCCAB does not meet state standards for ozone (reactive organic gases [ROGs] and nitrogen oxides [NOx]) and fine particulate matter (PM₁₀). Therefore, the regional pollutants of concern that would be emitted by the project are ozone precursors and PM₁₀.

The primary sources of ROG within the air basin are on- and off-road motor vehicles, petroleum production and marketing, solvent evaporation, and prescribed burning. The primary sources of NOx are on- and off-road motor vehicles, stationary source fuel combustion, and industrial processes. In 2010, daily emissions of ROGs were estimated at 63 tons per day. Of this, area-wide sources represented 49%, mobile sources represented 36%, and stationary sources represented 15%. Daily emissions of NOx were estimated at 54 tons per day with 69% from mobile sources, 22% from stationary sources, and 9% from area-wide sources. In addition, the region is “NOx sensitive,” meaning that ozone formation due to local emissions is more limited by the availability of NOx as opposed to the availability of ROGs (MBUAPCD, 2013b).

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PM₁₀ is the other major pollutant of concern for the NCCAB. In the NCCAB, highest particulate levels and most frequent violations occur in the coastal corridor. In this area, fugitive dust from various geological and man-made sources combines to exceed the standard. The majority of NCCAB exceedances occur at coastal sites, where sea salt is often the main factor causing exceedance. In 2005 daily emissions of PM₁₀ were estimated at 102 tons per day. Of this, entrained road dust represented 35% of all PM₁₀ emission, windblown dust 20%, agricultural tilling operations 15%, waste burning 17%, construction 4%, and mobile sources, industrial processes, and other sources made up 9% (MBUAPCD, 2008).

Given the modest amount of new traffic that would be generated by the project there is no indication that new emissions of ROG_s or NO_x would exceed MBARD thresholds for these pollutants; and therefore, there would not be a significant contribution to an existing air quality violation.

Project construction may result in a short term, localized decrease in air quality due to generation of PM₁₀. However, standard dust control best management practices (BMPs), such as periodic watering, would be implemented during construction to avoid significant air quality impacts from the generation of PM₁₀.

Emissions from construction activities represent temporary impacts that are typically short in duration, depending on the size, phasing, and type of project. Air quality impacts can nevertheless be acute during construction periods, resulting in significant localized impacts to air quality. Table 1 summarizes the threshold of significance for construction activities.

Table 1: Construction Activity with Potentially Significant Impacts from Pollutant PM ₁₀	
Activity	Potential Threshold*
Construction site with minimal earthmoving	8.1 acres per day
Construction site with earthmoving (grading, excavation)	2.2 acres per day
*Based on Midwest Research Institute, <u>Improvement of Specific Emission Factors</u> (1995). Assumes 21.75 working weekdays per month and daily watering of site. Note: Construction projects below the screening level thresholds shown above are assumed to be below the 82 lb/day threshold of significance, while projects with activity levels higher than those above may have a significant impact on air quality. Additional mitigation and analysis of the project impact may be necessary for those construction activities. Source: Monterey Bay Unified Air Pollution Control District, 2008.	

Impacts

Construction

As required by the MBARD, construction activities (e.g., excavation, grading, on-site vehicles) which directly generate 82 pounds per day or more of PM₁₀ would have a significant impact on local air quality when they are located nearby and upwind of sensitive receptors such as the community of Live Oak (Table 1). Construction projects below the screening level thresholds shown in Table 1 are assumed to be below the 82 lb/day threshold of

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significance, while projects with activity levels higher than those thresholds may have a significant impact on air quality. The proposed project would require minimal grading. Although the project would produce PM₁₀, it would be far below the 82 pounds per day threshold. This would result in less than significant impacts on air quality from the generation of PM₁₀.

Construction projects using typical construction equipment such as dump trucks, scrapers, bulldozers, compactors, and front-end loaders that temporarily emit precursors of ozone (i.e., volatile organic compounds [VOC] or oxides of nitrogen [NO_x]), are accommodated in the emission inventories of state- and federally-required air plans and would not have a significant impact on the attainment and maintenance of ozone ambient air quality standard (AAQS) (MBUAPCD 2008).

Although not a mitigation measure per se (i.e., required by law), California ultralow sulfur diesel fuel with a maximum sulfur content of 15 ppm by weight will be used in all diesel-powered equipment, which minimizes sulfur dioxide and particulate matter.

The following BMPs will be implemented during all site excavation and grading.

Operation

Recommended Measures

- No mitigation is required. However, MBARD recommends the use of the following BMPs for the control of short-term construction generated emissions: Water all active construction areas at least twice daily as necessary and indicated by soil and air conditions.
- Prohibit all grading during periods of high wind (over 15 mph).
- Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days)
- Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed areas.
- Haul trucks shall maintain at least 2' 0" freeboard.
- Cover all trucks hauling soil, sand, and other loose materials.
- Plant tree windbreaks on the windward perimeter of construction projects if adjacent to open land.
- Plant vegetative ground cover in disturbed areas as quickly as possible.
- Cover inactive storage piles.
- Install wheel washers at the entrance to construction sites for all existing trucks.
- Pave all roads on construction sites.
- Sweep streets, if visible soil material is carried out from the construction site.

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- Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and corrective action within 48 hours. The phone number of the Monterey Bay Air Resources District shall be visible to ensure compliance with Rule 402 (Nuisance),
- Limit the area under construction at any one time.

Implementation of the above recommended BMPs for the control of construction-related emissions would further reduce construction-related particulate emissions. These measures are not required by MBARD or as mitigation measures, as the impact would be less than significant without mitigation. These types of measures are commonly included as conditions of approval associated with development permits approved by the County.

2. *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?*
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| ☐ | ☐ | ☒ | ☐ |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The primary pollutants of concern for the NCCAB are ozone and PM₁₀, as those are the pollutants for which the district is in nonattainment. Project construction would have a limited and temporary potential to contribute to existing violations of California air quality standards for ozone and PM₁₀ primarily through diesel engine exhaust and fugitive dust. The criteria for assessing cumulative impacts on localized air quality are the same as those for assessing individual project impacts. Projects that do not exceed MBARD's construction or operational thresholds and are consistent with the AQMP would not have cumulatively considerable impacts on regional air quality (MBARD, 2008). Because the project would not exceed MBARD's thresholds and is consistent with the AQMP, there would not be cumulative impacts on regional air quality.

3. *Expose sensitive receptors to substantial pollutant concentrations?*
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| ☐ | ☐ | ☒ | ☐ |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project site is located within the Urban Services Line in an area of existing residential development.

The proposed residential subdivision project would not generate substantial pollutant concentrations. Emissions from construction activities represent temporary impacts that are typically short in duration. Impacts to sensitive receptors would be less than significant.

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
4. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Discussion: Land uses typically producing objectionable odors include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed project does not include any uses that would be associated with objectionable odors. Odor emissions from the proposed project would be limited to odors associated with vehicle and engine exhaust and idling from cars entering, parking, and exiting the facility. The project does not include any known sources of objectionable odors associated with the long-term operations phase.

During construction activities, only short-term, temporary odors from vehicle exhaust and construction equipment engines would occur. California ultralow sulfur diesel fuel with a maximum sulfur content of 15 ppm by weight would be used in all diesel-powered equipment, which minimizes emissions of sulfurous gases (sulfur dioxide, hydrogen sulfide, carbon disulfide, and carbonyl sulfide). As the project site is in a coastal area that contains coastal breezes off of the Monterey Bay, construction-related odors would disperse and dissipate and would not cause substantial odors. Construction-related odors would be short-term and would cease upon completion. Therefore, no objectionable odors are anticipated from construction activities associated with the project.

The project would not create objectionable odors affecting a substantial number of people; therefore, the project is not expected to result in significant impacts related to objectionable odors during construction or operation.

D. BIOLOGICAL RESOURCES

Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 1. 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? | ☐ | ☒ | ☐ | ☐ |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion: The project site is located in an area of biotic concern. A biotic report was prepared for this project by Biotic Resources Group, dated October 25, 2023. This report has been reviewed and conditionally accepted by the Planning Department Environmental Section (Attachment 2).

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Special-Status Species

Focused rare plant surveys were not conducted as part of this biotic review. The biotic report concludes that the project site lacks suitable habitat components (specialized plant communities, substrate and/or microhabitat) for most special-status plant species that occur in the region. However, the presence or absence of some species cannot be definitively determined without a survey conducted during the appropriate blooming period. Protective measures for rare plants are included in the mitigations below.

The eucalyptus trees on the parcel were evaluated for their potential to host overwintering monarchs. This grove has not been recorded as a monarch butterfly overwintering site. The grove is relatively small and lacks habitat components needed for monarch overwintering such as adequate shelter from winds and variable microclimates. The proposed project is not expected to negatively impact western monarchs.

Rodeo Gulch Creek and its riparian corridor support potential habitat for special-status wildlife including the following State Species of Special Concern: yellow warbler, western red bat, San Francisco dusky-footed woodrat, Santa Cruz black salamander, and California giant salamander. Woodrat houses were observed in the riparian woodland and may be present in/near the work area for the storm drain and energy dissipator. Ponded areas within the creek channel could provide habitat for western pond turtles, a Federal Candidate species, which may breed in suitable locations along the creek banks.

Protected bats may roost in the empty outbuildings by entering through cracks and openings observed on the outside of the structures. In addition, trees within and immediately adjacent to the Study Area provide potential roosting habitat for protected bats and nesting habitat for birds of prey, and migratory birds protected under the California Fish and Game Code, and the Federal Migratory Bird Treaty Act (MBTA). Under the MBTA, it is “unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill” a migratory bird unless and except as permitted by regulations.

Mitigations have been included below to ensure that proposed development will avoid and minimize impacts to special-status species during and after project construction.

Conclusion

There are sensitive habitat constraints on the project site associated with riparian woodland, oak woodland, and habitat for protected species that must be considered prior to and during project implementation and with ongoing use of the site. Mitigations have been included below to ensure that proposed development will avoid and minimize impacts to remaining sensitive habitats and special-status species and to compensate for permanent loss of oak woodland and riparian habitats resulting from the project.

