Environmental Impact Report

2025 Scotts Valley Town Center Specific Plan

SCH #2025050499



Prepared by

In Consultation with

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Summary

The City of Scotts Valley, as the Lead Agency, has prepared this Draft Environmental Impact Report (referred to as "the Plan EIR" or "this EIR") for the 2025 Scotts Valley Town Center Plan (referred to as "the Plan" or "project" herein) in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Plan is intended to replace in its entirety the 2008 Scotts Valley Town Center Specific Plan (referred to as "the 2008 Plan").

As the CEQA Lead Agency for this project, the City of Scotts Valley is required to consider the information in this Plan EIR along with any other available information in deciding whether to approve the project. The requirements for an EIR include discussions of the environmental setting, significant environmental impacts including growth-inducing impacts, cumulative impacts, mitigation measures, and alternatives. It is not the intent of an EIR to recommend either approval or denial of a project, rather it is an informational document meant to support the decision-making process.

Summary of Project Location and Description

The Plan area consists of approximately 58 acres within the City of Scotts Valley, including approximately 12.4 acres of vacant land centrally located in the core of the Plan area that was formally part of the Skypark Airport. The Plan area also includes a southeast portion of Skypark, which is now a public park and open space. The Plan area is generally bound by Blue Bonnet Lane and Kings Village Road to the north, an existing residential neighborhood (Hidden Oaks Condominiums) to the east, Mt. Hermon Road to the south, Skypark Drive to the west, and Skypark to the northwest.

The 2008 Plan was adopted by the Scotts Valley City Council in 2008. The 2008 Plan proposed a mix of residential, commercial, and public/civic uses (with the strongest emphasis on retail development). Existing development in the Plan area consists of 46 residential units, approximately 396,000 square feet of commercial land uses, and approximately 52,000 square feet of public/quasi-public land uses. Since the 2008 Plan was adopted, the following development has occurred within the Plan area: 46 residential units in the northeast corner of the Plan area off Blue Bonnet Lane, and 13,318 square feet of commercial retail space at the Hangar project at 260 Mt. Hermon Road.

In November 2023, the City adopted the Scotts Valley General Plan, which will guide development within the City through 2045. The General Plan included Action ED-1.1 which called for the 2008 Plan to be updated with an appropriate mix of land uses that are supported by a new market and financial feasibility analysis that is economically attractive to investors and developers. As part of the adoption of the 2023 Scotts Valley General Plan, an EIR was prepared which assumed, among other things, that the Town Center buildout would include 300,000 square feet of commercial space and 254 residential units based on the allowed development under the 2008 Plan.

The purpose of the Plan is to create a vision, policies, and objectives standards to guide new development within the Plan area in a way that supports existing and new businesses, residents, and the community. The Plan would guide changes in the development patterns within the Plan area with respect to future land uses, development intensity and scale, urban design, economic development, circulation and mobility, infrastructure and public services, and community benefits.

The Plan assumes that development will occur over a 20-year period (through 2045), allowing for up to 657 residential units (consistent with the City's 2023-2031 Housing Element), up to 82,000 square feet of commercial uses, and up to 35,000 square feet of public/civic uses.

Summary of Significant Impacts

The Plan EIR includes a discussion of the existing setting, impacts, and project requirements to protect environmental resources and avoid and/or reduce impacts. The project description and discussion of impacts and mitigation measures can be found in Section 2.0 Project Information and Description, and Section 3.0 Environmental Setting, Impacts, and Mitigation. Table 1.1-1 summarizes the conclusions of the environmental analysis in this Plan EIR and presents a summary of significant impacts and mitigation measures identified.

The analysis in the Plan EIR concluded that the implementation of the Plan would result in significant and unavoidable impacts from 1) plan-level GHG emissions and 2) cumulative VMT. These impacts are identified in the Plan EIR as follows:

Table 1.1-1: Summary of Significant Impacts and Mitigation Measures

Significant Impact	Mitigation Measures
Air Quality	
Impact AQ-1: Without application of appropriate control measures to reduce construction dust and exhaust, construction period impacts at the program level would be considered a significant impact. **(Less than Significant Impact with Mitigation Incorporated)**	**MM AQ-1.1:** Require Project-Level Construction Assessment for Projects built out under the Plan. Construction criteria pollutant and TAC quantification shall be required on individual projects built out under the Plan once those details are available through modeling to identify impacts and, if necessary, include measures to reduce emissions below the applicable MBARD construction thresholds. Reductions in emissions can be accomplished through, though is not limited to, the following measures: • Use of alternative fuels, engine retrofits, and added exhaust devices; • Modify construction schedule; and • Implementation of measures to control fugitive dust due to construction, including but not limited to:

	○ Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure. ○ Prohibit all grading activities during periods of high wind (over 15 mph). ○ Cover all trucks hauling dirt, sand, or loose materials. ○ Cover inactive storage piles. ○ Maintain at least 2'0" of freeboard in haul trucks. ○ Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
Impact AQ-2: Significant TAC emission exposure could occur under Plan buildout. **(Less than Significant Impact with Mitigation Incorporated)**	**Plan Policies that Reduce Impacts to Air Quality:** Section 3.5 (Performance Standards) of the Plan requires the following: • **Plan Performance Standard**: Applicants proposing development of two acres or greater and with construction lasting more than one year within 1,000 feet of existing sensitive receptors or worker receptors as defined by the MBARD (e.g., residential, schools) shall utilize Tier 4 engines, i.e., diesel engines that meet U.S. EPA Tier 4 particulate matter emissions standards, or best available technology at the time of project construction.
Impact BIO-1: Plan buildout could impact habitats within the Plan area that may contain special status species. **(Less than Significant Impact with General Plan Policy Incorporated)**	**General Plan Policies that Reduce Impacts to Biological Resources** In accordance with General Plan Policy OSC-1.16, land within the Plan area mapped on Figure 3.4-1 as containing the following habitat types would require a site-specific survey prior to any development: vernally moist grassland, mixed woodland, annual grassland, and ruderal. Land mapped as containing turf or developed habitat would not require a survey due to the low possibility of native species or rare/endangered wildlife. General Plan Policy OSC-1.16 requires the following: • **General Plan Policy OSC-1.16**: As part of the environmental review process, require new development proposed within areas of native plants or rare or endangered wildlife habitat to prepare a site-specific survey which identifies the

	location and type of species present. The development shall be required to mitigate any potential impacts to such species. Where appropriate, designate those areas as open space.
Impact BIO-2: Future construction activities associated with build out under the Plan could result in the loss of fertile eggs, nesting raptors or other migratory birds, or nest abandonment. **(Less than Significant Impact with Mitigation Incorporated)**	**MM BIO-2.1:** Avoid Nesting Birds The grading or demolition plan (whichever is first) shall include a note on the plans that demolition and habitat removal be scheduled to occur between September 1st and February 1st of any given year. If this is not practical, the applicant shall submit documentation to the satisfaction of the Community Development Department that a qualified biologist has been hired to conduct pre-activity surveys for nesting birds. Nesting bird surveys shall be conducted no more than 14 days prior to onset of any ground disturbance or vegetation removal at the project site. If active bird nests are observed by the biologist within the areas to be disturbed, the biologist shall determine an appropriate buffer around the nest where demolition or grading activity shall be postponed until the biologist determines all young have fledged the nest. If it is not practical to set a buffer zone, then work in the vicinity of the active bird nest (e.g., 50 feet for passerines, up to 200 feet for raptors), shall be postponed until the biologist determines that all young have fledged the nest and that construction will not result in death or injury to nestlings. Nesting bird survey reports shall be submitted to the City of Scotts Valley. o the extent feasible, demolition and construction activities shall be scheduled to avoid the nesting season. The nesting season for most birds extends from February 1 through August 31, inclusive. If construction activities are scheduled to take place outside the nesting season, all impacts to nesting birds protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code would be avoided.
Impact BIO-3: Future demolition activities and tree removal under the Plan could result in direct physical disturbance of any roosting bats that may be present, possibly resulting in injury or mortality, as well as the loss of roosting sites. **(Less than Significant Impact with Mitigation Incorporated)**	**MM BIO-3.1:** Conduct Habitat Assessment and Preconstruction Survey. A bat habitat assessment will be conducted by a qualified biologist to identify all trees on the site that have the potential to support roosting bats. Trees and structures determined not to support bat roosting habitat may be removed at any time of year without harm to individual bats. However, any trees identified as providing potential bat roosting habitat will be visually surveyed during a preconstruction survey, as described below.

A preconstruction visual survey of all trees that were determined to provide potential roosting habitat will be conducted no more than seven days prior to any trees/vegetation removal activities to determine whether roosting bats are present. If the biologist determines that no bats are present, then the tree can be removed at any time of year and will not require a two-step removal process. If bats are determined to be present or if use of the tree by bats cannot be determined during the preconstruction survey, then additional measures including night-time emergence surveys, construction-free buffers and/or a two-step tree removal will be implemented, as described below.

MM BIO-3.2: Two-Step Tree Removal. Two-step removal of trees may be utilized to remove trees identified as currently supporting roosting bats or to remove trees that were determined to provide potential habitat but could not be adequately visually surveyed during the preconstruction survey. However, a two-step tree removal can only be conducted outside of the maternity and over-wintering seasons, i.e., can only be conducted during the periods from March 1st to April 15th or from August 15th to October 15th, and only when fair-weather nights are forecasted.

The two-step removal process shall consist of two consecutive days of work. On day one, a qualified biologist shall direct a tree trimming crew to trim the tree in such a way as to make the tree less suitable/attractive for bats. To the degree practicable, removed branches shall be chipped nearby. The disturbance caused by the noise and vibration of the tree trimming and chipping during day one would serve to encourage any bats using the tree to vacate their roosts. The following day, the tree shall be completely removed. A qualified biologist does not need to be present during the day two tree removal activities. To the extent practicable, day one activities shall occur in the afternoon or early evening and day two activities shall occur during morning hours.

MM BIO-3.3: Nighttime Emergence Survey. Alternatively, for any trees that cannot be adequately surveyed during the preconstruction survey, a nighttime emergence survey can be conducted by a qualified biologist on a fair-weather night during the volant season (March 1 through October 15) to determine if bats are present. If bats are found to be absent, the tree can be

	removed. If bats are found to be present, and it is within the maternity season (April 15 through August 15), further investigation must occur to determine whether a maternity colony is roosting in the tree. If bats are found to be present and it is outside of the maternity season (March 1 through April 14 or August 16 through October 15), the two-step removal process described in MM BIO-3.2 shall be utilized to remove the tree. **MM BIO-3.4:** Construction-free Buffers. If a maternity colony or overwintering colony is identified on the site, then a construction-free buffer shall be established around the tree(s) and remain in place until it has been determined that the colony is no longer active. Tree removal shall occur between March 1 and April 14 or between August 16 and October 15, as described above, utilizing the two-step removal method to avoid interfering with an active nursery and/or overwintering bats.
Impact BIO-4: Future development projects under the Plan could place fill into jurisdictional waters. **(Less than Significant Impact with General Plan Policies Incorporated)**	**General Plan Policies that Reduce Impacts to Biological Resources** Future development projects would be required to comply with the following General Plan policy pertaining to biological resources. • Policy OSC-1.18: All future development applications are required to submit a detailed biological study where an initial site inventory indicates the presence of potential for wetland species or indicators. The study shall contain a delineation of all wetland areas on the project site based on the definitions contained in Section 13566(b) of Title 14 of the California Code of Regulations. The City's review process for future development would ensure that any wetland features within the Plan area are properly delineated prior to development. Based off of the results of any future delineation, the responsible developer shall coordinate with the appropriate regulatory agency overseeing any jurisdictional waters determined to be located onsite. The appropriate permits deemed required by the regulatory agency shall be secured prior to grading permit.
Cultural Resources	

Impact CUL-1: Future development projects under the Plan could indirectly or directly impact known and unknown historic buildings and structures by removing historic buildings and structures, or altering the setting for historic properties. **(Less than Significant Impact with Mitigation Incorporated)**	**MM CUL-1.1:** Historic Resources Assessment and Project-Level Mitigation: Require preparation of an historic resources evaluation for any development proposal containing a structure or structures 50 years old or older and that are not identified as historic resources by the City. If the structure(s) may potentially meet the criteria for listing as an historic resource, and proposed development would have the potential to impact the historic significance of the structure(s), the development applicant shall provide an historic assessment of the structure(s) prepared by a qualified historic consultant. If it is determined by the City based upon the historic assessment that a development would impact a structure that is eligible as an historic resource under CEQA definitions, the City shall consider measures that would enable the project to avoid direct or indirect impacts to the building or structure, including designs consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties. If the building or structure can be preserved, but remodeling, renovation or other alterations are required, this work shall be conducted in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. **MM CUL-1.2:** Resource Documentation: If a significant historic building or structure is proposed for major alteration or renovation, or to be moved and/or demolished, the City shall ensure that a qualified architectural historian thoroughly documents the building and associated landscape and setting. Documentation shall include still and video photography and a written documentary record/history of the building to the standards of the Historic American Building Survey or Historic American Engineering Record, including accurate scaled mapping, architectural descriptions, and scaled architectural plans, if available. The record shall be prepared in consultation with the State Historic Preservation Officer and filed with the Office of Historic Preservation. The record shall be accompanied by a report containing site-specific history and appropriate contextual information. This information shall be gathered through site specific and comparative archival research, and oral history collection as appropriate.

Impact CUL-2: Future development projects under the Plan could inadvertently discover unknown archaeological resources during construction. **(Less than Significant Impact with Mitigation Incorporated)**	**MM CUL-2.1:** Prior to the commencement of construction, the applicant shall secure the services of a qualified archaeologist. The archaeologist shall prepare a Worker Environmental Awareness Program (WEAP) to instruct construction workers of the obligation to protect and preserve valuable archaeological and Native American resources. This program will be provided to all construction workers involved in ground disturbing activities in the form of a recorded presentation and PDF pamphlet and will include a discussion of all applicable laws and penalties under the law; samples or visual aids of resources that could be encountered in the project vicinity; notification of any culturally sensitive locations where monitoring may occur; instructions regarding the need to halt work in the vicinity of any potential archaeological and Native American resources encountered; and measures to notify their supervisor, the applicant, and the specialists. An electronic version of the WEAP shall be provided to the City for review and approval prior to issuance of any tree removal, grading, demolition, or building permits, whichever occurs first. **MM CUL-2.2:** Archaeological monitoring by a professional archaeologist shall occur for ground disturbing activities within native soils. The archaeological monitor shall record and maintain daily monitoring logs that include written descriptions of the areas monitored and project activities, photographs, sediment descriptions, any finds encountered, and the response to the finds. Monitors shall halt or redirect work in the immediate area if archaeological resources are identified during earth-moving activities. **MM CUL 2.3:** Presence of Artifacts. Any property owner who, at any time in the preparation for or process of excavating or otherwise disturbing the ground, discovers artifacts or other evidence of a Native American cultural site, shall: • Cease and desist from all further excavations and disturbances within 25 feet of the discovery. • Arrange for staking completely around the area of discovery by visible stakes no more than 10 feet apart, forming a circle having a radius of no less than 100 feet from the point of discovery; provided, however, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking.