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The Mitigations below shall be incorporated as conditions of approval into all phases of development for this project and shall also apply to all future development activities engaged in on the property. Environmental Planning Staff will review all future development plans and building permit applications to ensure conformance with the mitigations and conditions of approval set forth in this biotic review.

The avoidance and minimization measures in the biotic report, and conditions of approval in the County biotic approval letter have been incorporated into the mitigation measures below to reduce project related impacts to less than significant.

Mitigation Measures

The following mitigation measures would reduce significant impacts to a less than significant level.

BIO-1: To reduce potential impacts to sensitive habitats and special-status species that may result from artificial light, the following shall be adhered to:

- A. The project shall avoid the installation of any non-essential artificial lighting. If artificial lighting is necessary, the project shall avoid or limit the use of artificial lights during the hours of dawn and dusk, when many wildlife species are most active.
- B. All essential outdoor lighting shall be limited through the use of timers and/or motion sensors.
- C. All essential outdoor lighting shall be shielded, cast downward, and directed such that it does not shine off the property into surrounding areas, other parcels, or the night sky.

2. *Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations (e.g., wetland, native grassland, special forests, intertidal zone, etc.) or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

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Elements of the proposed project overlap with existing and former Coast live oak woodland and the riparian corridor of Rodeo Gulch Creek. Coast live oak woodland, riparian corridors, aquatic habitats, and habitat for special-status species are considered sensitive under Santa Cruz County's Sensitive Habitat Protection Ordinance (Chapter 16.32). Biological Resources including special-status species and their habitats and other sensitive natural communities as identified by local policies, California Department of Fish and Wildlife (CDFW), or United States Fish and Wildlife Service (USFWS) are also protected under the California

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Environmental Quality Act (CEQA), the California Endangered Species Act, the Federal Endangered Species Act.

Aquatic habitats and their riparian corridors (as defined by Santa Cruz County Code Section 16.30.030) are granted additional special protections under the County’s Riparian Corridor and Wetlands Protection ordinance (Chapter 16.30). Development activities are prohibited within Riparian Corridors unless Riparian Exception Findings (SCCC 16.30.060) are met, and a Riparian Exception is approved by County Planning, or the activities are otherwise exempt.

Many aquatic habitats are also regulated under the Clean Water Act Section 404 by U. S. Army Corps of Engineers (USACE) below the ordinary high-water mark (OHWM), and Section 401 by the Regional Water Quality Control Board (RWQCB). The bed and banks are regulated under California Fish and Game Code Section 1602 and may be subject to regulation under the Porter-Cologne Water Quality Act as “Waters of the State”.

Sensitive Habitats

The Project Site is currently dominated by non-native grassland and previously disturbed/developed areas where mature trees have already been removed. The project maintains a required 50-foot-wide riparian buffer between the residential houses and the riparian woodland/top-of-bank.

The proposed storm drainage system for the project will encroach into the riparian corridor of Rodeo Gulch Creek. Permanent impacts to existing riparian woodland will occur from installation of this system. Approximately 74 square feet (0.002 acre) of riparian vegetation will be permanently impacted, and an additional 440 square feet (0.01 acre) of riparian woodland will be temporarily impacted through removal and/or trimming of riparian vegetation for construction access.

Permanent impacts to riparian habitat must be mitigated through on-site restoration of riparian habitat at a 3:1 ratio of restoration to impacts. All temporarily impacted areas must be restored at a 1:1 ratio through active planting of riparian species.

During preliminary review of the proposed project in 2021 for Design Review Group (DRG) #211191, Environmental Planning (EP) Staff determined that the Project Site contains sensitive habitat as defined by the County’s Sensitive Habitat Protection and Riparian Corridor and Wetlands Protection ordinances (Chapters 16.30 and 16.32). A Biotic Report dated December 13, 2013 and an Arborist Report dated March 16, 2021 were submitted as part of the 2021 DRG. The 2013 Biotic Report was submitted in 2022 with discretionary application #221077 and reviewed by the Planning Staff Biologist under REV221075. This report was expired, and an updated Biotic Report was required.

The 2013 report identifies oak groves within the project footprint and evaluates removal of 12 oak trees that would result from the proposed project. The Updated Biotic Report dated

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December 8, 2022, discusses removal of oak trees that occurred on the property since the 2013 report was prepared. During a site visit made on July 18, 2023, Environmental Planning Staff observed evidence of tree removal on the property. Additional information about the details of this tree removal was requested in the August 1, 2023, Environmental Planning Request for Additional Information. The attached 2023 Updated Biotic Report and Arborist Addendum confirm that eleven oak trees ranging in size from 8” DBH to 40” DBH (approximately 0.25-acre oak woodland canopy) were removed from the proposed Project Site in early 2021.

The applicant was advised in Environmental Planning Comments prepared for Design Review Group (DRG) #211191 dated July 13, 2021, Environmental Planning Review Comments dated June 15, 2022, and April 27, 2023, and two Environmental Planning Requests for Additional Information related to this Biotic Report Review dated August 9, 2022, and August 1, 2023, that mature oak trees on the property must be preserved and protected in place. Because of the potential for alternative configurations for development that would avoid and/or minimize impacts to the remaining oak trees on the property, the project applicant was directed to design a project such that earthwork would not occur within the critical root zone of existing oak trees.

In 2023 the project design was re-configured to reduce impacts to one remaining 24” DBH oak tree (identified in the Arborist Report as T4). The Arborist Addendum includes a revised impact assessment including the eleven trees that were removed in 2021 and evaluates project impacts on the remaining trees on the property based on the latest project design. The report concludes that T4 can be preserved in place and that removal of one additional 8” DBH oak tree (T1) is required.

Eleven mature coast live oak trees were removed from the Project Site without permits in 2021. The project proposes to remove one additional oak tree. The Biotic Report estimates a total impact area of 0.31 acres of impact to oak woodland by calculating the canopy spread of 1) the extant woodland proposed for removal, 2) area of oak woodland previously removed in 2021, and 3) temporary impacts beneath the canopy of trees to be retained. In addition, construction activities and permanent development are proposed within the dripline of existing oak trees around the perimeter of the development and on adjacent parcels (including Trees T4 and T11). Grading or trenching could cause direct mortality or decline of these trees after construction is complete. Recommendations included in the Arborist Report for protection of existing oak trees must be adhered to.

To reduce impacts to less than significant, oak trees removed or otherwise permanently impacted as a result of the project, including the eleven oak trees removed from the Study Area in 2021, must be replaced in-kind at the following compensation ratios determined by

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the Environmental Coordinator, based upon standards established by the California Department of Fish and Wildlife:

- (1) trees less than 5 inches diameter at breast height (DBH) should be replaced at 2:1;
- (2) trees between 5 and 11.5 inches DBH should be replaced at 3:1;
- (3) trees between 12 and 23.5 inches DBH should be replaced at 5:1;
- (4) trees 24 inches or greater DBH should be replaced at 10:1.

Based on review of the attached reports and current project plans, the Environmental Coordinator has estimated a total of 62 trees required to be planted (4 trees at the 3:1 ratio, 6 trees at 5:1, and 2 trees at 10:1). If there is not adequate room on site to plant all the required replacement oak trees in a configuration that creates a healthy oak woodland habitat, the restoration plan must identify an off-site location for these required plantings with property owner approval for a deed restricted mitigation site. As a last resort, the project may propose to pay into a County approved in-leu fee program if such a program is available.

Mitigations are included below to ensure protection of the remaining native oak trees during project construction and ongoing use of the site as well as to compensate for permanent loss of oak woodland and project inconsistencies with local policies and ordinances.

Mitigation Measures

The following mitigation measures would reduce significant impacts to a less than significant level.

BIO-2: The final plans shall include the following:

- A. The development footprint shall be delineated on the final project plans with a thick bold solid line. All temporary and permanent disturbance associated with the project including all grading, vegetation removal, buildings, utilities, paving, landscaping, access routes, and deposition of refuse or debris shall be within the delineated development footprint. Everything outside of the development footprint shall be marked on the plans as sensitive habitat and fenced for avoidance during construction.
- B. The final project plans shall clearly designate and label the entire portion of "Parcel A" east of the 50' riparian buffer line as "Protected Habitat Area".
- C. A plan sheet showing protected trees plotted and tree protection specifications. Measures to reduce impacts to retained trees shall be included in the final project plans.
- D. A plan sheet showing the mitigation planting areas as required in the Mitigations below. The 20' wide sanitation easement and the in the 25' storm drain easement shall be shown on this plan sheet where mitigation tree plantings may not occur.

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BIO-3: To comply with Santa Cruz County General Plan Policy 5.1.12 (ARC-3.2.1) and SCCC Section 16.32.090 (B)(3), and to compensate for permanent loss of oak woodland habitat and riparian woodland habitat, the following shall be adhered to:

- A. Oak trees removed as a result of this project (including the 11 trees removed prior to this biotic review) shall be mitigated through replacement plantings in kind either onsite or at an approved offsite location at the following ratios:
 1. Trees less than 5 inches diameter at breast height (DBH) shall be replaced at 2:1;
 2. Trees between 5 and 11.5 inches DBH shall be replaced at 3:1;
 3. Trees between 12 and 23.5 inches DBH shall be replaced at 5:1;
 4. Trees 24 inches or greater DBH shall be replaced at 10:1.
- B. Based on review of the attached reports and current project plans, the Environmental Coordinator has estimated a minimum of 62 oak trees must be planted (4 trees at the 3:1 ratio, 6 trees at 5:1, and 2 trees at 10:1).
- C. The project applicant may propose to pay into a County approved in-lieu fee program for oak tree removal compensation if such a program is available. This option must be considered only as a last resort and must be approved by the Environmental Coordinator. Alternative options considered and determined infeasible must be discussed in the Habitat Restoration and Mitigation Plan.
- D. Permanent impacts to riparian habitat shall be mitigated through on-site restoration of riparian habitat at a 3:1 ratio of restoration to impacts. All temporarily impacted areas must be restored at a 1:1 ratio through active planting of riparian species. Riparian mitigation sites must be located within areas appropriate for riparian vegetation such as areas that are contiguous to and affected by the hydrology of the creek or another source of hydrology.
- E. Riparian enhancement and/or restoration activities (i.e. removal and ongoing management of invasive species) commensurate with the proposed development shall occur within the existing riparian corridor located along the eastern portion of the Study Area.