	• Notify the proper authority in accordance with the Native American Cultural Sites ordinance. Notify the Community Development Director. • The archaeological monitor will evaluate the find to determine if it meets the definition of a historical, unique archaeological, or tribal cultural resource and evaluate its eligibility for listing in the California Register of Historic Resources as determined by the California Office of Historic Preservation. Data recovery methods may include, but are not limited to, backhoe trenching, shovel test units, hand augering, and hand-excavation. The techniques used for data recovery shall follow the protocols identified in a treatment plan to be reviewed and approved by the City. Data recovery shall include excavation and exposure of features, field documentation, and recordation. All documentation and recordation shall be submitted to the Northwest Information Center and Native American Heritage Commission (NAHC) Sacred Land Files, and/or equivalent prior to the issuance of an occupancy permit. A copy of the evaluation shall be submitted to the Community Development Director.
Geology and Soils	
Impact GEO-1: Future construction activities could disturb paleontological resources, if present. **(Less than Significant Impact with Mitigation Incorporated)**	**MM GEO-1.1:** Fossil Treatment. In the event a fossil(s) is discovered during construction, excavations within 50 feet of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall assess the nature and importance of the find and recommend appropriate treatment. Treatment may include preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds. The City and future project applicants will be responsible for implementing the recommendations of the paleontological monitor, and a final report documenting the implementation of the treatment program shall be prepared and provided to the City for review.

Greenhouse Gas Emissions	
Impact GHG-1: Buildout under the Plan would result in approximately 15,533 MT of CO2e annually and would not meet the State's goal of carbon neutrality by 2045. **(Significant and Unavoidable Impact with Mitigation Incorporated)**	**MM GHG-1.1:** The following measures will be implemented to address the State's efforts to reduce GHG emissions and make progress toward attaining carbon neutrality. Future development under the Plan shall meet the following requirements: • Avoid construction of new natural gas connections for residential buildings to the extent feasible, recognizing federal law preempts local government attempts to prohibit the use of natural gas. If this is not feasible, then the project must comply with Mitigation Measure MM GHG-1.2 below. • Avoid wasteful or inefficient use of electricity by meeting CALGreen Building Standards Code requirements that are considered to be energy efficient and including electric vehicle charging infrastructure that meets current Building Code CALGreen Tier 2 compliance. • Reduce VMT per service population by 15 percent over regional average or screen out based on the Analyzing Vehicle Miles Traveled for CEQA Compliance SB 743 Implementation Guidelines for the City of Scotts Valley. **MM GHG-1.2: Natural Gas Project Requirements.** Projects that include natural gas appliances shall enter into an agreement with the City to reduce GHG emissions equivalent to those emitted by the project's natural gas appliances. Applicants would have to provide evidence to the City demonstrating that these emissions were properly identified and offset, prior to receiving any approval for construction (e.g., building permit).
Hazards and Hazardous Materials	
Impact HAZ-1: Future development within the Plan could encounter and disturb contaminated soil, soil vapor, and groundwater, and result in adverse effects on construction workers, existing residents and employees, and nearby sensitive receptors. **(Less than Significant Impact with Mitigation Incorporated)**	**MM HAZ-1.1:** All future development that would occur as a result of the Plan would be required to complete a Phase I Environmental Site Assessment (ESA), unless the Community Development Director determines that a prior Phase I completed for the site adequately establishes baseline conditions and/or the site has undergone regulatory oversight and the site condition is deemed acceptable for the proposed use. The Phase I ESA must be prepared by a qualified environmental consultant and will assess the property's nature, history, and setting. If determined necessary based on the findings of the ESA, future development would be

	required to complete additional testing and/or reports. Mitigation for future projects will be implemented as deemed necessary by the required ESAs to mitigate the risk of hazardous materials being released into the environment.
Noise	
Impact NOI-1: Future construction associated with development under the Plan could result in temporary construction noise impacts. **(Less than Significant Impact with General Plan Policies and Mitigation Incorporated)**	**General Plan Polices that Reduce Construction Noise Impacts** • Policy SN-7.15 Construction Noise Management. Ensure that construction activities are managed to minimize overall noise impacts on surrounding land uses. • Policy SN-7.16 Construction Noise Reduction Plan. Where appropriate, particularly when located adjacent to sensitive land uses, the City may require construction noise reduction measures as part of project development plans to reduce the effects of construction noise. **MM NOI-1.1 : Noise Reduction Measures.** To reduce the effects of construction noise, the project applicant shall ensure that the following noise reduction measures are included as part of all relevant grading and building construction plans: • Limit construction activity to weekdays between 8:00 a.m. and 5:00 p.m. and Saturdays between 9:00 a.m. and 5:00 p.m., with no construction on Sundays; • Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment; • Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses; • Locate staging areas and construction material areas as far away as possible from adjacent land uses; • Prohibit all unnecessary idling of internal combustion engines; • If impact pile driving is proposed, multiple-pile drivers shall be considered to expedite construction. Although noise levels generated by multiple pile drivers would be higher than the noise generated by a single pile driver, the total

	duration of pile driving activities would be reduced; • If impact pile driving is proposed, temporary noise control blanket barriers shall shroud pile drivers or be erected in a manner to shield the adjacent land uses. Such noise control blanket barriers can be rented and quickly erected; • If impact pile driving is proposed, foundation pile holes shall be pre-drilled to minimize the number of impacts required to seat the pile. Pre-drilling foundation pile holes is a standard construction noise control technique. Pre-drilling reduces the number of blows required to seat the pile. Notify all adjacent land uses of the construction schedule in writing; • Designate a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem are implemented. • Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction.
Impact NOI-2: Future development under the Plan could result in a significant permanent noise level increase. **(Less than Significant Impact with General Plan Policies Incorporated)**	**General Plan Polices that Reduce Impacts** For new development projects within the Plan area that would result in a significant permanent noise level increase, the incorporation of the following General Plan policies would minimize potential operational noise. • Policy SN-7.5 New Development Noise Attenuation. New developments that are conditionally acceptable or increase the day-night noise level by more than the levels shown in Table SN-2: Noise Increase Standards in the City's General Plan, shall conduct a noise study to determine that the appropriate noise attenuation design measures have been incorporated to the City's satisfaction. • Policy SN-7.17 Use of Truck Routes. Limit truck traffic in residential and commercial areas to designated truck routes.

	• Policy SN-7.7 Noise Attenuation Techniques. The City Planning and Building departments shall ensure noise attenuation techniques are constructed in new development projects. The City building inspector will ensure that all design specifications relevant to a project's acoustical design for noise level reduction are completed as approved prior to final approval of any project. • Policy SN-7.9 Acoustical Engineering Analysis. The City would require an acoustical engineering analysis to show that new commercial or industrial planned use will not increase the local ambient noise levels by more than the values outlined in the noise element of the General Plan. This would also apply to the proposed amphitheater.
Impact NOI-3: Groundborne vibration levels generated by construction activities for development under the Plan exceeding the conservative 0.3 in/sec PPV limit for conventional offsite buildings would have the potential to result in a significant vibration impact. **(Less than Significant Impact with Mitigation Incorporated)**	To further reduce construction vibration, the Plan would require that the following measures are implemented by future development projects proposing construction equipment within the screening distances of vibration-sensitive receptors[1] (refer to Table 3.13-6), to reduce construction-related vibration. **MM NOI-3.1: Vibration Control Requirements.** A construction vibration control plan shall be prepared by a qualified professional in accordance with industry-accepted methodology. The plan shall identify necessary construction vibration controls to reduce the potential of cosmetic damage to buildings and to minimize annoyance. Controls may include, but would not be limited to, the following measures: • Comply with the construction noise ordinance to limit hours of exposure. The City's Municipal Code allows construction activities between the hours of 8:00 a.m. and 6:00 p.m. on weekdays and between 9:00 a.m. and 5:00 p.m. on Saturdays. No construction is permitted on Sunday. • A list of all heavy construction equipment to be used for the project known to produce high vibration levels (tracked vehicles, vibratory

[1] Per Illingworth & Rodkin's Noise and Vibration Assessment completed for the Plan (see Appendix C), vibration-sensitive receptors include: "Older residential structures with plastered walls, buildings with foundation walls and floors in concrete, walls in concrete or masonry, stone masonry retaining walls, underground chambers and tunnels with masonry alignments, and conduits in loose material."

		compaction, jackhammers, hoe rams, etc.) shall be submitted to the City by the contractor. This list shall be used to identify equipment and activities that would potentially generate substantial vibration and to define the level of effort for reducing vibration levels below the thresholds. • Place operating equipment on the construction site as far as possible from vibration-sensitive receptors, including older residential structures with plastered walls, buildings with foundation walls and floors in concrete, walls in concrete or masonry, stone masonry retaining walls, underground chambers and tunnels with masonry alignments, and conduits in loose material • Use smaller equipment along project boundaries to minimize vibration levels below the limits. • Avoid using vibratory rollers and tampers near sensitive areas. • Select demolition methods not involving impact tools. • Modify/design or identify alternative construction methods to reduce vibration levels below the limits. • Avoid dropping heavy objects or materials near sensitive areas. • For projects requiring impact or vibratory pile driving, supplemental environmental review would be required. At a minimum, such projects would develop a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies shall be identified for when vibration levels approach the limits. Conduct a post-construction survey on structures where either monitoring has indicated high vibration levels or complaints of damage has been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.

Transportation	
Impact TRAN-1: Buildout of the Plan would contribute to a significant cumulative VMT impact for commercial land uses. **(Significant and Unavoidable Impact)**	None available

Issues to be Resolved

Section 15123(b)(3) of the CEQA Guidelines requires that an EIR identify issues to be resolved, including the choice among alternatives and whether or how to mitigate significant impacts. With regard to the proposed project, the major issues to be resolved include decisions by the City of Scotts Valley, as lead agency, related to:

- Whether this Plan EIR adequately describes the environmental impacts of the proposed project.
- Whether the benefits of the proposed project override environmental impacts that cannot be feasibly avoided or mitigated to a level of insignificance.
- Whether the identified goals, policies, or mitigation measures should be adopted or modified.
- Whether there are other mitigation measures that should be applied to the proposed project besides those goals, policies, or mitigation measures identified in the Plan EIR.
- Whether there are any alternatives to the proposed project that would substantially lessen any of the significant impacts of the proposed project and achieve most of the basic objectives.

Areas of Controversy

A Notice of Preparation (NOP) was circulated to local, state, and federal agencies on May 12th, 2025. The 30-day comment period concluded on June 11th, 2025. Copies of all comment letters are included in Appendix A. Environmental concerns from local residents, organizations, and/or agencies about the project related to:

- Air quality
- Biological Resources
- Historical Resources
- Housing
- Transportation and circulation
- Tribal Cultural Resources

Objectives

1. Provide a vision, policies, and objective standards to guide development in the Town Center in a manner that supports existing and new businesses, residents, and the overall community.

2. Create a pedestrian-friendly Town Center with an integrated mix of land uses including retail, entertainment, theaters, restaurants, housing, and civic/public facilities, cohesively woven together by attractive and well-designed buildings.

3. Create a unique business attraction, a place for community gathering, and an entertainment hub for the City, with a variety of activities that draw in residents from Scotts Valley and the surrounding areas.

4. Provide for residential and mixed-use development, up to a total of 657 units overall in the Plan Area to fulfill RHNA requirements.

5. Establish zoning and land use policies that ensure a variety of housing types (from attached single-family townhomes to apartments) are built to serve households across a range of income levels.

6. Focus pedestrian-friendly retail and entertainment uses in the Town Center Core, while minimizing auto-oriented uses.

7. Design the future roadway network and block structure in the Town Center to connect new developments with existing community facilities and existing commercial/retail anchors in the area, and incorporate street designs that are safe, comfortable and convenient for cars, pedestrians, and bicyclists.

8. Establish a vision and conceptual plan for a network of publicly accessible open spaces that serve the needs of Scotts Valley residents and foster a pedestrian-friendly environment.

9. Adopt a market-viable planning and implementation framework to help attract private sector investment and coordinate phased development through public/private partnerships.

10. Provide a Town Center infrastructure improvement program that serves as a basis for State and Federal grant assistance and capital improvement scheduling and budgeting.

Section 1.0 Introduction and Purpose

1.1 Purpose of the Environmental Impact Report

The City of Scotts Valley, as the Lead Agency, has prepared this Draft Environmental Impact Report (EIR) for the 2025 Scotts Valley Town Center Specific Plan ("the Plan") in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

As described in CEQA Guidelines Section 15121(a), an EIR is an informational document that assesses potential environmental impacts of a proposed project, as well as identifies mitigation measures and alternatives to the proposed project that could reduce or avoid adverse environmental impacts (CEQA Guidelines 15121(a)). As the CEQA Lead Agency for this project, the City of Scotts Valley (the City) is required to consider the information in the EIR along with any other available information in deciding whether to approve the project. The requirements for an EIR include discussions of the environmental setting, significant environmental impacts including growth-inducing impacts, cumulative impacts, mitigation measures, and alternatives. It is not the intent of an EIR to recommend either approval or denial of a project, rather it is an informational document meant to support the decision making process.

1.2 EIR Process

1.2.1 Notice of Preparation and Scoping

In accordance with Section 15082 of the CEQA Guidelines, the City prepared a Notice of Preparation (NOP) for this EIR. The NOP was circulated to local, state, and federal agencies on May 12th, 2025. The standard 30-day comment period concluded on June 11th, 2025. The NOP provided a description of the project and identified possible environmental impacts that could result from implementation of the project. The City also held a public scoping meeting on May 22nd, 2025, to discuss the project and solicit public input as to the scope and contents of this EIR. The meeting was held at City Hall, with a virtual attendance option via Zoom. Appendix A of this EIR includes the NOP and comments received on the NOP. A total of six comment letters were received in response to the NOP (five responsible agency comments and one comment from a public interest group).

1.2.2 EIR Public Review and Comment Period

Publication of this EIR will mark the beginning of a 45-day public review period. The 45-day public circulation period for this EIR is October 10, 2025, through November 24, 2025. During this period, the EIR will be available to the public and local, state, and federal agencies for review and comment. Notice of the availability and completion of this EIR will be sent directly to every agency, person, and organization that commented on the NOP, as well as the Office of Land Use and Climate Innovation. Written comments concerning the environmental review contained in this EIR during the 45-day public review period should be sent to:

City of Scotts Valley Planning Department
Attention: Taylor Bateman
1 Civic Center Drive, Scotts Valley, CA 95066
Email: planningdepartment@scottsvalley.gov

1.3 Final EIR/Responses to Comments

Following the conclusion of the 45-day public review period, the City will prepare a Final EIR in conformance with CEQA Guidelines Section 15132. The Final EIR will consist of:

- Revisions to the EIR text, as necessary;
- List of individuals and agencies commenting on the EIR;
- Responses to comments received on the EIR, in accordance with CEQA Guidelines (Section 15088);
- Copies of letters received on the EIR.

Section 15091(a) of the CEQA Guidelines stipulates that no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings. If the lead agency approves a project despite it resulting in significant adverse environmental impacts that cannot be mitigated to a less than significant level, the agency must state the reasons for its action in writing. This Statement of Overriding Considerations must be included in the record of project approval.

1.3.1 Notice of Determination

If the project is approved, the City will file a Notice of Determination (NOD), which will be available for public inspection and posted within 24 hours of receipt at the County Clerk's Office and available for public inspection for 30 days. The filing of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA (CEQA Guidelines Section 15094(g)).

1.4 Permits and Approvals

In order for the City to move forward with development under the Plan, the City Council will need to certify this EIR and adopt the Plan.

For future proposed development under the Plan, one or more of the following agencies, as well as, potentially, agencies not listed below, in addition to the City, may require the issuance of permits/granting of approvals:

- U. S. Army Corps of Engineers

- California Department of Fish & Wildlife
- Monterey Bay Air Resources District
- Regional Water Quality Control Board
- Santa Cruz County
- U.S. Fish and Wildlife Service
- Scotts Valley Water District

Section 2.0 Project Information and Description

2.1 Project Location

The Plan area consists of approximately 58 acres within the City of Scotts Valley, including approximately 12.4 acres of vacant land centrally located in the core of the Plan area that was formerly part of the Skypark Airport. The Plan area also includes a southeast portion of Skypark, which is now a public park and open space. The Plan area is generally bound by Blue Bonnet Lane and Kings Village Road to the north, an existing residential neighborhood (Hidden Oaks Condominiums) to the east, Mt. Hermon Road to the south, Skypark Drive to the west, and Skypark to the northwest. Please refer to Figure 2.1-1, Figure 2.1-2, and Figure 2.1-3 for maps showing the project location and surrounding context.

2.2 Purpose of a Specific Plan

2.2.1 Purpose of a Specific Plan

A specific plan combines a policy document, such as goals, policies, and programs, with a regulatory document, such as a zoning ordinance. A specific plan serves as a standalone planning document, establishing the zoning and development standards for the Plan area. A specific plan is required to include:

1. land use regulations and development standards;
2. a program of implementing measures;
3. planned and needed public works projects to serve the specific plan area; and
4. financing measures necessary to implement the specific plan and its recommendations.

A specific plan is subject to environmental review under CEQA. Due to the detail of the EIR for a specific plan, State laws provide environmental review streamlining and exemptions for future projects implementing the specific plan that are consistent with the development assumptions and other requirements identified in the EIR. This streamlining and exemptions are only available for development projects if they are consistent with the specific plan.

The purpose of this Plan is to create a vision, policies, and objectives standards to guide new development within the Plan area in a way that supports existing and new businesses, residents, and the overall community. The Plan would manage and direct changes in the development patterns within the Plan area and guide present and future land uses, development intensity and scale, urban design, economic development, circulation management and mobility, infrastructure and public services, and community benefits.

2.2.2 Project Background

The 2008 Plan was adopted by the Scotts Valley City Council in 2008. The 2008 Plan proposed a mix of residential, commercial, and public/civic uses (with the strongest emphasis on retail development). The EIR for the 2008 Plan analyzed 300 residential units, 275,000 square feet of commercial, and 35,000 square feet of public/civic facilities. Since the 2008 Plan was adopted in 2008, new development in the area has consisted of 46 residential units, as well as 13,318 square feet of commercial retail space at the Hangar project on Mt. Hermon Road.

In November 2023, the City adopted the Scotts Valley General Plan, which will guide development within the City through 2045. The General Plan included Action ED-1.1, which called for the 2008 Plan to be updated with an appropriate mix of land uses that are supported by a new market and financial feasibility analysis and are economically attractive to investors and developers. The General Plan projected that a new Town Center Specific Plan would develop a maximum of 254 housing units, whereas the Plan analyzed under this EIR would allow for a maximum of 657 residential units, consistent with the 2023-2031 Housing Element requirements for housing within the Plan area. This larger total was not studied in the General Plan EIR as part of General Plan growth projections and therefore this EIR is necessary to inform the City Council and the general public of the environmental impacts that may result from additional development proposed in the Plan that exceeds the assumed development in the General Plan. Table 2.2-1 below summarizes the housing unit assumptions for the Plan area throughout the planning history within the City.

The General Plan projected that the 2008 Plan would develop a maximum of 275,000 square feet of commercial and 35,000 square feet of public/civic facilities, whereas the 2025 Town Center Plan would allow for a maximum of 82,000 square feet of commercial uses and up to 35,000 square feet of public/civic uses.

Table 2.2-1: Town Center Residential Unit Planning Projections

Planning Document	Residential Unit Assumption
2008 Town Center Plan	254 units
2023 General Plan	254 units
2023 - 2031 Housing Element Cycle	657 units
2025 Town Center Plan	657 units

2.2.3 Existing General Plan and Zoning Land Use Designations

Parcels in the Plan area include a range of General Plan land use designations, as shown in Table 2.2-2 below and described below.

Land Uses west of Kings Village Road have a current General Plan land use designation of Service Commercial (corresponding zoning designation of C-S), Public/Quasi Public (corresponding zoning designation of P), and Shopping Center (corresponding zoning designation of C-SC). Land uses east

of Kings Village Road have a current General Plan land use designation of Public/Quasi Public, Shopping Center, and Very High Residential (corresponding zoning designation of R-VH) (15.1 – 20 dwelling units/acre).

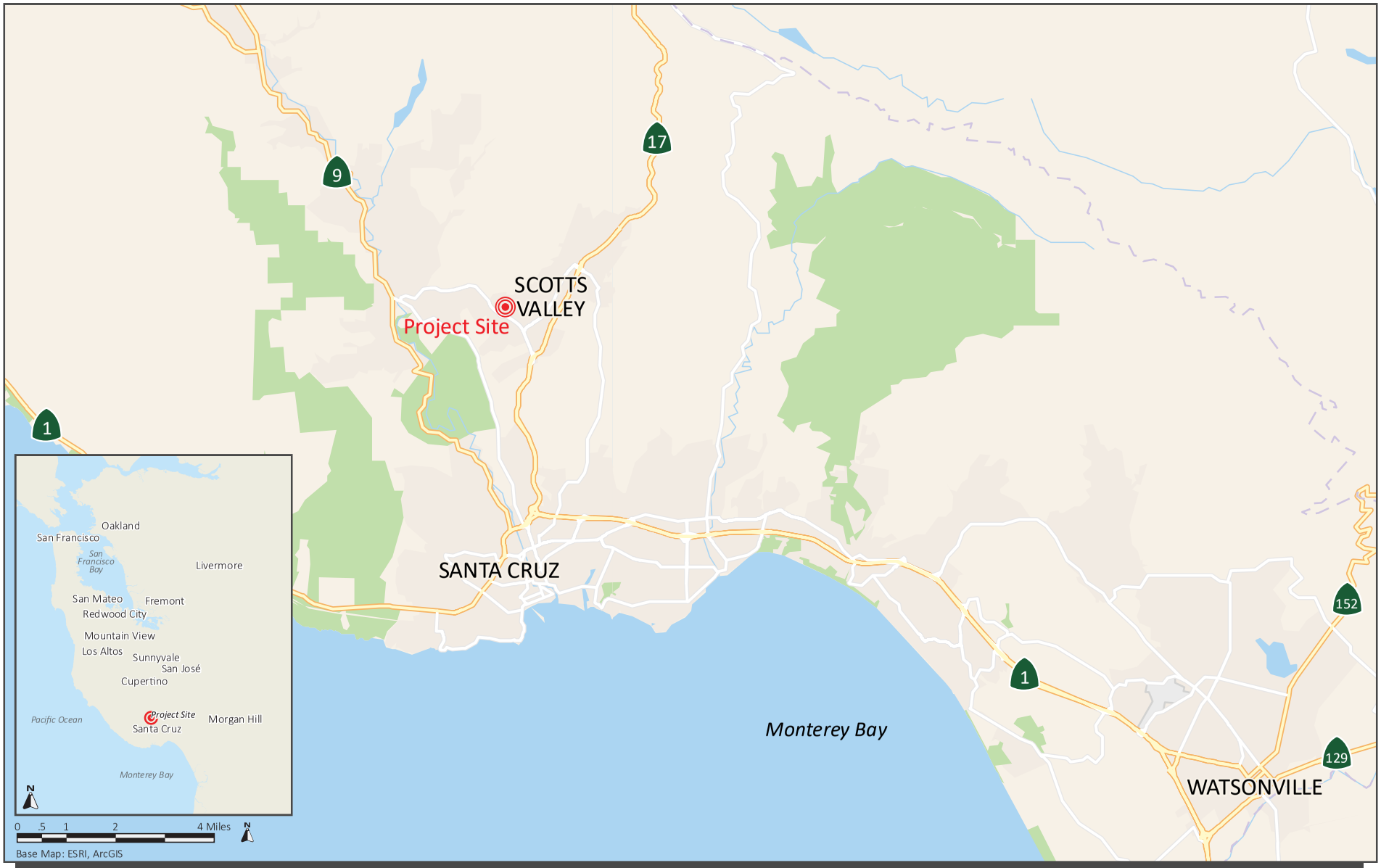
Permitted densities for the land uses described above are summarized in Table 2.2-2 below.

Table 2.2-2: Existing Permitted Densities

General Plan Land Use Designation	Zoning	Permitted Density	Permitted Uses
Very High Residential	R-VH	15.1 – 20 dwelling units/acre (General Plan), 2,100 square feet/dwelling unit (zoning)	General Plan: • Townhouses and condominiums • Apartments • Neighborhood-serving commercial • Secondary dwelling units • Accessory structures • Public parks and recreation areas • Compatible public, quasi-public, and special uses Zoning: • Small family childcare homes • Small community care residential facilities • Multifamily dwellings conforming to the density requirements of this chapter • Accessory uses located on the same site with a permitted use which are incidental to the permitted use.
Service	C-S	45% maximum building coverage, 35 feet height limit	General Plan: • Retail, professional services, and office • Compatible public, quasi-public, and special uses • Very High residential (mixed-use) is permitted providing adjacent uses are compatible and the residential use is secondary to the retail use (i.e., consists of no more than 49% of the total gross square feet of the development) Zoning: • Retail establishments • Banks • Business and personal service establishments • Emergency shelters (≤25 occupants) • Medical, professional and general business offices • Radio and television broadcast studios (excluding transmission towers) • Accessory uses located on the same site with a permitted use which are customarily incidental to the

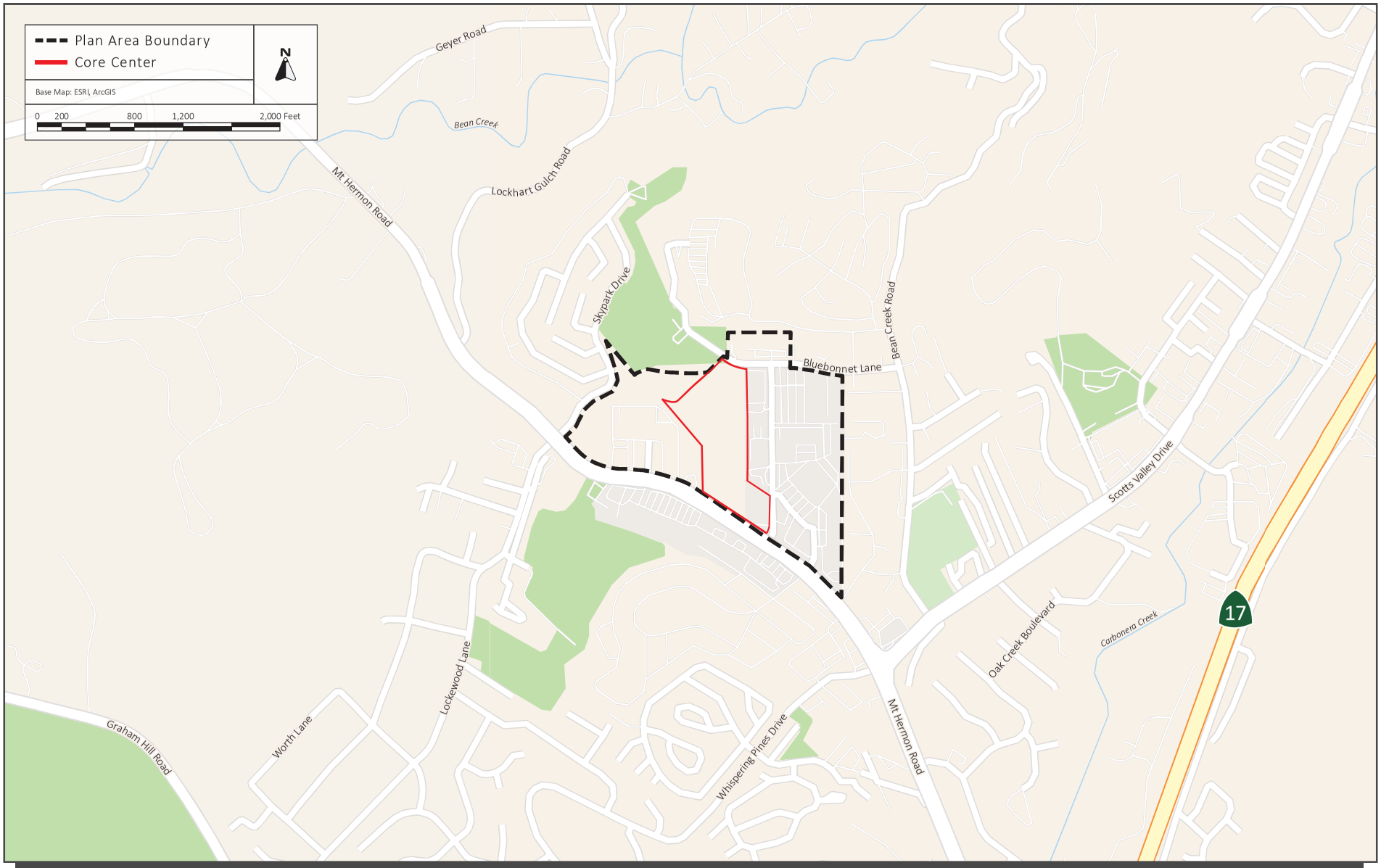
			permitted use, including but not limited to, incidental storage facilities and signs which pertain only to a permitted use on the premises • Day care center • A low barrier navigation center that meets the requirements specified in Government Code Section 65662 • Supportive housing that meets the requirements specified in Government Code Section 65651 • Accessory dwelling units pursuant to Chapter 17.57
Public/Quasi Public	P	N/A	General Plan: • Public and private educational facilities • Emergency services • Health care facilities • Religious facilities • Governmental buildings • Cultural facilities Zoning: • All facilities and structures owned by any federal, state, county or city government or agency thereof or by any school district or community college district, special district, including but not limited to a water district or a fire district or any agency thereof, which is used for administrative, office, educational or recreational purposes or for the provision of services to the public • Emergency services, including but not limited to police and fire stations, Red Cross and immediate medical services • Emergency shelters (<25 occupants), subject to compliance with Section 17.44.110 • Single-family dwellings • Accessory uses located on the same site with a permitted use which are customarily incidental to the permitted use, including but not limited to incidental storage facilities and signs which pertain only to a permitted use on the premises and which are in accordance with the standards of Chapter 17.56 • Accessory dwelling units pursuant to Chapter 17.57
Shopping Center	C-SC	35% maximum building coverage, 35 feet height limit	General Plan: • Retail, service, office • Public gathering places such as plazas and courtyards • Compatible public, quasi-public, and special uses • Very High residential (mixed-use) is permitted providing adjacent uses are compatible and the residential use is secondary to the retail use (i.e., consists of no more than 49% of the total gross square feet of the development)

	Zoning: • Professional offices • Retail and personal service establishments • Emergency shelters (<25 occupants), subject to compliance with Section 17.44.110 • Accessory uses located on the same site with a permitted use which are customarily incidental to the permitted use, including but not limited to a permitted use on the premises and which are in accordance with the standards of Chapter 17.56 • A low barrier navigation center that meets the requirements specified in Government Code Section 65662 • Supportive housing that meets the requirements specified in Government Code Section 65651. • Accessory dwelling units pursuant to Chapter 17.57.