Prior to Recordation of the Final Subdivision Map

BIO-4: All Portions of Parcel A east of the 50-foot riparian buffer line shall be identified as "Protected Habitat Area" on the final subdivision map where development shall not occur in the future. The final subdivision map shall include the following notes:

- A. No development as defined in Chapter 16.32 of the County Code (including, without limitation, removal of trees and other vegetation, grading, paving, installation of structures such as signs, buildings, or other structures of similar impact) shall occur within the Protected Habitat Areas with the exception of the following, subject to the Planning Director's review and approval:

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1. The removal of hazardous substances or conditions or non-native or diseased plants or trees provided that such activities have been reviewed and approved by the Planning Director and determined as not involving the unnecessary disturbance of indigenous ground cover or native wildlife;
2. Habitat restoration activities as outlined in the approved Habitat Restoration and Mitigation Plan including habitat management strategies to control re-establishment of invasive non-native species and maintain healthy native habitat.

BIO-5. A Habitat Restoration and Mitigation Plan prepared by a qualified biologist or restoration specialist shall be submitted for review and approval by Environmental Planning Staff prior to recordation of the final subdivision map. The establishment and planting of all restoration areas as outlined in this Plan must be completed prior to final inspection of the subdivision improvements for Phase I of the project. The Plan shall be focused on restoring and maintaining native plant structure and species composition of oak woodland and riparian habitats at the required ratios listed in BIO-3 above and must include the following minimum elements:

- A. A map identifying Parcel A east of the 50' riparian buffer line as "Protected Habitat Area" where development shall not occur in the future.
- B. A map of all designated restoration areas on site. Restoration areas shall include areas intended for oak woodland habitat restoration, riparian habitat restoration, and areas designated for riparian enhancement and/or restoration activities.
 1. Please note that plantings for mitigation cannot be located in the 25' drainage easement or the 20' sanitation easement. Both of these easements must be shown on the restoration maps and planting plans.
- C. A planting plan with species, size, and locations of all restoration plantings that will occur on site. The sizes and distribution of restoration plantings shall be determined by the restoration specialist with the goal of establishing native plant structure and species composition of healthy habitat while maximizing plant health and survivability of individual plants.
 1. The planting plan shall include as many of the 62 replacement trees required under BIO-3A above as can be planted on-site while maintaining this goal. If there is not adequate room on site to plant all the required replacement oak trees in a configuration that creates a healthy oak woodland habitat, the remaining plantings shall occur at a designated off-site location.
- D. Identification of any off-site location required for replacement oak tree plantings including a map of all designated restoration areas on that site and a planting plan with species, size, and locations of all restoration plantings.

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1. Property owner approval for a deed restricted mitigation site must be provided for any off-site mitigation locations. An agreement for ongoing access to monitor and maintain the plantings for the required monitoring period must also be included.
 - E. If applicable as outlined in BIO-3C above, a proposal to pay into a County approved in-leu fee program for oak tree removal compensation including a discussion of the alternative options that were considered.
 - F. Plan for removal of non-native species on the parcel and a management strategy to control re-establishment of invasive non-native species.
 - G. Plan for riparian enhancement and/or restoration activities within the existing riparian corridor including methods for removal and ongoing management of invasive species and establishment or re-establishment of native habitat which may include specific treatments to promote natural re-establishment.
 - H. Information regarding the methods of irrigation for restoration plantings.
 - I. A plan showing the placement of split rail fencing and location of signs as needed to delineate the Protected Habitat Areas in the field and prevent trespassing. The location of fencing and number and location of protective signs shall be confirmed by the biologist based on site conditions and maximum protection of these habitat areas.
 - J. Any seed mix used for erosion control purposes on temporarily impacted areas and exposed soils shall be limited to seeds of native species common to the surrounding habitat and/or sterile seeds.
 - K. A 5-year Management Plan for maintenance and monitoring of restored areas, including a proposed mechanism for evaluating success.
- BIO-6:** Annual reports outlining the progress and success of the restoration and monitoring shall be submitted to the County Restoration Coordinator:
restoration.coordinator@santacruzcountycalifornia.gov by December 31 of each monitoring year.
- BIO-7:** In addition to the required 5-year annual monitoring and reporting, a 10-year monitoring report shall be prepared and submitted to the County Restoration Coordinator: restoration.coordinator@santacruzcounty.us outlining the continued implementation and results of Habitat Restoration and Mitigation Plan over the 10-year period.
- Prior to Permit Issuance
- BIO-8:** A focused rare plant survey shall be completed during the identifiable period for all special-status plants with potential to occur and submitted with the permit application for subdivision improvements for Phase I of the project for review and approval by Environmental Planning.
- A. If no special-status plants are found, no additional protective measures are required.

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- B. If any special-status plant is found present in the project impact area, the population shall be mapped and avoided as a sensitive habitat area as outlined in BIO-9 below.
 - 1. If avoidance is not possible, project construction may not commence until additional biotic approval from County Planning is received. Additional impact analysis (demonstrating adequate avoidance, minimization, and mitigation) shall be completed and reviewed by County Planning. Additional environmental analysis may be required based on the results of this review and analysis.

Construction Conditions

BIO-9: To protect sensitive habitats and special-status species during project related construction activities, the following shall be adhered to:

- A. Prior to any site disturbance, a pre-construction meeting shall be conducted. The purpose of the meeting will be to ensure that the biotic Conditions of Approval are communicated to the various parties responsible for constructing the project. The meeting shall involve all relevant parties including the project proponent, construction supervisor, Environmental Planning Staff, the project biologist, and the project arborist.
- B. Every individual working on the Project must attend biological awareness training prior to working on the job site. The training shall be delivered by a qualified biologist and shall include information regarding the location and identification of sensitive habitats and all special-status species with potential to occur in the project area, the importance of avoiding impacts to special-status species and sensitive habitats, and the steps necessary if any special-status species is encountered at any time.
- C. Prior to commencement of construction, high visibility fencing and/or flagging shall be installed with the assistance of a qualified biologist around all sensitive habitat areas to indicate the limits of work and prevent inadvertent grading or other disturbance within the adjacent sensitive habitat.
 - 1. No work-related activity including equipment staging, vehicular access, grading and/or vegetation removal shall be allowed outside the designated limits of work.
 - 2. Native trees to be retained near or within the project impact area shall be identified, protected with high visibility fencing at or outside of the dripline, and avoided during construction as sensitive habitat unless additional protection measures, provided by a qualified arborist, have been reviewed and approval by Environmental Planning Staff.
 - 3. The fencing shall be inspected and maintained daily until project completion.
 - 4. A qualified biologist shall be on site to monitor vegetation removal and initial ground disturbance activities that occur within the riparian corridor (including

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clearing and grubbing) to identify and recover any special-status species that may be found.

- 5. If a special-status animal is identified at any time prior to or during construction, work shall cease immediately in the vicinity of the individual. The animal shall either be allowed to move out of harm’s way on its own or a qualified biologist shall move the animal out of harm’s way to a safe relocation site. The biologist shall be allowed enough time to move any special-status species from the site before work activities begin. All sitings of special-status species shall be reported to the County Environmental Coordinator and submitted to the CNDDDB.
- 6. If a western pond turtle egg clutch is discovered at any time prior to or during construction, work in the vicinity of the egg clutch shall be halted immediately. Unless otherwise advised by CDFW, the nest location shall be protected with high visibility fencing under the guidance of a qualified biologist and shall be avoided until the biologist determines that the clutch has hatched, and individuals are no longer likely to be injured by work activities.
- 7. The following Recommended Avoidance and Minimization measures BIO-1, BIO-2, BIO -5, and BIO-7 of the attached Biotic Report dated Updated October 25, 2023, prepared by Biotic Resources Group shall be adhered to. *(Note: The recommended mitigation numbering from the report below does not conform with the initial study mitigation numbering presented in this document. They are provided here for reference to the attached biotic report).*
 - a. BIO-1. Dusky-footed Woodrat. Retain all woodrat houses (middens) on the property. No earlier than two weeks prior to the start of project activities, a qualified biologist should perform a pre-construction survey for woodrat houses within the project work boundaries and a 25-foot buffer around the project site perimeter. Flag and establish buffers around each woodrat house observed. The buffer width will be determined by the qualified biologist, but will not be less than 5 feet. If a woodrat house is present and impacts cannot be avoided, then a qualified biologist shall contact CDFW for approval to implement a woodrat relocation plan. This could involve live trapping and the construction of alternate houses in adjacent suitable habitat. The woodrat relocation plan must be implemented by a qualified biologist possessing a Scientific Collection Permit authorizing the handling of woodrats. Authorization by CDFW must be obtained prior to the implementation of this measure. Post-relocation monitoring may be required by CDFW, as part of the plan.
 - b. BIO-2. Bats. Removal of trees and abandoned buildings could result in the loss of roost sites or abandonment of bat roosts through noise or vibrations. Maternity roosts are most important as negative impacts can have broad, far-

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reaching effects, since such roosts are critical for reproduction and can support multiple generations of bats. No more than 30 days prior to demolition/tree removal, the applicant should hire a bat ecologist to investigate the interior of the outbuildings to determine if any bats have been using the structures. The bat ecologist should also check the oak trees to determine if any have cavities suitable for bat roosts. If there is no evidence of bat use (e.g., guano or observation of individuals), then the openings shall be secured/covered to prevent bats from entering prior to demolition and no further mitigation will be required. If bat use is detected, then schedule outbuilding demolition and tree removal to occur between August 15 and February 1 of any given year to avoid the bat breeding season for this part of the central coast. In addition, the bat ecologist shall conduct a focused survey no more than two weeks (14 days) prior to structure demolition and tree removal to determine if bats are currently using either. If no bats are occupying the outbuildings or tree cavities, then demolition may proceed. If bats are observed using the outbuildings or tree cavities, then the bat ecologist, in coordination with CDFW, will recommend methods to either allow bats to leave the outbuildings and trees and not return (exclusion devices), or other methods specific to this demolition project to avoid harm to individual bats. Trees without cavities may have foliage roosting bats occasionally. To avoid harm to individual bats, trees shall be cut down and allowed to lie on the ground for 24 hours prior to chipping, to allow any foliage roosting bats to leave on their own.