REGIONAL MAP

FIGURE 2.1-1

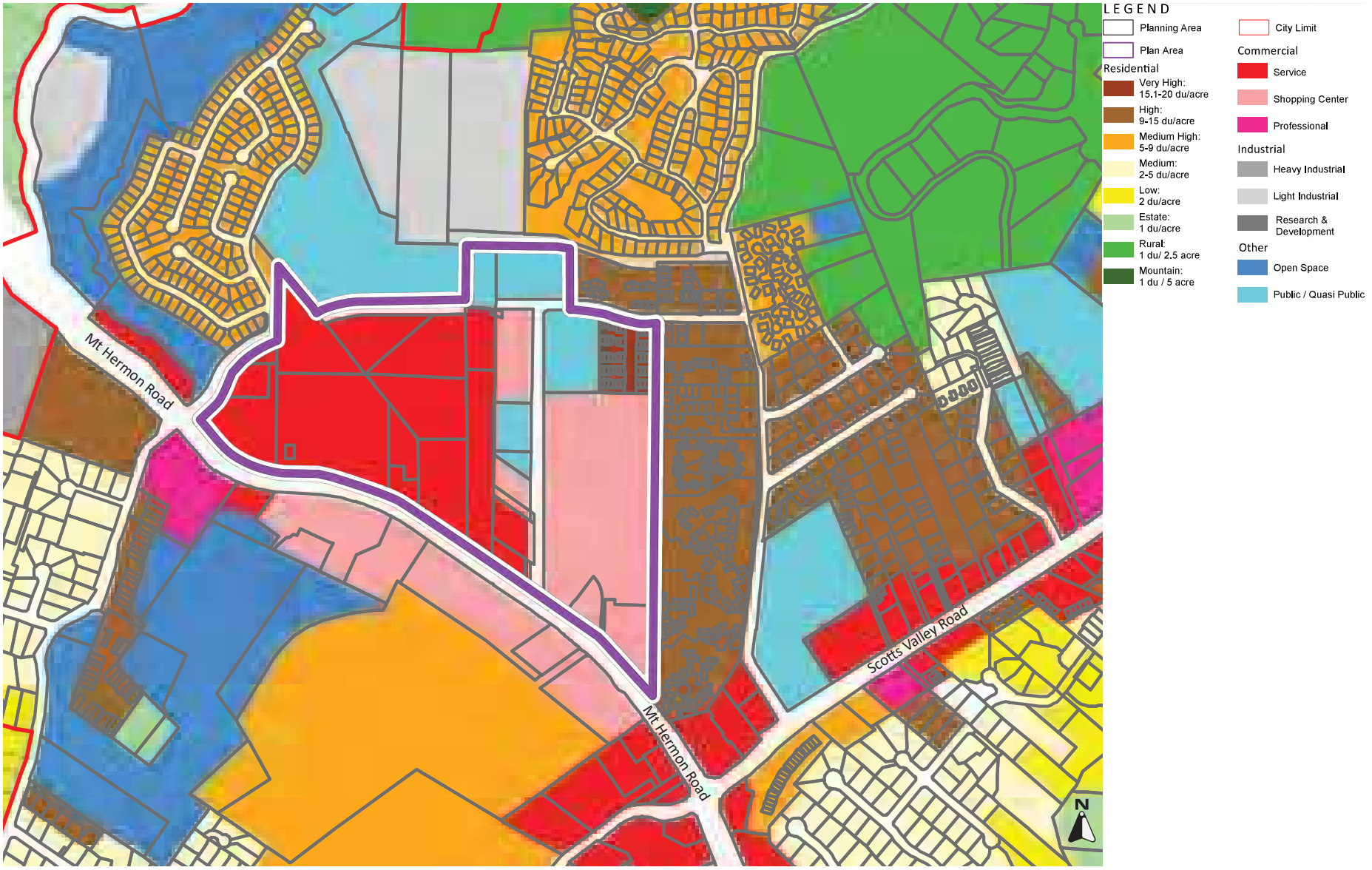


VICINITY MAP

FIGURE 2.1-2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES | FIGURE 2.1-3



EXISTING GENERAL PLAN LAND USE DESIGNATIONS AND ZONING DISTRICTS

FIGURE 2.2-1

2.3 Project Description

The Plan envisions the Town Center as the "Heart of the City," consistent with the broader community goal of establishing a vibrant town center. To fulfill this vision, the Plan is proposed to allow a blend of commercial and residential spaces, which would be complemented by existing amenities, including a library, community theater, movie theater, Senior Center, Community Center, outdoor dining, and open spaces that encourage community gathering. The Plan includes land use, zoning, and comprehensive utility, transportation, and landscaping/public realm improvements.

The project anticipates new development and changes in land use over an approximate 20-year period through 2045, and would allow for up to 657 residential units (consistent with the City's Housing Element), up to 82,000 square feet of commercial uses, and up to 35,000 square feet of public/civic uses, as summarized in Table 2.3-1 below.

Table 2.3-1: Plan Buildout

Land Use	Total
Residential	657 units
Commercial*	82,000 square feet
Public/Quasi-Public	35,000 square feet
Park Improvements	88,663 square feet**

*For the purposes of the traffic analysis, this square footage is assumed to be a mix of restaurants (fast casual and fine dining), small-format supermarket, pharmacy/drugstore, entertainment/bar/drinking place, general retail/variety store, and daily services.

**This total includes the new Tower Point and Hangar Square, as well as landscaping and public use improvements to a portion of Skypark within the Plan area.

Existing development in the Plan area consists of 46 residential units, approximately 396,000 square feet of commercial land uses, and approximately 52,000 square feet of public/quasi-public land uses. None of the existing developments are proposed for removal as part of the Plan, although expansion of existing uses may occur and is included in the Plan's development assumptions.

2.3.1 Proposed Land Use and Zoning

The Plan will establish land use designations and zoning for the Plan area as described further below. Therefore, the Plan will require adoption of various amendments to the City's General Plan and Zoning Ordinance, changing certain existing land use designations in the Plan area, creating new zoning districts, and updating existing or establishing new development standards to replace some of the current zoning provisions applicable to the Plan area. These amendments would be completed to ensure consistency between the Plan, the General Plan, and the Zoning Ordinance.

The Plan would largely maintain the existing zoning and General Plan land use designations for parcels with Public/Quasi-Public (P) and Residential – High Density (R-VH) land use designations.

Two new land use designations/zones would be created to allow mixed-use development: Mixed Use – Town Center (MU-TC) for properties in the core of the Plan area, and Mixed Use – Neighborhood (MU-N) for the existing shopping centers and for properties situated along Skypark Drive. Properties currently zoned as C-SC would be rezoned primarily as MU-N (or MU-TC in a few cases), while properties currently zoned as C-S would be rezoned as MU-TC. Allowable land uses within these proposed zones are summarized below. Figure 2.3-1 shows the proposed land use districts for the parcels within the Plan area.

The Plan would prioritize development within a centralized portion of the Plan area considered the "Town Center Core." The Town Center Core consists of the remaining 12.4 acres of the former Skypark Airport and is bound by Kings Village Road to the north, the existing community theater and post office to the east, Mt. Hermon Road to the south, Scotts Village Shopping Center to the west, and Skypark to the Northwest, as shown on Figure 2.3-1.

Existing developments (such as the movie theater, the Scotts Village Shopping Center, and the Cavallaro Transit Center) could expand uses and increase development intensity under the Plan. The allocation of that development would be determined by project-specific applications and approvals, but would not exceed the total land use buildout evaluated in this EIR.

2.3.1.1 *Residential*

New residential land uses would be permitted southwest of Skypark and southeast of Aero Lane, on both sides of the newly proposed Park Street, as well as north of both Kings Village Road and Blue Bonnet Lane. As shown in Table 2.3-1**,** the Plan would allow up to 657 residential units, an increase of 403 units above the 254 units analyzed in the General Plan for the Plan area, and consistent with the 2023-2031 Housing Element assumptions for housing within the Plan area. The only existing residential land uses within the Plan area are the three-story townhomes (46 units) located in the northeast portion of the Plan area on Bluebonnet Lane.

A range of housing types would be allowed under the Plan, including townhomes, apartments, and live/work units (townhomes with small individual commercial spaces on the ground floor). Densities would range from 32 units per acre in the MU-N land use district, to 50 units per acre in the MU-TC land use district. Per Policy 3-1.2 of the Plan, residential buildout under the Plan would include "a range of new housing, including market-rate and affordable rental and ownership opportunities consistent with the City's 2023-2031 Housing Element and Surplus Lands Act requirements." Note that the Surplus Lands Act (SLA) requires that in order to be exempt from the Standard SLA Process, at least 25% of the housing units built on surplus land are deed-restricted as affordable for low-income households; a portion of the Plan area (approximately 12.4 acres) is surplus land.

Development standards in the Plan would allow a maximum building height of 35 feet in the MU-N land use district and 50 feet in the MU-TC land use district.

2.3.1.2 *Mixed-Use and Commercial*

Mixed-use (and standalone commercial) development would be permitted in the Town Center Core (zoned MU-TC: Mixed Use – Town Center) and a majority of the Plan area perimeter, excluding the far northeastern perimeter (zoned R-VH: Residential Very High Density) and a portion of the perimeter on Skypark (zoned P: Public/Quasi Public).

MU-TC

The MU-TC zone would allow residential densities of up to 50 units per acre and a commercial floor area ratio (FAR) of 2.0. MU-TC would allow smaller format commercial uses compared to MU-N (which would continue to permit the existing shopping center uses). Development standards in MU-TC (such as setbacks, build-to requirements, maximum parking coverage, and upper floor stepbacks) would enforce a more urban character compared to MU-N.

The ground floors of buildings fronting key street segments in the Town Center Core (i.e., Main Street, portions of Park Street, and Mt. Hermon Road) would be required to contain commercial uses.

In MU-TC, the Plan would require a minimum building height of 16 feet and allow a maximum building height of 50 feet.

MU-N

The MU-N: Mixed Use – Neighborhood zone would allow residential densities of up to 32 units per acre and a commercial FAR of 0.85. The existing C-SC: Shopping Center would be redesignated as MU-N.

In MU-N, the Plan would not set a minimum height but would allow a maximum height of 35 feet (same as the current C-SC zoning), which could be increased through State Density Bonus provisions.

Allowable uses within the proposed mixed-use designations would differ slightly and are summarized in Table 3.1 of Chapter 3 of the Plan.

2.3.1.3 *Public/Quasi-Public*

Public/Quasi-Public (P) land use designation would be maintained along Kings Village Road (east and north of the Town Center Core) and a portion of Skypark. The land use designation would be maintained for the existing post office, community theater and library, and expanded to include the existing senior center and Scotts Valley Community Center. Within the Public/Quasi-Public land use designation, the maximum building height would be 45 feet. Allowed land uses within the P zone include but are not limited to:

- Public and private educational facilities

- Emergency services
- Health care facilities
- Religious facilities
- Governmental buildings
- Cultural facilities

2.3.2 Circulation Improvements

The Plan would create and enhance connections, including new roadways, pedestrian and multi-purpose paths, protected bicycle lanes, and connectivity to adjacent neighborhoods.

2.3.2.1 *Roadway Improvements*

Streets within the Plan would be designed to create opportunities for a variety of travel options, including sidewalks and designated bicycle facilities. The proposed street network is shown on Figure 2.3-2.

The Plan area currently includes three roadways: Kings Village Road, Blue Bonnet Lane, and Mt. Hermon Road, and the Plan would introduce four new roadways: Main Street, Park Street, Theater Walk, and Aero Lane. Theater Street is proposed to be a "woonerf" style street, meaning that it would provide a throughway for vehicles, pedestrians, and bicyclists but would be designed to be closed for special temporary events, such as farmers markets. Portions of Park Street could also be closed for special events under the Plan. The proposed new roadways are summarized in Table 2.3-2 below.

Table 2.3-2: Proposed Roadways

Street	Vehicle Lanes	Street Parking	Pedestrian Path	Bike Lanes[2]
Main Street	Two-way, 10 to 11 feet wide lanes	Accommodated on both sides of the street	9-feet wide sidewalks	Class III (shared lane)
Park Street	Two-way, 10 to 11 feet wide lanes	Accommodated on both sides of the street	6-feet on both sides of street.	Class IV (5 to 6 feet wide lanes on both sides of street, separated from vehicle lane) or alternative with Class III (shared lane).
Theater Walk	Two-way, 10 feet wide lanes	Accommodated on both sides of the street	6-feet wide sidewalks	Class III (shared lane)
Aero Lane	Two-way, 12-feet wide lanes	Accommodated on both sides of the street,	6-feet wide on both sides of street	None (Class 1 multiuse path planned to be located immediately

[2] Bike lane classifications are based of the classification system described in the City's Active Transportation Plan. Source: City of Scotts Valley. City of Scotts Valley Active Transportation Plan. Page 14. March 17, 2021.

Street	Vehicle Lanes	Street Parking	Pedestrian Path	Bike Lanes[2]
		perpendicular parking		adjacent in Skypark, to be constructed as part of Future Skypark Master Plan project)

2.3.2.2 *Parking Improvements*

The Plan would introduce new parking spaces, both on-street and within off-street parking facilities. Parking for commercial uses would be provided in shared configurations to allow customers to park once and visit multiple destinations, whereas parking for residential uses would be dedicated for residents and their guests.

2.3.2.3 *Pedestrian and Bicycle Improvements*

The Plan would include pedestrian and bicycle improvements to create opportunities for a variety of travel options. Main Street and Theater Walk would have Class III bike routes, providing a route for bike travel that is shared with motor vehicles. Park Street would have Class IV bike lanes on both sides of the street, providing bikeways separated from the vehicle lanes. Aero Lane would not include bike facilities. All four of the new roadways would provide sidewalks on both sides of the street. The proposed pedestrian and bike amenities of the new roadways within the Plan area are summarized in Table 2.3-2 above. Figure 2.3-3 depicts proposed pedestrian amenities under the Plan and Figure 2.3-4 depicts existing and proposed bicycle amenities under the Plan.

2.3.2.4 *Transit Improvements*

While the Plan does not explicitly propose the development of new public bus transit facilities as part of the implementation of the Plan, local bus transit provider METRO may elect to augment service along existing lines running on Kings Village Road and/or Mount Hermon Road. It is not anticipated that METRO service will run within the interior of new public streets within the Town Center Core, but the Plan does not foreclose this option. Additionally, the Plan facilitates and supports a potential redevelopment of the Cavallero Transit property (which is owned by METRO) into a mixed-use project, which has been long envisioned by METRO.

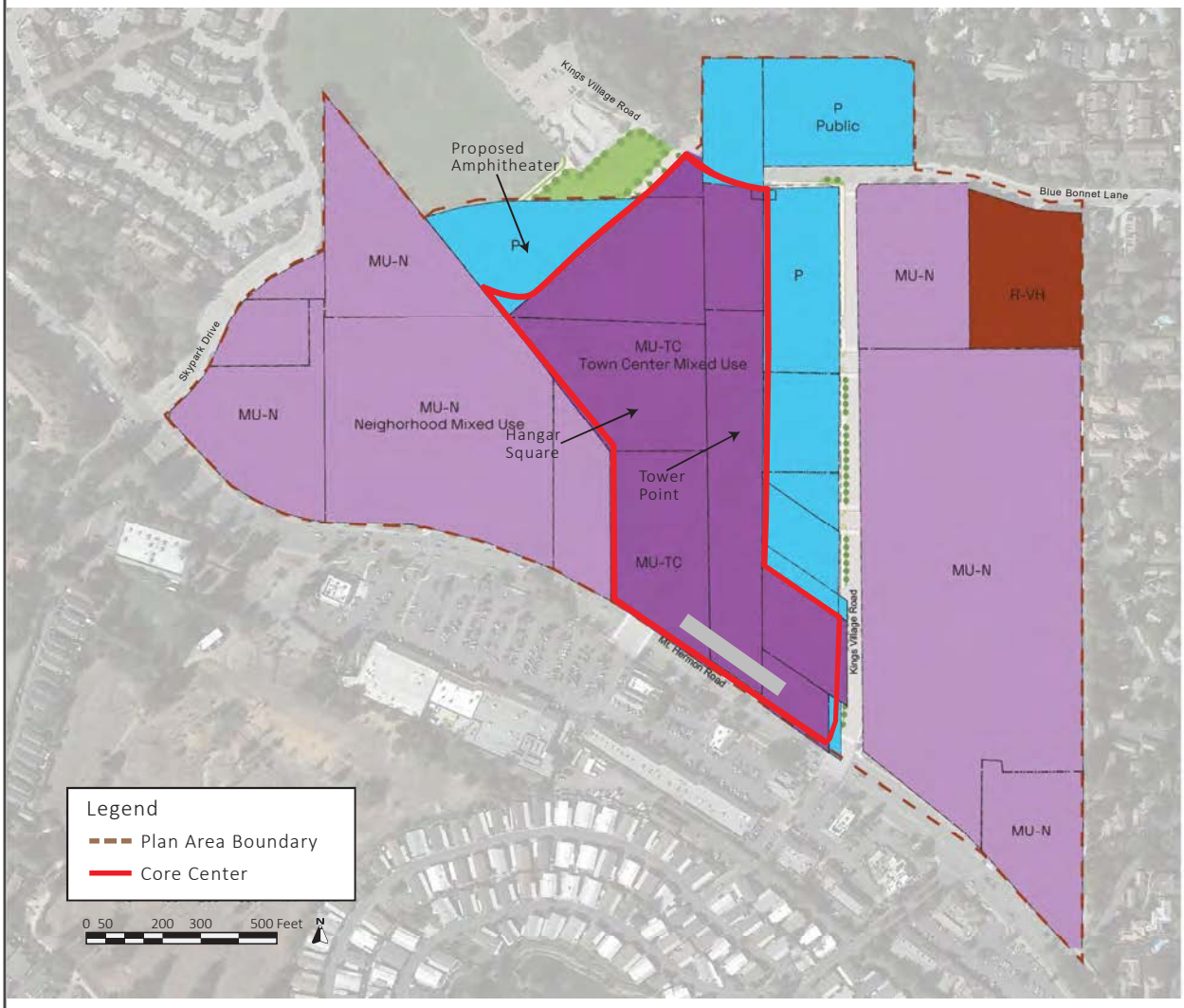
2.3.3 Public Space and Landscaping

The Plan would include two new public plazas: Tower Point and Hangar Square, as well as landscaping and public use improvements to a portion of Skypark:

- The Tower Point Plaza would be a public plaza located on Park Street, across from Main Street adjacent to the proposed pedestrian and bicycle paseo.
- Hangar Square would be a public plaza with a splash pad located along Park Street across from Theater Walk, at the corner of Main Street and Park Street.

The Plan also incorporates a future renovation of the portion of Skypark within the Plan area, which may include an amphitheater with a stage and canopy, as well as a flexible lawn area and public recreational facilities. The amphitheater would accommodate both small and large weekend events, with the option for entertainers to face two different directions, depending on the program. The programming could include amplified music. The amphitheater would undergo project-level environmental review once operational details are available.

The Plan would include streetscape landscaping along all proposed throughways, landscaping of the plazas, and landscaping in the area of Skypark that is within the boundaries of the Plan.

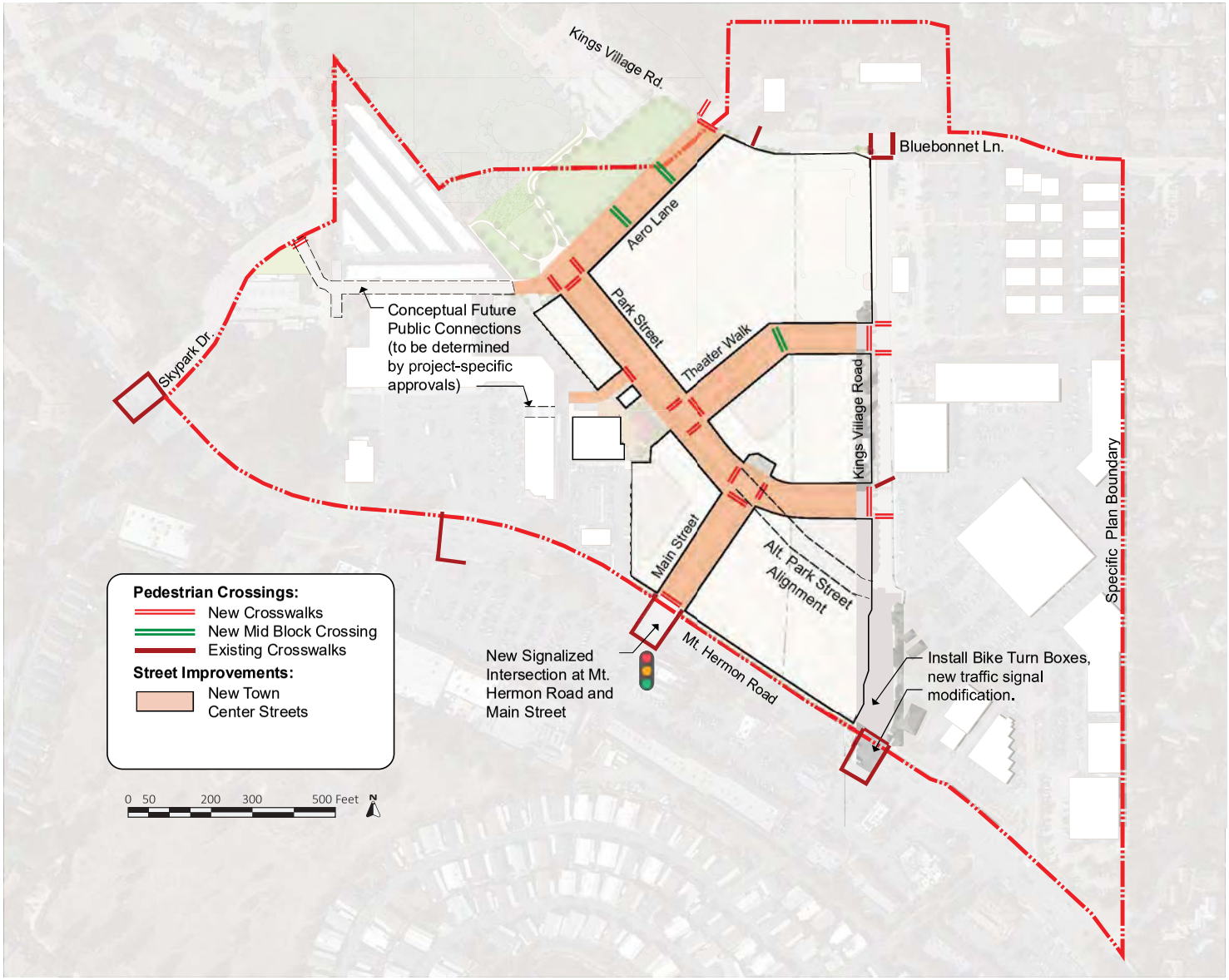


PROPOSED LAND USE DISTRICTS MAP | FIGURE 2.3-1



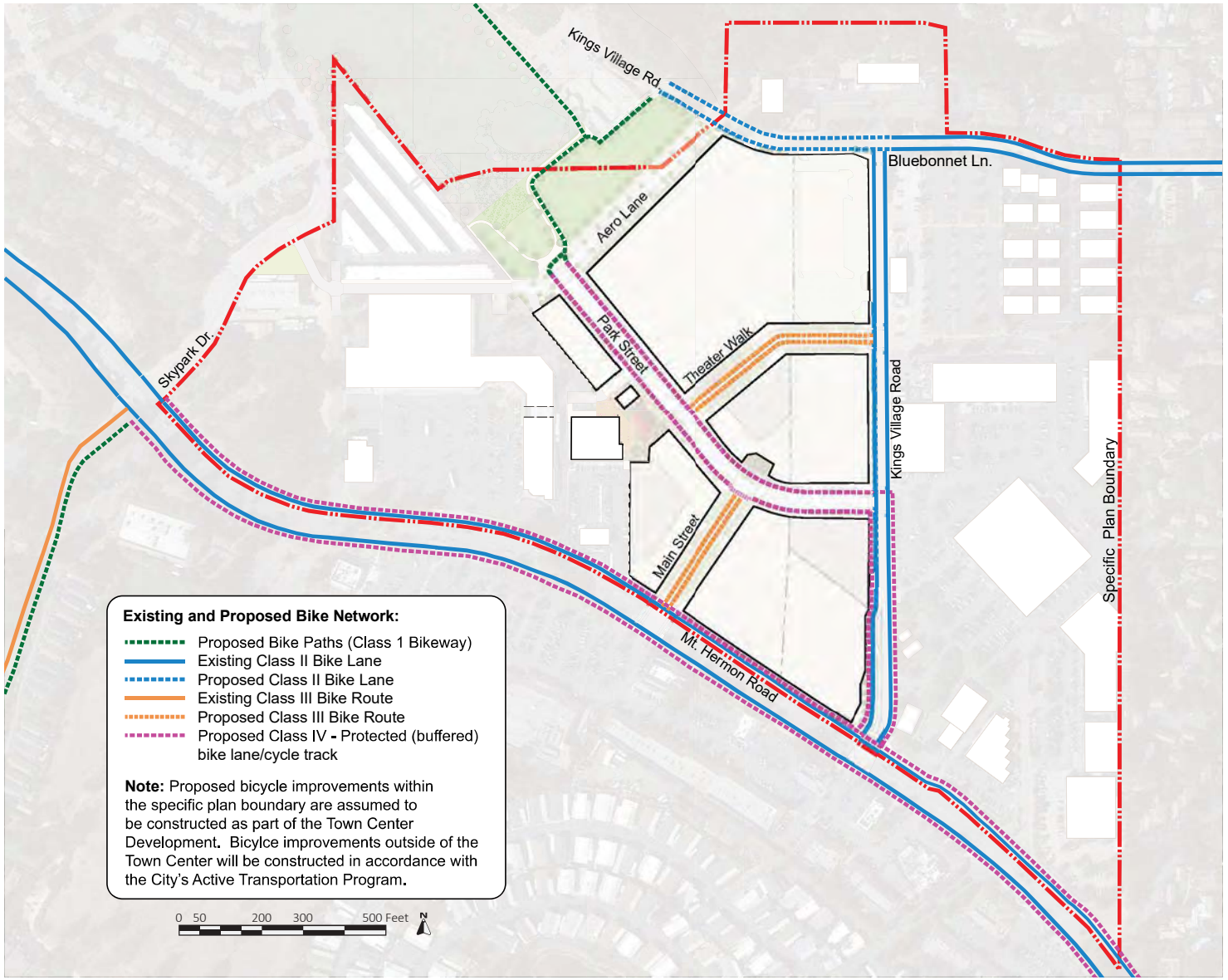
PROPOSED CIRCULATION NETWORK

FIGURE 2.3-2



PROPOSED PEDESTRIAN AMENITIES UNDER THE PLAN

FIGURE 2.3-3



EXISTING AND PROPOSED BICYCLE AMENITIES UNDER THE PLAN

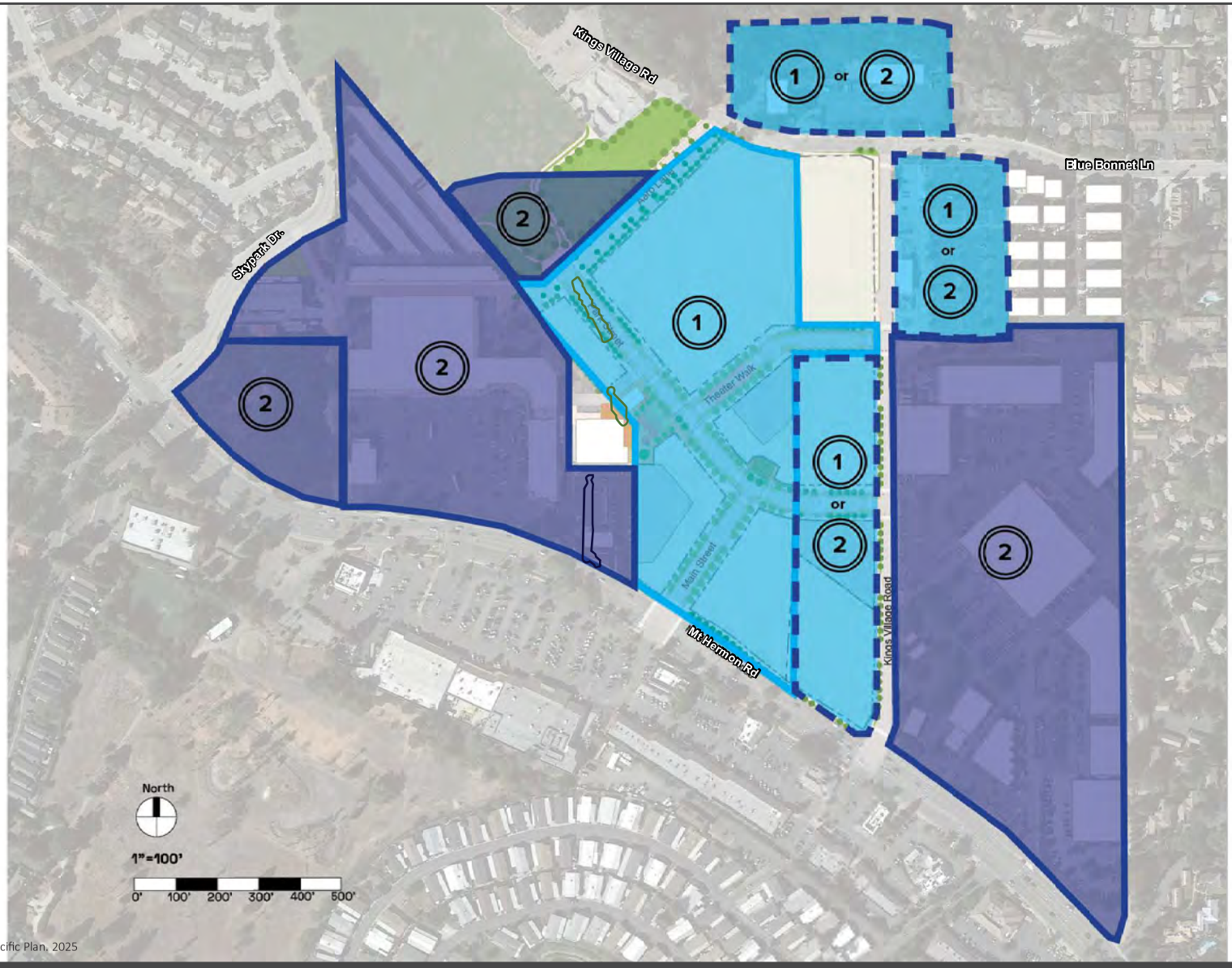
FIGURE 2.3-4

2.3.4 Plan Buildout Phasing

The Plan may be implemented over time and in a phased approach. Due to the unique characteristics of this project, specific details regarding phasing boundaries, timing, and specific details will be determined by the Project Applicant(s) or their designee(s) in response to market demand, rapidly changing mobility technology, availability of financing, and other factors as part of the development review process for individual development projects.