- c. BIO-5. Oak Trees. Avoid construction/development within the dripline of oak woodland vegetation that is to be retained. Implement protective measures around all retained oak trees, as directed by an arborist. Measures may include protective fencing, supervised pruning of limbs and roots, other measures as determined by the arborist.
- d. BIO-7. Nesting Birds. To avoid impacting nesting birds, if present, schedule tree removal and construction to occur between August 1 and March 1 of any given year, which is outside the bird nesting season. If tree removal and/or construction is to occur within the bird breeding season (March 1 - July 31), perform pre-construction nesting bird surveys within one week before the scheduled start of the project. The nesting survey should be performed by a qualified biologist and cover the entire property, since potential nesting raptors may require buffers at a minimum of 300 feet. In the event active nests are observed, the nest site shall be flagged and a buffer shall be established, in an effort to prevent nest failure. The buffer widths shall be determined by the qualified biologist, based on species, site conditions and anticipated construction activities. Active nests should be monitored at a frequency

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determined by the monitoring biologist, but at a minimum of once per week, until the nestlings have fledged. In the event that construction activities appear to be interfering with nest maintenance (e.g., feedings and incubation), then the buffers should be enlarged or construction activities postponed, until the young have fledged, as determined by the qualified biologist.

8. A brief memo summarizing the results of the preconstruction surveys outlined above in XII BIO-1, BIO-2 and BIO-7 shall be submitted to the Environmental Coordinator for review prior to start of construction.
9. Impacts to oak trees shall be avoided to the maximum extent possible. All Tree Protection Guidelines and Restrictions listed in the attached Arborist Report prepared by Kurt Fouts, shall be adhered to.

Prior to Final

BIO-10: Prior to final inspection of the subdivision improvements for Phase I of the project, the following shall occur:

- A. Establishment and planting of all restoration areas as outlined in the final approved Habitat Restoration and Mitigation Plan and placement of protective fencing and signs around the Protected Habitat Area shall be inspected and approved by Environmental Planning staff.
 - B. Receipt of full payment into any approved in-lieu fee program must be provided to the County.
3. *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?*

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Discussion: There are no mapped or designated federally protected wetlands on or adjacent to the project site. Therefore, no impacts would occur from project implementation.

4. *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

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Discussion: The project does not involve any activities that would interfere with the movements or migrations of fish or wildlife or impede use of a known wildlife nursery site.

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5. Conflict with any local policies or ordinances protecting biological resources (such as the Sensitive Habitat Ordinance, Riparian and Wetland Protection Ordinance, and the Significant Tree Protection Ordinance)?	☐	☒	☐	☐

Discussion: Removal of oak woodland without biotic approval is a violation of the rules and regulations set forth in Chapter 16.32 of the County Code to protect sensitive habitats [16.32.130(A)]. This project is therefore in conflict with local policies and ordinances protecting biological resources. To address this violation, mitigation measures as described above in Sections D.1 and D.2. are required to reduce impacts to a less than significant level.

6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒
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Discussion: The project would not conflict with the provisions of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, no impact would occur.

E. CULTURAL RESOURCES

Would the project:

1. Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	☐	☐	☐	☒
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Discussion: The existing structures on the property are not designated as a historic resource on any federal, state or local inventory. As a result, no impacts to historical resources would occur from project implementation.

2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?	☐	☐	☒	☐
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Discussion: According to the Cultural Resource Assessment Report, dated April 2018 and the Extended Phase 1 Cultural Resource Inventory Report, dated August 2023 prepared by Albion Environmental, there is no evidence of pre-historic cultural resources. However, pursuant to section 16.40.040 of the SCCC, if archeological resources are uncovered during

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construction, the responsible persons shall immediately cease and desist from all further site excavation and comply with the notification procedures given in SCCC Chapter 16.40.040.

Pursuant to section 16.40.040 of the SCCC, if archaeological resources are uncovered during construction, the responsible persons shall immediately cease and desist from all further site excavation and comply with the notification procedures given in SCCC Chapter 16.40.

3. Disturb any human remains, including those interred outside of dedicated cemeteries?
- ☐
- ☐
- ☒
- ☐

Discussion: Impacts are expected to be less than significant. However, pursuant to section 16.40.040 of the SCCC, and California Health and Safety Code sections 7050.5-7054, if at any time during site preparation, excavation, or other ground disturbance associated with this project, human remains are discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner and the Planning Director. If the coroner determines that the remains are not of recent origin, a full archaeological report shall be prepared, and representatives of local Native American Indian groups shall be contacted. If it is determined that the remains are Native American, the Native American Heritage Commission will be notified as required by law. The Commission will designate a Most Likely Descendant who will be authorized to provide recommendations for management of the Native American human remains. Pursuant to Public Resources Code section 5097, the descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. Disturbance shall not resume until the significance of the resource is determined and appropriate mitigations to preserve the resource on the site are established.

F. ENERGY

Would the project:

1. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- ☐
- ☐
- ☒
- ☐

Discussion: The project, like all development, would be responsible for an incremental increase in the consumption of energy resources during site grading and construction due to onsite construction equipment and materials processing during construction phases. All project construction equipment would be required to comply with the California Air Resources Board (CARB) emissions requirements for construction equipment, which includes

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measures to reduce fuel-consumption, such as imposing limits on idling and requiring older engines and equipment to be retired, replaced, or repowered. In addition, the project would comply with General Plan policy 8.2.2, which requires all new development to be sited and designed to minimize site disturbance and grading. As a result, impacts associated with the small temporary increase in consumption of fuel during construction are expected to be less than significant.

In addition, the County has strategies to help reduce energy consumption and greenhouse gas (GHG) emissions. These strategies included in the *County of Santa Cruz Climate Action Strategy* (County of Santa Cruz, 2013) are outlined below.

Strategies for the Reduction of Energy Use and GHG Emissions

- Develop a Community Choice Aggregation (CCA) Program, if feasible.²
- Increase energy efficiency in new and existing buildings and facilities.
- Enhance and expand the Green Business Program.
- Increase local renewable energy generation.
- Public education about climate change and impacts of individual actions.
- Continue to improve the Green Building Program by exceeding the minimum standards of the state green building code (Cal Green).
- Form partnerships and cooperative agreements among local governments, educational institutions, nongovernmental organizations, and private businesses as a cost-effective way to facilitate mitigation and adaptation.
- Reduce energy use for water supply through water conservation strategies.

Strategies for the Reduction of Energy Consumption and GHG Emissions from Transportation

- Reduce vehicle miles traveled (VMT) through County and regional long-range planning efforts.
- Increase bicycle ridership and walking through incentive programs and investment in bicycle and pedestrian infrastructure and safety programs.
- Provide infrastructure to support zero and low emissions vehicles (plug in, hybrid plug-in vehicles).
- Increase employee use of alternative commute modes: bus transit, walking, bicycling, carpooling, etc.
- Increase the number of electric and alternative fuels vehicles in the County fleet.

² Monterey Bay Community Power (MBCP) was formed in 2017 to provide carbon-free electricity. All Pacific Gas & Electric Company (PG&E) customers in unincorporated Santa Cruz County were automatically enrolled in the MBCP in 2018.

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Therefore, the project will not result in wasteful, inefficient, or unnecessary consumption of energy resources. Impacts are expected to be less than significant.

2. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?
- ☐
- ☐
- ☒
- ☐

Discussion: AMBAG’s 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) recommends policies that achieve statewide goals established by CARB, the California Transportation Plan 2040, and other transportation-related policies and state senate bills. The SCS element of the MTP targets transportation-related greenhouse gas (GHG) emissions in particular, which can also serve to address energy use by coordinating land use and transportation planning decisions to create a more energy efficient transportation system.

The Santa Cruz County Regional Transportation Commission (SCCRTC) prepares a County-specific regional transportation plan (RTP) in conformance with the latest AMBAG MTP/SCS. The 2040 RTP establishes targets to implement statewide policies at the local level, such as reducing vehicle miles traveled and improving speed consistency to reduce fuel consumption.

In 2013, Santa Cruz County adopted a Climate Action Strategy (CAS) focused on reducing the emission of greenhouse gases, which is dependent on increasing energy efficiency and the use of renewable energy. The strategy intends to reduce energy consumption and greenhouse gas emissions by implementing a number of measures such as reducing vehicle miles traveled through County and regional long-range planning efforts, increasing energy efficiency in new and existing buildings and facilities, increasing local renewable energy generation, improving the Green Building Program by exceeding minimum state standards, reducing energy use for water supply through water conservation strategies, and providing infrastructure to support zero and low emission vehicles that reduce gasoline and diesel consumption, such as plug in electric and hybrid plug in vehicles.

In addition, the Santa Cruz County General Plan has historically placed a priority on “smart growth” by focusing growth in the urban areas through the creation and maintenance of an urban services line. Objective 2.1 (Urban/Rural Distinction) directs most residential development to the urban areas, limits growth, supports compact development, and helps reduce sprawl. The Circulation Element of the General Plan further establishes a more

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efficient transportation system through goals that promote the wise use of energy resources, reducing vehicle miles traveled, and transit and active transportation options.

Energy efficiency is a major priority throughout the County's General Plan. Measure C was adopted by the voters of Santa Cruz County in 1990 and explicitly established energy conservation as one of the County's objectives. The initiative was implemented by Objective 5.17 (Energy Conservation) and includes policies that support energy efficiency, conservation, and encourage the development of renewable energy resources. Goal 6 of the Housing Element also promotes energy efficient building code standards for residential structures constructed in the County.