If phased development occurs, development of the future phases could occur in one phase or could be in multiple future phases. Development of the future phases would include construction of the remaining square footage of development as allowed under this Plan, in addition to any associated infrastructure, parking, and landscaping and open space, subject to subsequent development approval and adherence to Plan development standards and design guidelines.

The anticipated sequence of Plan construction is shown in Figure 2.3-5. This sequencing envisions two phases as described below; the first phase is associated with the Town Center Core, and the second phase pertains to developments not a part of the Town Center Core . Future development will be responsible for the construction of both private and public infrastructure necessary to support each phase within the Plan area and, in relevant circumstances (e.g., transportation, water, sewer, stormwater, dry utility), in adjacent off-site areas. Given the nature of the Plan, and in order to adequately serve future development, some infrastructure may be constructed regardless of the respective phasing boundaries.



Source: Town Center Specific Plan, 2025

CONCEPTUAL PHASING PLAN

FIGURE 2.3-5

Buildout of the Plan is envisioned to occur over a 20-year period and be comprised of two phases: Phase 1 and Phase 2. Phase 1 is defined by implementation of the Town Center Core Development Agreement while Phase 2 refers to the other projects occurring outside of the purview of the Core Development Agreement, including the future redevelopment of the METRO site, development of the parcels at Skypark Drive and Mt Hermon Road, and other long-term projects occurring outside of the Town Center Core, such as reconstruction of the Target Center, Nob Hill Shopping Center, or the Public Storage property. Certain properties identified above with a dashed outline may be included in Phase 1, depending on their disposition at the time of the approval of the Development Agreement. Although this is the expected order of development, nothing prevents any of the phasing from occurring when deemed appropriate by the property owners or developers. Specific infrastructure improvements associated with or planned under each phase are described below.

2.3.5 Phase 1

2.3.5.1 *Transportation Improvements*

Transportation improvements required under Phase 1 of the Plan include the following:

- Construction of new publicly accessible streets within the Town Center Core: Main Street, Park Street, Aero Lane, and Theater Walk as identified in the Plan's Circulation Network diagram.
- Signalization of Main Street and Mt. Hermon Road intersection.
- Extension of the westbound left-hand turn pocket to at least 100 feet and the eastbound left-hand turn pocket at least 175 feet at the Main Street/Safeway Plaza/Mt. Hermon Road intersection.
- Bicycle/Pedestrian Improvements along Mt Hermon Road.
- Bicycle/pedestrian multi-use pathways that are part of Skypark Renovation.

The Plan also includes the following optional roadway improvements - the decision whether and when to implement these improvements will be made by the City Council as part of the negotiation or approval of the Development Agreement and during the review/approval of the Planned Development permit process for the Town Center Core:

- Reconfiguration of Kings Village Road southbound approach to add a dedicated left-turn lane, turning onto Mt. Hermon Road. May include widening of Kings Village Road.
- Reconfiguration of the western leg crosswalk and installation of bicycle turn boxes on southbound Kings Village Road.
- Traffic signal modification to add split phasing in the north/south direction at the Kings Village Road and Mt. Hermon Road intersection.

2.3.5.2 *Parks and Open Space Improvements*

- Per Chapter 6 of the Plan, Hangar Square and Tower Point Plaza (or functional equivalents) are required to be built as part of the first phase of commercial/mixed-use development, at the same time as the construction of Park Street.

- Skypark Renovation may occur as part of the Phase 1 Town Center Core development effort.

2.3.5.3 *Utility Improvements*

Utility improvements planned under Phase 1 of the Plan include the following:

- Potable Water improvements will be constructed on site (within the Town Center Core) and connections to existing water mains on Mt Hermon Road and Blue Bonnet Lane will be established. The Town Center Core developer will be required to install distribution mains within new public streets to serve fire and domestic water needs. As part of initial phase applications/project approvals, the Town Center Core project shall conduct detailed hydraulic modeling to assess system performance under future buildout conditions and optimize pipeline sizing, but the assumed pipeline improvements include:
    - 1,750 feet of proposed Conveyance Main (12-inch)
    - 1,600 feet of proposed Distribution Main (8-inch)
- Development of the Plan area may require increases to Scotts Valley Water District system pumping capacity, specifically Well 10A Pump Station which serves the Camp Evers (Sequoia) pressure zone. Potential resizing of Well 10A may be required to accommodate increased demand and reduce wear from extended operational cycles. Evaluation of Well 10A capacity and operations shall be required as part of the Hydrology and Hydraulic Study associated with the Town Center Core development.
- Storm Drain improvements will be constructed on site (within the Town Center Core), a connection to the existing storm drain system will be established, and the potential improvement or replacement of the existing Mt Hermon Road storm drain main will be negotiated as part of the Town Center Core Development Agreement once the required Hydrology Study and Hydraulic Modeling is completed and reviewed by the Public Works Department.
- Sanitary Sewer improvements shall be constructed on site (within the Town Center Core), and a connection shall be established to the existing sewer main along Mt Hermon Road at the Main Street junction. No off-site sewer improvements are required to be constructed.
- Dry Utilities (electrical, natural gas, and telecom/broadband) will need to be extended through newly constructed roadways to ensure adequate services to new developments. New electrical transmission lines will be undergrounded according to City Ordinance requirements. Electrical and gas service laterals for new development will need to be updated to meet current PG&E design standards.

2.3.6 Phase 2

2.3.6.1 *Transportation Improvements*

Transportation improvements planned under Phase 2 of the Plan include the following:

- Improvement of existing streets and/or creation of new streets as part of future redevelopment of Target or Nob Hill Shopping Centers

- Construction of conceptual future public connections identified on the Circulation Network Diagram (from Aero Lane to Skypark Drive and from Park Street to Target)
- Bicycle/Pedestrian Improvements to Mount Hermon Road and Blue Bonnet Lane

2.3.6.2 *Utility Improvements*

Utility improvements planned under Phase 2 of the Plan include the following:

- Existing water mains outside of the Town Center Core will need to be upgraded as part of future developments/redevelopments to comply with the current SVWD Water System Standards.

2.3.6.3 *Parks and Open Space Improvements*

Parks and open space improvements planned under Phase 2 of the Plan include the following:

- If it does not occur as part of Phase 1, Skypark Renovation would occur during Phase 2 (or a subsequent phase).
- Construction of public parks and open spaces associated with redevelopment/development of parcels outside of the Town Center Core.

2.3.7 Development Review and Permitting Process

Section 6.3 Development Review and Permitting Process of the Plan outlines the development review and permitting process for development under the Plan. Specifically, Section 6.3.2 applies to parcels in the Town Center Core, and Section 6.3.3 applies to parcels outside of the Town Center Core.

2.4 Project Objectives

1. Provide a vision, policies, and objective standards to guide development in the Town Center in a manner that supports existing and new businesses, residents, and the overall community.

2. Create a pedestrian-friendly Town Center with an integrated mix of land uses including retail, entertainment, theaters, restaurants, housing, and civic/public facilities, cohesively woven together by attractive and well-designed buildings.

3. Create a unique business attraction, a place for community gathering, and an entertainment hub for the City, with a variety of activities that draw in residents from Scotts Valley and the surrounding areas.

4. Provide for residential and mixed-use development, up to a total of 657 units overall in the Plan Area to fulfill RHNA requirements.

5. Establish zoning and land use policies that ensure a variety of housing types (from attached single-family townhomes to apartments) are built to serve households across a range of income levels.

6. Focus pedestrian-friendly retail and entertainment uses in the Town Center Core, while minimizing auto-oriented uses.

7. Design the future roadway network and block structure in the Town Center to connect new developments with existing community facilities and existing commercial/retail anchors in the area, and incorporate street designs that are safe, comfortable and convenient for cars, pedestrians, and bicyclists.

8. Establish a vision and conceptual plan for a network of publicly accessible open spaces that serve the needs of Scotts Valley residents and foster a pedestrian-friendly environment.

9. Adopt a market-viable planning and implementation framework to help attract private sector investment and coordinate phased development through public/private partnerships.

10. Provide a Town Center infrastructure improvement program that serves as a basis for State and Federal grant assistance and capital improvement scheduling and budgeting.

Section 3.0 Environmental Setting, Impacts, and Mitigation

This section presents the discussion of impacts related to the following environmental subjects in their respective subsections:

3.1	Aesthetics	3.11	Land Use and Planning
3.2	Agriculture and Forestry Resources	3.12	Mineral Resources
3.3	Air Quality	3.13	Noise
3.4	Biological Resources	3.14	Population and Housing
3.5	Cultural Resources	3.15	Public Services
3.6	Energy	3.16	Recreation
3.7	Geology and Soils	3.17	Transportation
3.8	Greenhouse Gas Emissions	3.18	Tribal Cultural Resources
3.9	Hazards and Hazardous Materials	3.19	Utilities and Service Systems
3.10	Hydrology and Water Quality	3.20	Wildfire

The discussion for each environmental subject includes the following subsections:

Environmental Setting – This subsection 1) provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the project and 2) describes the existing, physical environmental conditions at the project site and in the surrounding area, as relevant.

Impact Discussion – This subsection includes the recommended checklist questions from Appendix G of the CEQA Guidelines to assess impacts.

- **Project Impacts** – This subsection discusses the project's impact on the environmental subject as related to the checklist questions. For significant impacts, feasible mitigation measures are identified. "Mitigation measures" are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). Mitigation measures are numbered to correspond to the impact they address. For example, MM BIO-1.3 refers to the third mitigation measure for the first impact in the Biological Resources section.
- **Cumulative Impacts** – This subsection discusses the project's cumulative impact on the environmental subject. Cumulative impacts, as defined by CEQA, refer to two or more individual effects, which when combined, compound or increase other environmental impacts. Cumulative impacts may result from individually minor, but collectively significant effects taking place over a period of time. CEQA Guideline Section 15130 states that an EIR should discuss cumulative impacts "when the project's incremental effect is cumulatively considerable." The discussion does not need to be in as great detail as is necessary for project impacts, but is to be "guided by the standards of practicality and reasonableness."

The purpose of the cumulative analysis is to allow decision makers to better understand the impacts that might result from approval of past, present, and reasonably foreseeable future projects, in conjunction with the proposed project addressed in this EIR.

The CEQA Guidelines advise that a discussion of cumulative impacts should reflect both their severity and the likelihood of their occurrence (CEQA Guidelines Section 15130(b)). To accomplish these two objectives, the analysis should include either a list of past, present, and probable future projects or a summary of projections from an adopted general plan or similar document (CEQA Guidelines Section 15130(b)(1)). This EIR uses the list of projects approach.

The analysis must determine whether the project's contribution to any cumulatively significant impact is cumulatively considerable, as defined by CEQA Guideline Section 15065(a)(3). The cumulative impacts discussion for each environmental issue accordingly addresses the following issues: 1) would the effects of all of past, present, and probable future (pending) development result in a significant cumulative impact on the resource in question; and, if that cumulative impact is likely to be significant, 2) would the contribution from the proposed project to that significant cumulative impact be cumulatively considerable?

Table 3.0-1 identifies the approved (but not yet constructed or occupied) and pending projects in the project vicinity that are evaluated in the cumulative analysis.

Table 3.0-1: Approved but not yet Constructed or Occupied and Pending Projects in the Project Vicinity

Name and Location	Description
4444 Scotts Valley Drive	Demolition of an existing commercial building and construction of a new 3 story 25 unit apartment building. Associated site improvements include new landscaping, tot lot area, and parking lot improvements.
4575 Scotts Valley Drive	Demolition of existing two-story office building and construction of three, three story buildings consisting of 100 multifamily apartment units. Additional improvements include new landscaping, common open space area for residents, and frontage improvements.
75 Mt. Hermon Road	Demolition of an existing commercial building and construction of a new 3 story 40 unit apartment building. Associated site improvements include new landscaping, tot lot area, and parking lot improvements.
125 Bethany Drive	Construction of a 52,250 sf three story development on a 1.35 acre site. Proposed land uses would include 10,000 sf of professional and

	administrative office space, and 42,250 sf of storage/ministorage for up to 227 users.
La Madrona Mixed-Use Project	Construction of a 4-story, 171 room hotel, 8,560 sf restaurant and two, 4-story buildings containing 184 housing units
Oak Creek Park – Mixed Use Development **3460 Glen Canyon Road**	Construction of a mixed use commercial and residential development project to include 24,973 sf of commercial space, eight townhomes and 44 apartment units.
Ridgewood West (Erba Lane)	Demolition of existing parking lot and construction of 19 townhome-style condominium units. Additional improvements include new landscaping and frontage improvements along Erba Lane.
Sandraya Heights Land Division **(APN 023-113-36)**	Subdivision to create nine single-family residential lots on a 5.88 acre lot
Valley Gardens 263 Mt. Hermon Road and 475 Lockewood Lane	196 residential dwelling units, including 62 two-story sing-family dwellings, 80 attached and detached two, to three story single-family dwellings. 54 multi-family apartments in two buildings and up to three retail buildings totaling approximately 8,350 square feet of commercial building space and up to 3,000 square feet of associated outdoor dining areas. The project also includes 4.99 acres of parks, open space, common areas and public trails.

Source: City of Scotts Valley. Current Projects. Accessed July 30, 2025. https://www.scottsvalley.gov/242/Current-Projects

Projects in **bold** represent approved projects.

For each resource area, cumulative impacts may occur over different geographic areas. For example, the project effects on air quality would combine with the effects of projects in the entire air basin, whereas noise impacts would primarily be localized to the surrounding area. The geographic area that could be affected by the proposed project varies depending upon the type of environmental issue being considered. Section 15130(b)(3) of the CEQA Guidelines states that lead agencies should define the geographic scope of the area affected by the cumulative effect. Table 3.0-2 provides a summary of the different geographic areas used to evaluate cumulative impacts.