The project will be consistent with the AMBAG 2040 MTP/SCS and the SCCRTC 2040 RTP. The project would also be required to comply with the Santa Cruz County General Plan and any implemented policies and programs established through the CAS. In addition, the project design would be required to comply with CALGreen, the state of California's green building code, to meet all mandatory energy efficiency standards. Therefore, the project would not conflict with or obstruct any state or local plan for renewable energy or energy efficiency.

G. GEOLOGY AND SOILS

Would the project:

1. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

A. 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.	☐	☐	☒	☐
B. Strong seismic ground shaking?	☐	☐	☒	☐
C. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
D. Landslides?	☐	☐	☒	☐

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Discussion (A through D): All of Santa Cruz County is subject to some hazard from earthquakes, and there are several faults within the County. While the San Andreas fault is larger and considered more active, each fault is capable of generating moderate to severe ground shaking from a major earthquake. Consequently, large earthquakes can be expected in the future. The October 17, 1989 Loma Prieta earthquake (magnitude 7.1) was the second largest earthquake in central California history.

The project site is located outside of the limits of the State Alquist-Priolo Special Studies Zone or any County-mapped fault zone (County of Santa Cruz GIS Mapping, California Division of Mines and Geology, 2001). The closest faults to the project site are the San Andreas Fault (approximately 9 miles northeast), Zayante-Vergeles Fault (approximately 6 miles northeast), Monterey Bay-Tularcitos Fault (approximately 9 miles southwest), and San Gregorio Fault (approximately 12 miles west-southwest). An updated geotechnical investigation for the project was performed by Dees and Associates, dated February 7, 2024 (Attachment 3). The report concluded that potentially liquefiable soil layers are between 10 and 25 feet below the ground surface. Total seismic settlements are predicted to be on the order of 2.5 to 3 inches. The investigation provides seismic design and other recommendations. In accordance with County requirements, a project geotechnical investigation was performed, and implementation of recommendations would be considered application of a uniformly applied development standard. The project would be designed and constructed in accordance with the California Building Code and recommendations of the subject geotechnical investigation reports. There is no indication that landsliding is a significant hazard at this site. Therefore, impacts associated with geologic hazards will be less than significant.

2. Result in substantial soil erosion or the loss of topsoil?
- ☐
- ☐
- ☒
- ☐

Discussion: Some potential for erosion exists during the construction phase of the project, however, this potential is minimal because the site is not steeply sloped and standard erosion controls are a required condition of the project. Prior to approval of a grading or building permit, the project must have an approved stormwater pollution control plan (SCCC Section 7.79.100), which would specify detailed erosion and sedimentation control measures. The plan would include provisions for disturbed areas to be planted with ground cover and to be maintained to minimize surface erosion. Impacts from soil erosion or loss of topsoil would be considered less than significant.

3. 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
- ☐
- ☐
- ☒
- ☐

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spreading, subsidence, liquefaction, or collapse?

Discussion: The report cited above (see discussion under G-1) concluded that there is a potential risk from liquefaction. Liquefaction could cause ground settlement and sand boils to occur. There is a low potential for lateral spreading and soil strength loss due to the density of the soils. Sand boils are caused when water pressures are relieved at the ground surface and the upward movement of groundwater causes soil to rise to the ground surface creating a mound of soil at the surface. There is a potential for sand boils to develop at the ground surface. Sand boils will not adversely affect the proposed structure foundations but sand boils may cause movement and cracking in thin slab and pavement sections. The recommendations contained in the geotechnical report, including the use of mat slab foundations designs will be implemented to adequately reduce this potential hazard to a less than significant level.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. <i>Be located on expansive soil, as defined in section 1803.5.3 of the California Building Code (2016), creating substantial direct or indirect risks to life or property?</i> | ☐ | ☐ | ☐ | ☒ |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The geotechnical report for the project did not identify any elevated direct or indirect risks associated with expansive soils. Therefore, no impact is anticipated.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 5. <i>Have soils incapable of adequately supporting the use of septic tanks, leach fields, or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</i> | ☐ | ☐ | ☒ | ☐ |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: No septic systems are proposed. The project would connect to the Santa Cruz County Sanitation District, and the applicant would be required to pay standard sewer connection and service fees that fund sanitation improvements within the district as a Condition of Approval for the project.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 6. <i>Directly or indirectly destroy a unique paleontological resource or site of unique geologic feature?</i> | ☐ | ☐ | ☒ | ☐ |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: No unique paleontological resources or sites or unique geologic features are known to occur in the vicinity of the project. A query was conducted of the mapping of identified geologic/paleontological resources maintained by the County of Santa Cruz Planning Department, and there are no records of paleontological or geological resources in the vicinity of the project parcel. No direct or indirect impacts are anticipated.

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H. GREENHOUSE GAS EMISSIONS

Would the project:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | ☐ | ☐ | ☒ | ☐ |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project, like all development, would be responsible for an incremental increase in greenhouse gas (GHG) emissions by usage of fossil fuels during the site grading and construction. In 2013, Santa Cruz County adopted a Climate Action Strategy (CAS) intended to establish specific emission reduction goals and necessary actions to reduce greenhouse gas levels to pre-1990 levels as required under Assembly Bill (AB) 32 legislation. The strategy intends to reduce GHG emissions and energy consumption by implementing measures such as reducing vehicle miles traveled through the County and regional long-range planning efforts and increasing energy efficiency in new and existing buildings and facilities. Implementing the CAS, the MBCP was formed in 2017 to provide carbon-free electricity. All PG&E customers in unincorporated Santa Cruz County were automatically enrolled in the MBCP in 2018. All project construction equipment would be required to comply with the CARB emissions requirements for construction equipment. Further, all new buildings are required to meet the State's CalGreen building code. As a result, impacts associated with the temporary increase in GHG emissions are expected to be less than significant.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | ☐ | ☐ | ☒ | ☐ |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See the discussion under H-1 above. No significant impacts are anticipated.

I. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ☐ | ☐ | ☒ | ☐ |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project would not create a significant hazard to the public or the environment. No routine transport or disposal of hazardous materials is proposed. However, during construction, fuel would be used at the project site. Best management practices would be used to ensure that no impacts would occur. Impacts are expected to be less than significant.

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2. <i>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?</i>	☐	☐	☒	☐

Discussion: See discussion under I-1 above. Project impacts would be considered less than significant.

3. <i>Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</i>	☐	☐	☐	☒
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Discussion: The Live Oak Elementary is located 1916 Capitola Road, approximately 0.4 miles to the west of the project site. Although fueling of equipment is likely to occur within the staging area, BMPs to contain spills would be implemented. No impacts are anticipated.

4. <i>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?</i>	☐	☐	☐	☒
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Discussion: The project site is not included on the list of hazardous sites in Santa Cruz County compiled pursuant to Government Code section 65962.5. No impacts are anticipated from project implementation.

5. <i>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 or excessive noise for people residing or working in the project area?</i>	☐	☐	☐	☒
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Discussion: The project is not located within two miles of a public airport or public use airport. No impact is anticipated.

6. <i>Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</i>	☐	☐	☐	☒
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Discussion: The project would not conflict with implementation of the County of Santa Cruz Local Hazard Mitigation Plan 2015-2020 (County of Santa Cruz, 2020). Therefore, no impacts to an adopted emergency response plan or evacuation plan would occur from project implementation.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 7. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | ☐ | ☐ | ☒ | ☐ |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See discussion under Wildfire Question T-2. The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. No impact would occur.

J. HYDROLOGY, WATER SUPPLY, AND WATER QUALITY

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? | ☐ | ☐ | ☒ | ☐ |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project would not discharge runoff either directly or indirectly into a public or private water supply. However, runoff from this project may contain small amounts of chemicals and other household contaminants, such as pathogens, pesticides, trash, and nutrients. No commercial or industrial activities are proposed that would contribute contaminants. Potential siltation from the project would be addressed through implementation of erosion control BMPs. No water quality standards or waste discharge requirements would be violated and surface or ground water quality would not otherwise be substantially degraded. Impacts would be less than significant.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | ☐ | ☐ | ☒ | ☐ |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project would obtain water from the City of Santa Cruz Water District and would not rely on private well water. Although the project would incrementally increase water demand, the City of Santa Cruz Water District has indicated that adequate supplies are available to serve the project (Attachment 4).

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Although the project site is partially located within a mapped groundwater recharge area, the proposal would be consistent with General Plan policies 5.8.2 (Land Division and Density Requirements in Primary Groundwater Recharge Areas), 5.8.3 (Uses in Primary Groundwater Recharge Areas), and 5.8.4 (Drainage Design in Primary Groundwater Recharge Areas).

The project site is not located in a mapped water supply watershed. The project will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Impacts would be less than significant.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 3. 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: | ☐ | ☐ | ☒ | ☐ |
| A. result in substantial erosion or siltation on- or off-site; | ☐ | ☐ | ☒ | ☐ |
| B. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; | ☐ | ☐ | ☒ | ☐ |
| C. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or; | ☐ | ☐ | ☒ | ☐ |
| D. impede or redirect flood flows? | ☐ | ☐ | ☒ | ☐ |

Discussion: The County Department of Public Works Stormwater Management Section staff has reviewed and approved the proposed drainage plan prepared for the project. The project is consistent with SCCC section 7.79.070, which states, "No person shall make any unpermitted alterations to drainage patterns or modifications to the storm drain system or any channel that is part of receiving waters of the county. No person shall deposit fill, debris, or other material in the storm drain system, a drainage channel, or on the banks of a drainage channel where it might enter the storm drain system or receiving waters and divert or impede flow." The Project will not substantially alter the existing drainage pattern of the site in a

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manner that would result in erosion or siltation, or an increase in runoff from the site. The stormwater runoff rate from the property would be controlled by a new collection pipe network and outfall structure after passing through an array of bioretention/detention facilities with outlet control structures. The project would be conditioned to ensure all requirements of the Department of Public Works Stormwater Management Section are met. Impacts would be less than significant.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. <i>In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?</i> | ☐ | ☐ | ☐ | ☒ |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

Flood Hazards:

According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Rate Map, dated May 16, 2012, no portion of the project site for which development is proposed lies within a flood hazard zone, and there would be no impact.

Tsunami and Seiche Zones:

There are two primary types of tsunami vulnerability in Santa Cruz County. The first is a teletsunami or distant source tsunami from elsewhere in the Pacific Ocean. This type of tsunami is capable of causing significant destruction in Santa Cruz County. However, this type of tsunami would usually allow time for the Tsunami Warning System for the Pacific Ocean to warn threatened coastal areas in time for evacuation (County of Santa Cruz 2010).

A greater risk to the County of Santa Cruz is a tsunami generated as the result of an earthquake along one of the many earthquake faults in the region. Even a moderate earthquake could cause a local source tsunami from submarine landsliding in Monterey Bay. A local source tsunami generated by an earthquake on any of the faults affecting Santa Cruz County would arrive just minutes after the initial shock. The lack of warning time from such a nearby event would result in higher casualties than if it were a distant tsunami (County of Santa Cruz 2010).

Seiches are recurrent waves oscillating back and forth in an enclosed or semi-enclosed body of water. They are typically caused by strong winds, storm fronts, or earthquakes.

The project site is located approximately 1.4 miles inland, approximately 0.3 to 1 mile beyond the effects of a tsunami. The project site is located approximately 1.25 miles from Corcoran Lagoon and would not be affected by a seiche. Therefore, there would be no impact.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 5. <i>Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</i> | ☐ | ☐ | ☐ | ☒ |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

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Discussion: All County water agencies are experiencing a lack of sustainable water supply due to groundwater overdraft and diminished availability of streamflow. Because of this, coordinated water resource management has been of primary concern to the County and to the various water agencies. As required by state law, each of the County’s water agencies serving more than 3,000 connections must update their Urban Water Management Plans (UWMPs) every five years, with the most recent updates completed in 2016.

County staff are working with the water agencies on various integrated regional water management programs to provide for sustainable water supply and protection of the environment. Effective water conservation programs have reduced overall water demand in the past 15 years, despite continuing growth. In August 2014, the Board of Supervisors and other agencies adopted the Santa Cruz Integrated Regional Water Management (IRWM) Plan Update 2014, which identifies various strategies and projects to address the current water resource challenges of the region. Other efforts underway or under consideration are stormwater management, groundwater recharge enhancement, increased wastewater reuse, and transfer of water among agencies to provide for more efficient and reliable use.

The County is also working closely with water agencies to implement the Sustainable Groundwater Management Act (SGMA) of 2014. By January 2020, Groundwater Sustainability Plans will be developed for two basins in Santa Cruz County that are designated as critically overdrafted, Santa Cruz Mid-County and Corralitos - Pajaro Valley. These plans will require management actions by all users of each basin to reduce pumping, develop supplemental supplies, and take management actions to achieve groundwater sustainability by 2040. A management plan for the Santa Margarita Basin will be completed by 2022, with sustainability to be achieved by 2042.

The project is located in the Santa Cruz Mid-County Groundwater Basin.

In 2016, Soquel Creek Water District (SqCWD), Central Water District (CWD), County, and City of Santa Cruz adopted a Joint Powers Agreement to form the Santa Cruz Mid-County Groundwater Agency for management of the Mid-County Basin under SGMA. SqCWD developed its own Community Water Plan and has been actively evaluating supplemental supply and demand reduction options.

Since the sustainable groundwater management plan is still being developed, the project will comply with SCCC Chapters 13.13 (Water Conservation – Water Efficient Landscaping), 7.69 (Water Conservation) and 7.70 (Water Wells), as well as Chapter 7.71 (Water Systems) section 7.71.130 (Water use measurement and reporting), to ensure that it will not conflict with or obstruct implementation of current water quality control plans or sustainable groundwater management plans such as the Santa Cruz IRWMP and UWMP for the City of Santa Cruz Water District.

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K. LAND USE AND PLANNING

Would the project:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Physically divide an established community? | ☐ | ☐ | ☐ | ☒ |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project does not include any element that would physically divide an established community. No impact would occur.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. 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? | ☐ | ☐ | ☐ | ☒ |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project would not cause a significant environmental impact due to a conflict with any land use plan, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. The project would also seek an overriding finding of public necessity and or benefit per General Plan Policy No. 3.12.1 for proposed Level of Service impacts. No impacts are anticipated.

L. MINERAL RESOURCES

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. 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? | ☐ | ☐ | ☐ | ☒ |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The site does not contain any known mineral resources that would be of value to the region and the residents of the state. Therefore, no impact is anticipated from project implementation.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. 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? | ☐ | ☐ | ☐ | ☒ |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project site is zoned R-1-6-D, PR, and R-1-4, which is not considered to be an Extractive Use Zone (M-3) nor does it have a land use designation with a Quarry Designation Overlay (Q) (County of Santa Cruz 1994). Therefore, no potentially significant loss of availability of a known mineral resource of locally important mineral resource recovery (extraction) site delineated on a local general plan, specific plan or other land use plan would occur as a result of this project.

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No Impact

M. NOISE

Would the project result in:

1. 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? ☐ ☐ ☒ ☐

Discussion:

County of Santa Cruz General Plan

The County of Santa Cruz has not adopted noise thresholds for construction noise. The following applicable noise related policy is found in the Noise Element of the Santa Cruz County General Plan (Santa Cruz County 2020).

The General Plan contains the following tables, which specifies the acceptable range of noise exposure by land use type (Table 9-2) and maximum allowable noise exposure for stationary noise sources (Table 9-3).

Table 9-2							
Acceptable through Unacceptable Ranges of Noise Exposure by Land Use*							
<i>*Outdoor noise exposure measured at the property line of receiving land use</i>							
LAND USE		COMMUNITY NOISE EXPOSURE DNL or CNEL, dB					
		55	60	65	70	75	80
A	Residential/Lodging – Single Family, Duplex, Mobile Home,						
B	Schools, Libraries, Religious Institutions, Meeting Halls,						
C	Outdoor Sports Arena or Facility, Playgrounds,						
D	Office Buildings, Business Commercial and Professional						
E	Industrial, Manufacturing, Utilities, Agriculture						
	NORMALLY ACCEPTABLE: Specific land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements, and can meet the indoor noise standards.						

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	CONDITIONALLY ACCEPTABLE: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design to meet interior and exterior noise standards, where applicable.
	NORMALLY UNACCEPTABLE: New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design to meet interior and exterior noise standards, where applicable.
	CLEARLY UNACCEPTABLE: New construction or development should generally not be undertaken.
Based on Draft General Plan Guidelines published by the California State Office of Planning and Research, 2014.	

Table 9-3 Maximum Allowable Noise Exposure Stationary Noise Sources ⁽¹⁾		
	Daytime ⁽⁵⁾ (7 AM to 10 PM)	Nighttime ^(2,5) (10 PM to 7 AM)
Hourly Leq – average hourly noise level, dB ⁽³⁾	50	45
Maximum level, dB ⁽³⁾	70	65
Maximum level dB – Impulsive Noise ⁽⁴⁾	65	60
dB = decibel (1) As determined at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers or other property line noise mitigation measures (2) Applies only where the receiving land use operate or is occupied during nighttime hours (3) Sound level measurements shall be made with “slow” meter response (4) Sound level measurements shall be made with “fast” meter response (5) Allowable levels shall be raised to the ambient noise levels where the ambient levels exceed the allowable levels. Allowable levels shall be reduced 5 dB if the ambient hourly Leq is at least 10 dB lower than the allowable level.		

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County of Santa Cruz Code

There are no County of Santa Cruz ordinances that specifically regulate construction or operational noise levels. However, Section 13.15.050(A) (General noise regulation and unlawful noise) of the SCCC contains the following language regarding noise impacts:

- (A) No use, except a temporary construction operation, shall be permitted which creates noise which is found by the Planning Commission not to conform to the noise parameters established by Table 9-2 and Table 9-3 of the Santa Cruz County General Plan beyond the boundaries of the project site at standard atmospheric pressure.

Further, SCCC 13.10.040(A) (Exceptions) limits construction hours as follows:

- (A) Noise sources normally and reasonably associated with construction, repair, remodeling, or grading of any real property, provided a permit has been obtained from the County as required, and provided said activities take place between the hours of 8:00 a.m. and 5:00 p.m. on weekdays unless the Building Official has in advance authorized said activities to start at 7:00 a.m. and/or continue no later than 7:00 p.m. Such activities shall not take place on Saturdays unless the Building Official has in advance authorized said activities, and provided said activities take place between 9:00 a.m. and 5:00 p.m. and no more than three Saturdays per month. Such activities shall not take place on Sunday or a federal holiday unless the Building Official has in advance authorized such work on a Sunday or federal holiday, or during earlier morning or later evening hours of a weekday or Saturday.

Sensitive Receptors

Some land uses are generally regarded as being more sensitive to noise than others due to the type of population groups or activities involved. Sensitive population groups generally include children and the elderly. Noise sensitive land uses typically include all residential uses (single- and multi-family, mobile homes, dormitories, and similar uses), hospitals, nursing homes, schools, and parks.

The nearest sensitive receptors, neighboring dwellings, are located approximately 20 feet to the west of the project area.

Impacts

Potential Temporary Construction Noise Impacts

The use of construction equipment to accomplish the project would result in noise in the project area, i.e., construction zone. Table 3 shows typical noise levels for common construction equipment.

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Table 3: Typical Noise Levels for Common Construction Equipment (at 50 feet)	
Equipment	L _{max} (dBA)
Air Compressor	80
Backhoe	80
Chain Saw	85
Compactor	82
Concrete Mixer	85
Concrete Pump	82
Concrete Saw	90
Crane	83
Dozer	85
Dump Truck	84
Excavator	85
Flat Bed Truck	84
Fork Lift	75
Generator	82
Grader	85
Hoe-ram	90
Jack Hammer	88
Loader	80
Paver	85
Pick-up Truck	55
Pneumatic Tool	85
Roller	85
Tree Chipper	87
Truck	84
Source: Federal Transit Authority, 2006, 2018.	