Table 3.0-2: Geographic Considerations in Cumulative Analysis

Resource Area	Geographic Area
Aesthetics	Project site and adjacent parcels
Agriculture and Forestry Resources	Countywide
Air Quality	North Central Coast Air Basin
Biological Resources	Project site and adjacent parcels
Cultural Resources	Project site and adjacent parcels
Energy	Energy provider's territory

Table 3.0-2: Geographic Considerations in Cumulative Analysis

Resource Area	Geographic Area
Geology and Soils	Project site and adjacent parcels
GHGs	Planet-wide
Hazards and Hazardous Materials	Project site and adjacent parcels
Hydrology and Water Quality	Bean Creek and Carbonera watershed and Santa Margarita Basin
Land Use and Planning/Population and Housing	Citywide
Minerals	Identified mineral recovery or resource area
Noise and Vibration	Project site and adjacent parcels
Public Services and Recreation	Citywide
Transportation/Traffic	Citywide
Tribal Cultural Resources	Project site and adjacent parcels
Utilities and Service Systems	Citywide
Wildfire	Within or adjacent to the wildfire hazard zone

3.1 Aesthetics

3.1.1 Environmental Setting

3.1.1.1 *Regulatory Framework*

State

Streets and Highway Code Sections 260 through 263

The California Scenic Highway Program (Streets and Highway Code, Sections 260 through 263) is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. There are no state-designated scenic highways in Scotts Valley. Highway 17, which includes segments in Scotts Valley, is an eligible, but not officially designated, State Scenic Highway.[3]

Local

Scotts Valley General Plan

The General Plan contains the following policies which are specific to aesthetics and are applicable to the Plan:

Policy	Description
LU-1.9	**Design Quality.** Encourage new development and redevelopment to incorporate high quality design that enhances the visual character of the community.
LU-1.10	**Compatible Development.** Encourage new commercial and residential development that is compatible with neighboring land uses and development patterns, through the incorporation of design guidelines and, where appropriate, mitigation measures.
LU-1.12	**Commercial Development – Landscaping.** Commercial and industrial developments shall be designed and landscaped in an attractive manner and thereafter maintained to visually integrate the development with its surrounding context.
LU-1.13	**Commercial Development – Lighting.** Lighting of commercial and industrial areas shall be controlled to the extent necessary for security, safety, and identification without interfering with adjoining land uses. Lighting shall be directed away from public rights-of-way and adjacent residential land uses.
LU-1.14	**Public and Quasi-Public Facilities.** Designate areas for new public and quasi-public facilities and accessory facilities commensurate with the identified need.
LU-2.5	**Neighborhood Characteristics.** Require new development to reinforce and be designed to support the unique natural qualities and environmental features in which it is located.

[3] California Department of Transportation. "Scenic Highways." Accessed January 9, 2025.

M-4.1	**General Design.** Ensure that new and reconfigured roadways and roadway improvements are safe, functional, and aesthetically appropriate.
M-4.11	**Scotts Valley Drive and Mt. Hermon Road Corridors.** Employ a cooperative planning effort among public and private interests to implement appropriate land use controls and architectural techniques for improving and enhancing the scenic beauty and aesthetic qualities of Scotts Valley Drive and Mt. Hermon Road.
OSC-2.4	**Natural Setting Integration.** Protect the visual resources of Scotts Valley by requiring that new development avoid impacts to prominent ridges and scenic corridors as shown in Figure OSC-5: Viewsheds and Scenic Corridors (Figure 3.1-1 in this EIR). Where appropriate, designate those areas as open space.
OSC-2.5	**Natural Setting Integration.** Protect visual resources by requiring that new development be integrated into the natural setting.
OSC-2.6	**Landscape Screening.** Landscaping, using drought-tolerant and native plants, should be used as part of new development to integrate the man-made environment into the natural backdrop and to screen or soften the visual impact.
OSC-2.7	**Infill Development.** Encourage infill development on vacant land within existing developed areas. Where infill is not feasible, new development should occur adjacent to existing urban areas where services are available or can be easily extended.
OSC-2.9	**Site Planning.** Give attention to compatibility of site planning and design with the overall scenic quality of Scotts Valley, especially through siting of development and street improvements, and landscaping and sign control restrictions.

City of Scotts Valley Municipal Code

Title 17 of the Scotts Valley Municipal Code contains the City's zoning regulations, which regulate development and new structures. Section 17.44.080 contains the City's tree protection regulations, which regulate the removal of protected trees, in part to preserve scenic beauty. Section 17.39.110 requires a lighting plan as part of a proposed Planned Development.

Mt. Hermon Road Downtown Design Guidelines

The Mt. Hermon Road Downtown Design Guidelines (adopted by City Council in 1995) established guidelines for the commercial corridor along Mt. Hermon Road. The purpose of the Guidelines is to visually unify the Mt. Hermon Road commercial core, create an area inviting to shoppers, protect the natural and man-made features, and accentuate the urban forest theme of the City. The guidelines encourage the use of natural exterior materials, such as wood and stone, to maintain a "mountain motif." Elements include guidelines for architectural features, style, signs, lighting, landscaping and tree maintenance, public art, and pedestrian and bicycle paths.

Commercial and Industrial Design Review Guidelines

The purpose of the Commercial and Industrial Design Review Guidelines (adopted by City Council in 1998) is to ensure that the City's goals and objectives and scenic forest theme are implemented whenever possible. Relevant goals of the guidelines are to create a park-like community characterized by high quality development, safe and easy pedestrian-bicycle-vehicular access, extensive landscaping, and attractive streetscapes where existing trees and topographic features

are incorporated into the project design. Design topics include unifying elements, site planning, concern for pedestrians, parking, lighting, trash enclosures, building bulk-finish-texture-color, roof lines, mechanical equipment, landscaping, fencing, and signs.

3.1.1.2 *Existing Conditions*

Plan Area

The Plan area consists of approximately 58 acres within the City of Scotts Valley, including approximately 12.4 acres of vacant land centrally located in the core of the Plan area that was formerly part of the Skypark Airport. The Plan area also includes a southeast portion of Skypark, which is now a public park and open space. The Plan area is roughly bound by Blue Bonnet Lane and Kings Village Road to the north, an existing residential neighborhood (Hidden Oaks Condominiums) to the east, Mt. Hermon Road to the south, Skypark Drive to the west, and Skypark to the northwest.

Existing development in the Plan area consists of 46 residential units, approximately 396,000 square feet of commercial land uses, and approximately 52,000 square feet of public/quasi-public land uses. Existing amenities are concentrated in the eastern and western portions of the Plan area, and include, but are not limited to, a library, post office, community theater, movie theater, senior center, two shopping centers, and restaurants. All residential units are located south of Blue Bonnet Lane in the eastern portion of the Plan area.

The Plan area currently includes three roadways: Kings Village Road, Blue Bonnet Lane, and Mt. Hermon Road. The roadways are all bordered by trees and ornamental landscaping, and Mt. Hermon Road includes a few landscaped islands. Views along the roadways are partially blocked by existing development and landscaping. Partial hillside views are available to the south and west on Kings Village Road, to the west on Blue Bonnet Lane, and to all directions on Mt. Hermon Road, depending on the vantage point. The majority of development within the Plan area consists of single-story buildings, with the exception being the three-story Hidden Oaks Condominiums and Town Center Collection. All roadways within the Plan consist of two lanes other than Mt. Hermon Road, which is a four-lane roadway.

The Plan area is relatively flat, with average elevations ranging from 515 – 547 feet above sea level (asl).[4]

Visual Character of the Surrounding Area

The surrounding area predominantly consists of residential land uses, landscaping, and trees. The Plan area is bordered by the following land uses: residential to the north and east, commercial to the south, and parkland and residential to the west.

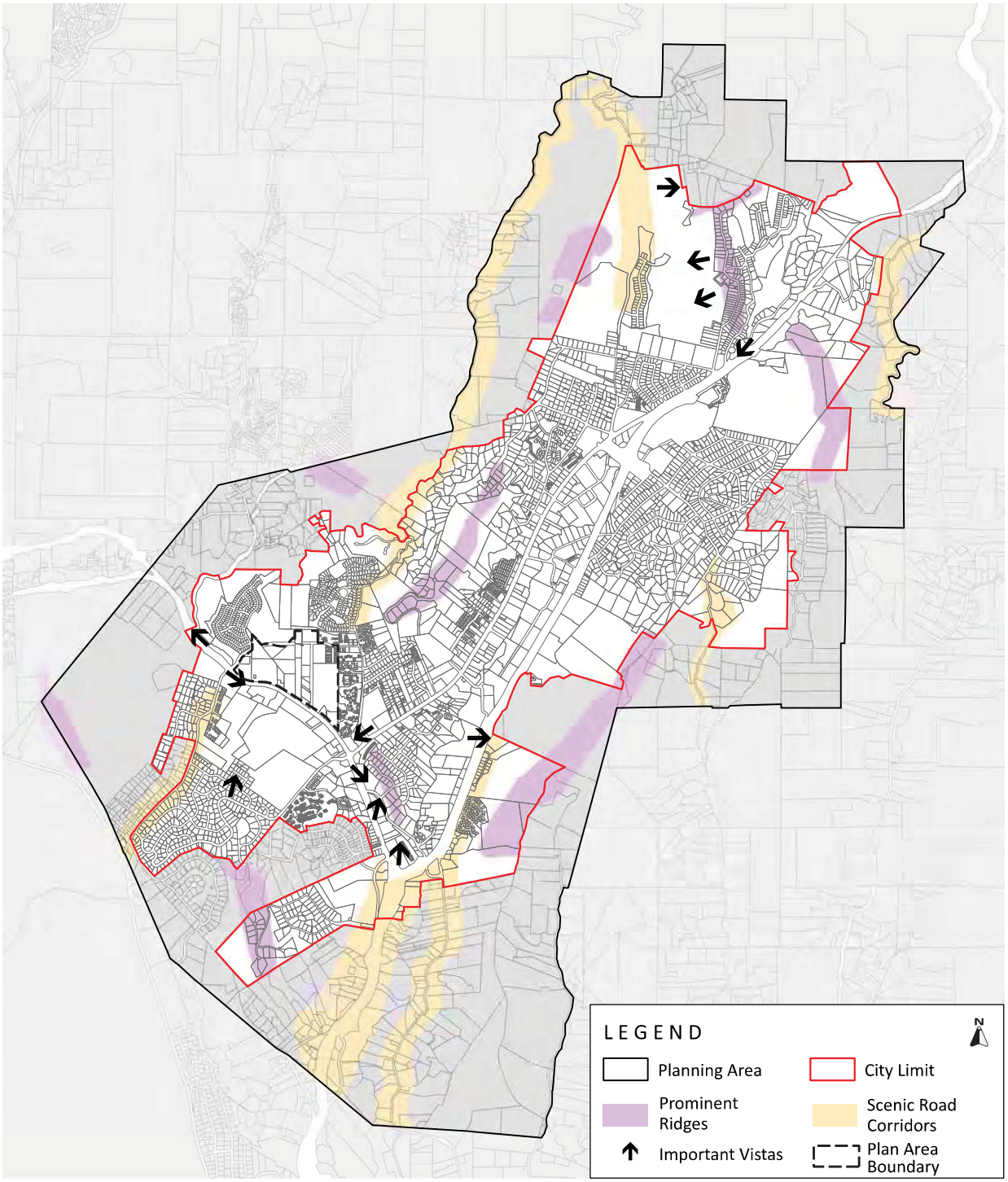
[4] Google Earth. Accessed June 30, 2025.

Scenic Vistas and Corridors

The Scotts Valley General Plan designates California State Highway 17 (Highway 17) and Mt. Hermon Road as scenic and worthy of viewshed protection.

Figure 3.1-1 maps the prominent forested ridges, scenic road corridors (including a portion of Highway 1), and important vistas (largely from higher vantage points toward the ridges, or toward the broad sweep of the valley below) identified in the Scotts Valley General Plan. As depicted in the figure, prominent ridges parallel Highway 17 on the east and Scotts Valley Drive on the west, surround the City limits north and west on Glenwood Drive, and follow the Bean Creek/Zayante divide in the southwest part of the City. The Plan area is not located within a scenic road corridor; however, prominent ridges are located to the northeast and southeast of the Plan area and important vistas are located along Mt. Hermon Road for motorists traveling eastward or westward within the Plan area (see Figure 3.1-1).

California State Highway 17 is listed as an eligible, but not officially designated, State Scenic Highway, which is approximately 0.60 mile east of the Plan area. The Plan area is not visible from a designated scenic highway.



Source: Scotts Valley General Plan, August 2023.

VIEWSHEDS AND SCENIC CORRIDORS | FIGURE 3.1-1

Light and Glare

The project is in a developed urban area. Sources of light and glare are abundant in the urban environment of the Plan area, including, but not limited to, streetlights, parking lot lights, security lights, vehicular headlights, internal building lights, and reflective building surfaces and windows.

3.1.2 Impact Discussion

For the purpose of determining the significance of the project's impact on aesthetics, except as provided in Public Resources Code Section 21099, would the project:

a) Have a substantial adverse effect on a scenic vista?
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings?[5] If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

3.1.2.1 *Project Impacts*

a) Would the project have a substantial adverse effect on a scenic vista?

As discussed in Section 3.1.1.2, the Plan area is not located within a scenic road corridor, however, prominent ridges are located to the northeast and southeast of the Plan area and important vistas are located along Mt. Hermon Road for motorists traveling eastward or westward within the Plan area. Further, outside of the Plan area but within close proximity is an important vista near Whispering Pines Drive and Estrella Drive, south of Mt. Hermon Road. The vista provides motorists and pedestrians with scenic views of prominent ridgelines located north of the Plan area (see Figure 3.1-1).

Public views of important vistas along the portion of Mt. Hermon Road within the Plan area are partially obscured by intervening development and landscaping. Buildout of the Plan would result in further development along Mt. Hermon Road and has the potential to further obscure views of important vistas.

The 2008 Scotts Valley Specific Plan EIR ("the 2008 Plan EIR") concluded that structures developed in the Plan area have the potential to impact views of the prominent ridges from the important vistas if they were to reach approximately 55 to 60 feet. While buildings 55 feet in height or less would reduce existing visibility of prominent ridgelines, the ridgelines would still be visible in

[5] Public views are those that are experienced from publicly accessible vantage points.

compliance with General Plan Policy OSC-2.4 and would not have a substantial adverse effect on a scenic vista. The 2025 Plan would permit a maximum building height of 35 feet for development in the MU-N land use district and 50 feet for development in the MU-TC land use district. Therefore, development proposed under the Plan would not reach a building height deemed to impact views of prominent ridges. However, future applicants could qualify for increased building heights via State Density Bonus provisions that allow applicants to obtain waivers from development regulations, such as height limits. The granting of waivers for eligible housing developments under the State Density Bonus provisions is outside of the City's discretion.

As discussed under checklist question c) below, future development in the Plan area would be subject to review by the City's design review process and/or the Plan's Objective Design Standards, as detailed in Chapter 6 of the Plan, which would ensure design compatibility with the surrounding area and adherence with the policies set forth in the City's General Plan and Municipal Code that govern scenic quality (refer to Section 3.1.1.1). Accordingly, the quality of views would not be adversely affected.

While buildout of the Plan could result in the development of buildings of up to 50 feet in height (which could be increased with use of State Density Bonus provisions) that could block views from existing adjacent developments, private views are not protected scenic resources under CEQA. As a result, the Plan would not result in a substantial impact on any scenic vistas or resources. **(Less than Significant Impact)**

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Highway 17 is an eligible, but not officially designated, State Scenic Highway located approximately 0.60 mile east of the Plan area. No portion of the Plan is visible from Highway 17. Therefore, implementation of the 2025 Plan would not damage scenic resources within a state scenic highway. **(No Impact)**

c) In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The Plan area and the surrounding area are urbanized.