The sources of noise that are normally measured at 50 feet, are used to determine the noise levels at nearby sensitive receptors by attenuating 6 dB for each doubling of distance for point sources of noise such as operating construction equipment. Noise levels at the nearest sensitive receptors for each site were analyzed on a worst-case basis, using the equipment with the highest noise level expected to be used.

Although construction activities would likely occur during daytime hours, noise may be audible to nearby residents. However, periods of noise exposure would be temporary. Noise from construction activity may vary substantially on a day-to-day basis.

Construction activity would be expected to use equipment listed in Table 3. Based on the activities proposed for the project, the equipment with the loudest operating noise level that would be used often during activity would be an excavator or cement mixer, which would produce noise levels of 85 dBA at a distance of 50 feet. The nearest sensitive receptor is located approximately 20 feet from the construction site. At that distance, the decibel level will not be reduced. However, these impacts would be temporary (24 weeks) and short in duration due to time restrictions on building and grading permits issued by the County of Santa Cruz. All construction activities would be restricted to the hours of 8am to 5pm Monday through Friday.

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Noise generated during project construction would increase the ambient noise levels in adjacent areas. Construction would be temporary and given the limited duration of this impact it is considered to be less than significant.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. Generation of excessive groundborne vibration or groundborne noise levels? | ☐ | ☐ | ☒ | ☐ |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The use of construction and grading equipment would potentially generate periodic vibration in the project area. This impact would be temporary and periodic and is not expected to cause damage; therefore, impacts are not expected to be significant.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. 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? | ☐ | ☐ | ☐ | ☒ |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project is not in the vicinity of a private airstrip or within two miles of a public airport. Therefore, the project would not expose people residing or working in the project area. No impact is anticipated.

N. POPULATION AND HOUSING

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. 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)? | ☐ | ☐ | ☒ | ☐ |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project is designed at the density and intensity of development allowed by Density Bonus Law and the General Plan and zoning designations for the project site. The project site is located within the Urban Services Line and would be served by existing utility districts. The property is adjacent to other parcels that are connected to an urban level of services. Consequently, the project is not expected to have a significant growth-inducing effect. Impacts would be less than significant.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☒ | ☐ |
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Discussion: Although the project includes the demolition of two housing units, the project's purpose is to construct 25 townhomes including four affordable units. The project would not displace a substantial number of people, and impacts would be less than significant.

O. PUBLIC SERVICES

Would the project:

1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically 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; including the maintenance of roads?	☐	☐	☒	☐

Discussion (a through e): While the project represents an incremental contribution to the need for services, the increase would be minimal. Moreover, the project meets all of the standards and requirements identified by the local fire agency or California Department of Forestry, as applicable, and school, park, and transportation fees to be paid by the applicant would be used to offset the incremental increase in demand for school and recreational facilities and public roads. Impacts would be considered less than significant.

P. RECREATION

Would the project:

1. Would the project 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?

☐	☐	☒	☐
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Discussion: The project would not substantially increase the use of existing neighborhood and regional parks or other recreational facilities. Impacts would be considered less than significant.

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2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

☐	☐	☒	☐
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Discussion: The project does not propose the expansion or require the construction of additional recreational facilities. No impact would occur.

Q. TRANSPORTATION

Would the project:

1. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

☐	☐	☒	☐
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Discussion:

Senate Bill (SB) 743, signed by Governor Jerry Brown in 2013, changed the way transportation impacts are identified under CEQA. Specifically, the legislation directed the State of California's Office of Planning and Research (OPR) to look at different metrics for identifying transportation impacts. OPR issued its "Technical Advisory on Evaluating Transportation Impacts in CEQA" (December 2018) to assist practitioners in implementing the CEQA Guidelines revisions to use vehicle miles traveled (VMT) as the preferred metric for assessing passenger vehicle related impacts. The CEQA Guidelines were also updated in December 2018, such that vehicle level of service (LOS) will no longer be used as a determinant of significant environmental impacts, and an analysis of Vehicle Miles Traveled (VMT) will be required as of July 2020. A discussion of consistency with the Santa Cruz County General Plan LOS policy is provide below for informational purposes only.

Santa Cruz County General Plan Policy 3.12.1 establishes a desired LOS of C and a minimum LOS of D. A transportation study for the project was prepared by Hexagon Transportation Consultants, Inc., dated October 4, 2022 (Attachment 5). As described in the transportation study, the project would generate approximately 166 net new daily trips and 12 p.m. peak trips. The added project trips to the southbound approach at the Maciel Avenue/Capitola Road intersection would increase the critical movement by more than one percent under project conditions, which would create an operational deficiency. However, the intersection would not meet signal warrant requirements, and no other feasible improvements are available. The project would seek an overriding finding of public necessity and or benefit per General Plan Policy No. 3.12.1 for proposed Level of Service impacts. The Department of Public Works has reviewed the transportation study and has established the following fees/improvements to address operations and design of the project: the development is subject

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Live Oak Transportation Improvement (TIA) fees at the current rate within the County Unified Fee Schedule, currently \$6,000 for each dwelling unit. The subdivision proposes 25 lots and there are two existing houses, therefore, the fee is calculated as 23 multiplied by \$6000 per lot for a total of \$138,000. The total TIA fee payment of \$138,000 is to be split evenly between Transportation Improvement fees and Roadside Improvement fees would be required. This information is provided for background discussion only and not for determination of impacts.

The project design would comply with current road requirements, including the regulations under section 13.11.074 of the County Code, "Access, circulation and parking" to prevent potential hazards to motorists, bicyclists, and/or pedestrians, as well as the County of Santa Cruz Department of Public Works Design Criteria. In addition, the site plan shows that the project is proposing to implement a sidewalk that would connect the townhouses to the existing sidewalks on Mattison Lane. The sidewalk would run along the east side of the new road within the project site. The site plan also shows a proposed pedestrian and bicycle access lane would be provided on the west side of the project site that allows for a connection to an adjacent development that fronts Maciel Avenue. This connection would set in place a pedestrian and bicycle connection to Maciel Avenue when the adjacent property develops, which would provide continuous sidewalk access to the bus stop on Capitola Road, which is about 1,000 feet away. Therefore, impacts would be less than significant.

2. *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(1) (Vehicle Miles Traveled)?*

☐ ☒ ☐ ☐

Discussion: In response to the passage of Senate Bill 743 in 2013 and other climate change strategies, OPR amended the CEQA Guidelines to replace LOS with VMT as the measurement for transportation impacts. The "Technical Advisory on Evaluating Transportation Impacts in CEQA," prepared by OPR (2018) provides recommended thresholds and methodologies for assessing impacts of new developments on VMT. There are also a number of screening criteria recommended by OPR that can be used to determine whether a project will have a less-than-significant impact. The screening criteria include projects that generate less than 110 net new trips, map-based screening, projects within a ½ mile of high quality transit, affordable housing projects, and local serving retail. Since Santa Cruz County has a Regional Transportation Planning Authority and generally conducts transportation planning activities countywide, the county inclusive of the cities is considered a region.

In June of 2020, the County of Santa Cruz adopted a threshold of 15% below the existing countywide average per capita VMT levels for residential projects, 15% below the existing

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countywide average per employee VMT for office and other employee-based projects, no net increase in the countywide average VMT for retail projects, and no net increase in VMT for other projects. Based on the countywide travel demand model the current countywide average per capita VMT for residential uses is 10.2 miles. The current countywide per employee average VMT for the service sector (including office land uses) is 8.9 miles, for the agricultural sector is 15.4, for the industrial sector is 13.9, and for the public sector is 8.2. Therefore, the current VMT thresholds for land use projects are 8.7 miles per capita for residential projects. For employee-based land uses the current thresholds are: 7.6 miles per employee for office and services projects, 13.1 miles per employee for agricultural projects, 11.8 miles per employee for industrial projects, and 7 miles per employee for public sector land use projects. The threshold for retail projects and all other land uses is no net increase in VMT. For mixed-use projects, each land use is evaluated separately unless they are determined to be insignificant to the total VMT.

A transportation study for the project was prepared by Hexagon Transportation Consultants, Inc., dated October 4, 2022 (Attachment 5), which included a VMT analysis. A project may indicate a significant transportation impact if the anticipated VMT exceeds 85 percent of existing County-wide average VMT per capita. The VMT threshold for Santa Cruz County is 8.7 daily VMT per capita, which is 15 percent below the existing County-side average VMT level. Based on trip generation and map-based screening, the project requires a VMT analysis. The project proposes to implement the following TDM measures that would reduce the VMT impact.

Mitigation Measures:

TR-1 The following measures will be required to reduce VMT by encouraging active transportation in the project area with improvements to pedestrian and bicycle networks and facilities, including:

- Construction of a new sidewalk within the project site that would connect the townhouses to the existing sidewalks on Mattison Lane.
- A pedestrian and bicycle access lane would be provided on the west side of the project site that allows for connection to an adjacent development that fronts on Maciel Avenue. This connection would set in place a pedestrian and bicycle connection to Maciel Avenue when the adjacent property develops, which would then provide a continuous sidewalk access to the bus stops on Capitola Road, which is about 1,000 feet away.
- Currently, Maciel Avenue does not have bicycle infrastructure to encourage bicycling to various points of interest. The project would contribute to

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implementing bike sharrows along Mattison Lane and Maciel Avenue to provide access to bicycle lanes and transit on Capitola Road.

- The project would implement bike facility measures to reduce VMT of the project. A bicycle repair station would be installed in the parklet on the project site to reduce VMT of the project. The bicycle repair station can provide repair tools and space to use them and would support the continual use of bicycles for transportation in and out of the project site.
- A 20-foot wide pedestrian and bicycle easement would be established to provide access to a future pedestrian and bicycle bridge that would span across Rodeo Creek Gulch to Coffee Lane Park. This would result in increased bicycle and pedestrian connectivity from the project site to the regional multimodal network, along with access to the regional transit network and commercial/activity centers such as Capitola Mall.

3. *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| ☐ | ☐ | ☐ | ☒ |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed development would result in 25 parcels and the construction of 25 townhomes in a residential neighborhood. The project would take access from Mattison Lane, which meets all County standards. No impacts would occur with project implementation.

4. *Result in inadequate emergency access?*
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| ☐ | ☐ | ☒ | ☐ |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project's road access meets County standards and has been approved by the local fire agency or California Department of Forestry, as appropriate.

A temporary lane closure may be required for short periods of time during project construction. A traffic control plan would be prepared. However, the project would not restrict emergency access for police, fire, or other emergency vehicles. Impacts would be less than significant from project implementation.

R. TRIBAL CULTURAL RESOURCES

1. *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*
- | | | | |
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| ☐ | ☐ | ☒ | ☐ |
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<i>historical resources Code section 5020.1(k), or</i>				
B. <i>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.</i>	☐	☐	☒	☐

Discussion: The project proposes to establish a 25-unit townhouse development. Section 21080.3.1(b) of the California Public Resources Code (AB 52) requires a lead agency formally notify a California Native American tribe that is traditionally and culturally affiliated within the geographic area of the discretionary project when formally requested. As of this writing, no California Native American tribes traditionally and culturally affiliated with the Santa Cruz County region have formally requested a consultation with the County of Santa Cruz (as Lead Agency under CEQA) regarding Tribal Cultural Resources. However, no Tribal Cultural Resources are known to occur in or near the project area. Therefore, no impact to the significance of a Tribal Cultural Resource is anticipated from project implementation.

Per the Native American Outreach Summary Report, prepared by Albion and dated March 7, 2024, between December 2023 and February 2024, Albion conducted Tribal Outreach efforts. These Outreach efforts included a NAHC SLF search, and letters sent via certified mail and follow up email correspondence to all Tribal Representatives identified by the NAHC contact information for Tribal stakeholders. The Amah Mutsun Tribal Band were the only Tribe to respond to Outreach efforts. They requested more information about known cultural surveys in the vicinity and recommended that a Tribal Monitor be present for all ground disturbance associated with the Project. The Amah Mutsun Tribal Band sent an email response on February 28, 2024. In their email, they noted that they (Amah Mutsun Tribal Band) have interest in the site because of its general location and requested more information about known cultural surveys in the vicinity. They noted that soil maps from their records indicate the Project site to be on Elkhorn Sandy loam, which is a soil type that is known to have Indigenous archaeological sites. Chairman Lopez expressed that areas like this would be best to have a Tribal Monitor as part of subsurface undertakings; however no tribal consultation was requested.

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S. UTILITIES AND SERVICE SYSTEMS

Would the project:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. <i>Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?</i> | ☐ | ☐ | ☒ | ☐ |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

Water

The project would connect to an existing municipal water supply. The City of Santa Cruz Water District has determined that adequate supplies are available to serve the project (Attachment 4), and no new facilities are required to serve the project. No impact would occur from project implementation.

Wastewater

Municipal wastewater treatment facilities are available and have capacity to serve the project. The project site is located in the Rodeo Basin Sewer Moratorium Area. As such, a maximum of four residential sanitary sewer connections are allowed per existing parcel. The proposed development is located over four existing parcels, thus the project is proposed as a phased project. The first phase would construct 16 units, and the second phase would construct the remaining nine units when the sewer moratorium is lifted in the future. No new wastewater facilities are required to serve the project. No impact would occur from project implementation.

Stormwater

The drainage analysis for the project Preliminary Stormwater Control Plan, prepared by Ifland Engineers, dated January 2023 concluded that the project will meet Public Works Design Criteria through installation of bioretention/detention facilities with outlet control structures (Attachment 6). The County Department of Public Works Stormwater Management staff have reviewed the drainage information and have determined that the drainage system improvements are adequate to handle runoff from project. Substantial environmental impacts associated with the improvements are not anticipated; therefore, impacts would be less than significant.

Electric Power

Pacific Gas and Electric Company (PG&E) provides power to existing and new developments in the Santa Cruz County area. As of 2018, residents and businesses in the County were

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automatically enrolled in MBCP's community choice energy program, which provides locally controlled, carbon-free electricity delivered on PGE's existing lines.

The proposed site is already served by electric power, but additional improvements are necessary to serve the site. However, no substantial environmental impacts will result from the additional improvements; impacts will be less than significant.

Natural Gas

PG&E serves the urbanized portions of Santa Cruz County with natural gas.

The proposed site is already served by natural gas, but additional improvements are necessary to serve the site. However, no environmental impacts will result from the additional improvements; impacts will be less than significant.

Telecommunications

Telecommunications, including telephone, wireless telephone, internet, and cable, are provided by a variety of organizations. AT&T is the major telephone provider, and its subsidiary, DirectTV provides television and internet services. Cable television services in Santa Cruz County are provided by Charter Communications in Watsonville and Comcast in other areas of the county. Wireless services are also provided by AT&T, as well as other service providers, such as Verizon.

The following improvements related to telecommunications are required: Extension of telecommunications throughout the proposed subdivision. However, no substantial environmental impacts from this work are anticipated, and impacts will be less than significant.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. <i>Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?</i> | ☐ | ☐ | ☒ | ☐ |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: All the main aquifers in this County, the primary sources of the County's potable water, are in some degree of overdraft. Overdraft is manifested in several ways including 1) declining groundwater levels, 2) degradation of water quality, 3) diminished stream base flow, and/or 4) seawater intrusion. Surface water supplies, which are the primary source of supply for the northern third of the County, are inadequate during drought periods and will be further diminished as a result of the need to increase stream baseflows to restore habitat for endangered salmonid populations. In addition to overdraft, the use of water resources is further constrained by various water quality issues.

The City of Santa Cruz Water District has indicated that adequate water supplies are available to serve the project and has issued a will-serve letter for the project, subject to the payment

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of fees and charges in effect at the time of service (Attachment 4). The development would also be subject to the water conservation requirements in Chapter 7.69 (Water Conservation) and 13.13 (Water Conservation—Water Efficient Landscaping) of the County Code and the policies of section 7.18c (Water Conservation) of the General Plan. Therefore, existing water supplies would be sufficient to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. Impacts would be less than significant.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 3. <i>Result in 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?</i> | ☐ | ☐ | ☒ | ☐ |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Due to limitations within the Rodeo Gulch Sewer Moratorium area in which the project site is located, the project is proposed to be constructed in two phases. The first phase would construct 16-units, and the second phase would construct the remaining nine units if the sewer moratorium is lifted in the future. The Santa Cruz County Sanitation District has indicated that adequate capacity in the sewer collection system is available to serve the project and has issued a sewer service availability letter for 16-units to be constructed as part of the first phase of the project, subject to the payment of fees and charges in effect at the time of service (Attachment 7). The second phase to construct the remaining nine units would be contingent upon issuance of a sewer will serve letter for the remaining units by the Santa Cruz County Sanitation District and completion of the improvements necessary to lift the sewer moratorium in the future. Therefore, existing wastewater collection/treatment capacity would be sufficient to serve the phased project. No impact would occur from project implementation.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 4. <i>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?</i> | ☐ | ☐ | ☒ | ☐ |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Due to the small incremental increase in solid waste generation by the project during construction and operations, the impact would not be significant.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 5. <i>Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?</i> | ☐ | ☐ | ☐ | ☒ |
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Discussion: The project would comply with all federal, state, and local statutes and regulations related to solid waste disposal. No impact would occur.

T. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Substantially impair an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☐ | ☒ |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project is not located in a State Responsibility Area, a Very High Fire Hazard Severity Zone, or a County-mapped Critical Fire Hazard Area and will not conflict with emergency response or evacuation plans. Therefore, no impact would occur.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. 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? | ☐ | ☐ | ☒ | ☐ |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project is not located in a State Responsibility Areas, a Very High Fire Hazard Severity Zone, or a County-mapped Critical Fire Hazard Area. However, the project design incorporates all applicable fire safety code requirements and includes fire protection devices as required by the local fire agency and is unlikely to exacerbate wildfire risks. Impacts would be less than significant.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 3. 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? | ☐ | ☐ | ☒ | ☐ |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project is not located in a State Responsibility Areas, a Very High Fire Hazard Severity Zone, or a County-mapped Critical Fire Hazard Area. Improvements associated with the project are unlikely to exacerbate wildfire risks. Impacts would be less than significant.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 4. 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? | ☐ | ☐ | ☒ | ☐ |
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Initial Study/Environmental Checklist

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Discussion: The project is not located within a State Responsibility Areas, a Very High Fire Hazard Severity Zone, or a County-mapped Critical Fire Hazard Area. Downslope and downstream impacts associated with wildfires are unlikely to result from the project. Regardless, the project design incorporates all applicable fire safety code requirements and includes fire protection devices as required by the local fire agency. Impacts would be less than significant.

U. MANDATORY FINDINGS OF SIGNIFICANCE

1. Does the project 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 community or eliminate important examples of the major periods of California history or prehistory?

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Discussion: 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 were considered in the response to each question in Section III (A through T) of this Initial Study. As a result of this evaluation, there is substantial evidence that significant effects associated with this project could result. Mitigations have been incorporated to reduce those impacts to less than significant. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

2. Does the project 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 past projects, the effects of other current projects, and the effects of probable future projects)?

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Discussion: In addition to project specific impacts, this evaluation considered the project’s potential for incremental effects that are cumulatively considerable. As a result of this evaluation, there were determined to be no potentially significant cumulative effects associated with this project. Additionally, the Sustainability Update EIR evaluated cumulative impacts for each environmental resource topic based on future and cumulative projects identified on Table 4.0-1 in the Sustainability Update EIR. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

3. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?
- ☐
- ☐
- ☒
- ☐

Discussion: In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to specific questions in Section III (A through T). As a result of this evaluation, there is substantial evidence that significant effects associated with this project could result. Mitigations have been incorporated to reduce those impacts to less than significant. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

IV. REFERENCES USED IN THE COMPLETION OF THIS INITIAL STUDY

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Attachment 1

Mitigation Monitoring and Reporting Program



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