Mt. Hermon Road Downtown Design Guidelines for Commercial Development

The Plan area is within the boundaries of the Mt. Hermon Road Downtown Design Guidelines area map. The guidelines encourage design elements and natural building materials that create and maintain their desired "mountain motif." The guidelines also encourage pedestrian and bicycle

access, parks, courtyards, and public open spaces.

The Plan land use, development, and objective design standards are generally consistent with elements set forth in the Mt. Hermon Road Downtown Design Guidelines. The Plan requires that primary building finish materials are natural, such as wood or stone, consistent with section IV.H of the Mt. Hermon Road Downtown Design Guidelines. The Plan includes a well-connected system of streets that foster bicycle and pedestrian connections, consistent with sections II.A. and II.B of the Mt. Hermon Road Downtown Design Guidelines. The Plan includes public areas and parks, including enhancements at Skypark and the inclusion of two public gathering spaces: Tower Point Plaza and Hangar Square consistent with section II.C of the Mt. Hermon Road Downtown Design Guidelines. While the Plan would largely comply with the Mt. Hermon Road Downtown Design Guidelines, the guidelines are dated (released in 1995), and therefore the design guidelines within the Plan itself will supersede the Mt. Hermon Road Downtown Design Guidelines. Section 3.6.4 of the Plan (Building Design Standards and Guidelines) provides design guidance for development under the Plan.

Zoning

The Plan would create new zoning districts and corresponding design requirements that would apply to the parcels located within the Plan area. As shown in Figure 2.3-1, the Plan would largely maintain the existing zoning and General Plan land use designations for parcels with P and R-VH land use designations. Two new land use designations/zones would be created to allow mixed-use development: MU-TC for properties in the core of the Plan area, and MU-N for the existing shopping centers and for properties situated along Skypark Drive. Properties currently zoned as C-SC would be rezoned primarily as MU-N (or MU-TC in a few cases), while properties currently zoned as C-S would be rezoned as MU-TC. Allowable land uses within these proposed zones are summarized below.

The core areas designated as MU-TC would allow residential densities of up to 50 units per acre and 2.0 commercial FAR, whereas the perimeter areas designated MU-N would have a lower maximum residential density and commercial intensity, up to 32 units per acre and 0.85 commercial FAR. The existing shopping centers that are currently designed as Shopping Center would be redesignated as MU-N. The ground floors of buildings fronting certain key street segments in the Town Center Core (Main Street, portions of Park Street and Mt Hermon Road) would be required to contain commercial uses. Buildout of the Plan would change the visual conditions of the Plan area by allowing up to 657 new residential units, 82,000 square feet of commercial land uses, 35,000 square feet of public/quasi-public uses, and 88,663 square feet of park improvements. The Plan would also create and enhance circulation connections.

Development within the Plan area would be subject to the design review process required by Section 17 of the Zoning Code. In particular, as described in section 17.50.030 – Design review procedures, future development projects will be reviewed for a wide variety of design issues including: 1) Siting of structures on the property, 2) Materials, colors, proportion, mass and detail, 3) Signage, 4) Landscaping, 5) Parking, 6) Site access, and 7) Building height and access to sunlight.

This review process ensures that all future redevelopment projects under the Plan would be evaluated for their compatibility with their surroundings, harmonious transitions in scale and character between different land uses, safety, integration of natural features, appropriate construction materials, and other aspects.

Therefore, the Plan would not conflict with applicable regulations governing scenic quality. **(Less than Significant Impact)**

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

As discussed under Section 3.1.1.2, existing sources of light and glare are abundant in the urban environment of the Plan, including, but not limited to, streetlights, parking lot lights, security lights, vehicular headlights, internal building lights, and reflective building surfaces and windows. Implementation of the Plan would introduce a new street network (four new roadways) and new uses that would create additional sources of light in the Plan area, including additional streetlights, exterior and interior lighting, and vehicle headlights. Implementation of the Plan could result in spillover lighting, skyglow or nighttime illumination, or glare.

The Plan Land Use, Development, and Objective Design Standards include lighting requirements for development under the Plan. Lighting under the Plan would be required to be designed to be sufficient for safety purposes, but not such that it spills onto adjacent properties. The Plan requires that all lighting fixtures are shielded or recessed so the lighting source is not directly visible from the public right-of-way or adjoining properties and that all fixtures comply with California Green Building Standards Code.

Development under the Plan would comply with General Plan goals, policies, and actions, such as those described in Section 3.1.1.1 Regulatory Framework, including LU-1.13, which controls lighting of commercial areas.

Future development in the Plan area would be subject to review by the City's design review process and/or the Plan's Objective Design Standards, as detailed in Chapter 6 of the Plan, to ensure that new sources of light and glare do not adversely affect day or nighttime views in the area. **(Less than Significant Impact)**

3.1.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a significant cumulative aesthetics impact?

The geographic area for cumulative aesthetic impacts is limited to the Plan area and adjacent parcels in which the plan area would be visible.

Buildout of the Plan would result in the construction of buildings up to 50 feet height (which could be increased with developers of qualifying projects utilizing State Density Bonus provisions to obtain waivers) in the Town Center Core, which would be visible from the existing land uses and surrounding roadways. Although full buildout of the Plan would alter the visual character of the area, future development would be compatible with the existing land uses in the area due to compliance with the design review findings, including standards to prevent light and glare impacts. The intensity of development that would be allowed under the Plan is greater for residential uses and lesser for commercial uses compared to what was analyzed in the City's General Plan. The Plan, in combination with those nearby developments either proposed or currently under construction, would cumulatively contribute to the aesthetic environment of the cumulative area. The goals outlined in the Mt. Hermon Road Downtown Design Guidelines, as well as General Plan goals, policies, and actions, such as those described in Section 3.1.1.1 Regulatory Framework, and the Plan itself would require development to be visually consistent. For these reasons, the Plan would not result in a cumulatively considerable contribution to a significant cumulative aesthetic impact. **(Less than Significant Cumulative Impact)**

3.2 Agriculture and Forestry Resources

3.2.1 Environmental Setting

3.2.1.1 *Regulatory Framework*

Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of these lands over time. Agricultural land is rated according to soil quality and irrigation status. The best quality land is identified as Prime Farmland. In CEQA analyses, the FMMP classifications and published county maps are used, in part, to identify whether agricultural resources that could be affected are present on-site or in the project area.[6]

California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. In CEQA analyses, identification of properties that are under a Williamson Act contract is used to also identify sites that may contain agricultural resources or are zoned for agricultural uses.[7]

Fire and Resource Assessment Program

The California Department of Forestry and Fire Protection (CAL FIRE) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources.[8] Programs such as CAL FIRE's Fire and Resource Assessment Program are used to identify whether forest land, timberland, or timberland production areas could be affected are located on or adjacent to a Plan area.[9]

[6] California Department of Conservation. "Farmland Mapping and Monitoring Program." Accessed May 28, 2025. http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx.
[7] California Department of Conservation. "Williamson Act." Accessed May 28, 2025. http://www.conservation.ca.gov/dlrp/lca.
[8] Forest Land is land that can support 10 percent native tree cover and allows for management of forest resources (California Public Resources Code Section 12220(g)); Timberland is land not owned by the federal government or designated as experimental forest land that is available for, and capable of, growing trees to produce lumber and other products, including Christmas trees (California Public Resources Code Section 4526); and Timberland Production is land used for growing and harvesting timber and compatible uses (Government Code Section 51104(g)).
[9] California Department of Forestry and Fire Protection. "Fire and Resource Assessment Program." Accessed May 28, 2025. http://frap.fire.ca.gov/.

3.2.1.2 *Existing Conditions*

The Plan area is not designated, zoned, or used for agricultural purposes, forest land, or timberland. The project site is not subject to a Williamson Act contract.[10]

The Plan area is designated as Urban and Built-Up Land.[11] Urban and Built-Up Land is defined as land occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a 10-acre parcel.[12] The Plan area currently has vacant land that was formally part of the Skypark Airport. The site also includes a southeast portion of Skypark, which is a public park and open space.

3.2.2 Impact Discussion

For the purpose of determining the significance of the project's impact on agriculture and forestry resources, would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?
d) Result in a loss of forest land or conversion of forest land to non-forest use?
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

[10] CA department of Conservation. "California Williamson Act Enrollment Finder." Accessed May 29, 2025. https://maps.conservation.ca.gov/dlrp/WilliamsonAct/App/index.html.
[11] CA department of Conservation. "California Important Farmland Finder." Accessed May 29, 2025. https://maps.conservation.ca.gov/DLRP/CIFF/.
[12] CA department of Conservation. "Important Farmland Categories." Accessed May 29, 2025. https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx.

3.2.2.1 *Project Impacts*

a) Would the project convert 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, to non-agricultural use?

As discussed above in Section 3.2.1.2 Existing Conditions, the project is designated Urban and Built-Up Land. There is no designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on or near the site. Therefore, the project would not impact agricultural resources by conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural usage. **(No Impact)**

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

The project is not zoned for agricultural use and is not under a Williamson Contract. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract. **(No Impact)**

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?

The site is not zoned as forest land or timberland, nor is it directly adjacent to land zoned as forest land or timberland. Therefore, the project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. **(No Impact)**

d) Would the project result in a loss of forest land or conversion of forest land to non-forest use?

The Plan area is not used or designated for forest land and would not result in a loss of forest land or conversion of forestland to non-forest use. **(No Impact)**

e) Would the project 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?

Project development would occur within the Plan boundaries. No indirect impacts to agricultural or forest land would occur. For these reasons, the project would not 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. **(No Impact)**

3.2.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant agricultural and forestry resources impact?

The geographic area for cumulative agricultural and forestry impacts is the City of Scotts Valley. Buildout under the Plan would not impact agricultural, forestry, and/or timberland as per the discussions under checklist questions a) through e) above. For these reasons, implementation of the Plan would not contribute to a cumulative impact to those resources. **(No Cumulative Impact)**

3.3 Air Quality

The following discussion is based, in part, on an Air Quality and Greenhouse Gas Assessment completed by Illingworth & Rodkin, Inc. dated July 18, 2025. This report is included as Appendix B to this EIR.

3.3.1 Environmental Setting

3.3.1.1 *Background Information*

Criteria Pollutants

Criteria air pollutants are pollutants that have established federal or State standards for outdoor concentrations to protect public health. Pursuant with the federal and State Clean Air Acts, the United States Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established and enforced the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS), respectively. The NAAQS and CAAQS address the following criteria air pollutants: ozone (O_3), nitrogen dioxide (NO_2), carbon monoxide (CO), particulate matter with a diameter of 10 microns or less (PM_{10}), particulate matter with a diameter of 2.5 micros or less ($PM_{2.5}$), sulfur dioxide (SO_2), and lead. The CAAQS also includes visibility reducing particles, sulfates, hydrogen sulfide, and vinyl chloride.

Toxic Air Contaminants

Toxic air contaminants (TACs) include airborne chemicals that are known to have short- and long-term adverse health effects. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, diesel fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter [DPM] near a freeway). Unlike criteria air pollutants, which have a regional impact, TACs are highly localized and regulated at the individual emissions source level.

DPM is the predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs. DPM is comprised of diesel exhaust which is a complex mixture of gases, vapors, and fine particles. Medium- and heavy-duty diesel trucks represent the bulk of DPM emissions from California highways. The majority of DPM is small enough to be inhaled into the lungs. Most inhaled particles are subsequently exhaled, but some deposit on the lung surface or are deposited in the deepest regions of the lungs (i.e., areas most susceptible to injury).[13] Chemicals in diesel exhaust, such as benzene and formaldehyde, are also TACs identified by the CARB.

An overview of the sources of criteria pollutants and TACs, as well as their associated health effects, is provided in Table 3.3-1.

[13] California Air Resources Board. "Overview: Diesel Exhaust and Health." Accessed July 23, 2025. https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health.

Table 3.3-1: Sources and Health Effects of Criteria Air Pollutants and Toxic Air Contaminants

Pollutants	Description and Sources	Primary Effects
Ozone (O_3)	O_3 is a secondary criteria air pollutant that is the result of a photochemical (sunlight) reaction between reactive organic gases (ROG) and nitrogen oxides (NO_x). Pollutants emitted by motor vehicles, power plants, industrial boilers, refineries, and chemical plants are the common sources for this reaction. High O_3 levels are caused by the cumulative emissions of ROG and NO_X. These precursor or primary pollutants react under certain meteorological conditions to form high O_3 levels. Commons sources of ROG and NO_x are vehicles, industrial plants, and consumer products.	• Aggravation of respiratory and cardiovascular diseases • Irritation of eyes • Cardiopulmonary function impairment
Nitrogen Dioxide (NO_2)	NO_2 is a reactive gas that combines with nitric oxide (NO) to form NO_x. NO_2 is the byproduct of fuel combustion, with common sources of NO_2 being emissions from cars, trucks, buses, power plants, and off-road equipment. Other sources of NO_2 include high temperature stationary combustion and atmospheric reactions.	• Aggravation of respiratory illness • Reduced visibility
Carbon Monoxide (CO)	CO is a colorless, odorless, and toxic gas that is the product of incomplete combustion of carbon-containing substances (e.g., when something is burned). Common outdoor sources of CO include mobile vehicles (passenger cars and trucks) and machinery that burn fossil fuels.	• Interferes with oxygen delivery to the body's organ due to binding with the hemoglobin in the blood • Fatigue, headaches, confusion, and dizziness
Fine Particulate Matter ($PM_{2.5}$) and Coarse Particulate Matter (PM_{10})	Particulate Matter (PM) is any material that is emitted as liquid or solid particles or a gaseous material, such as dust, soot, aerosols, and fumes. PM_{10} and $PM_{2.5}$ are both small enough particulates to be inhaled into the human lungs, and $PM_{2.5}$ is small enough to deposit into the lungs, which poses an increased health risk compared to PM_{10}. Typical sources of PM include stationary combustion of solid fuels, construction activities, vehicles, industrial processes, and atmospheric chemical reactions.	• Reduced lung function, especially in children • Aggravation of respiratory and cardiorespiratory diseases • Increased cough and chest discomfort • Reduced visibility
Sulfur Dioxide (SO_2)	SO_2 is a pungent and colorless gaseous pollutant. SO_2 is part of the sulfur oxides (SO_x) group and is the pollutant of greatest concern in the SO_x group. SO_x can react with other compounds in the atmosphere to form small particles. These particles contribute to pollution. SO_2 is primarily formed from fossil fuel combustion at power plants and other industrial facilities. Sources of SO_2 include motor vehicles, locomotives, ships, and off-road diesel equipment that are operated with fuels that contain high levels of sulfur. Industrial processes, such as natural gas and petroleum extraction, oil refining, and metal processing.	• Aggravation of respiratory illness • Respiratory irritation such as wheezing, shortness of breath and chest tightness • Increased incidence of pulmonary symptoms and disease, decreased pulmonary function

Pollutants	Description and Sources	Primary Effects
Lead	Lead is a naturally occurring element that can be found in all parts of the environment including the air, soil, and water. As an air pollutant, lead is present in small particles. The most common historic source of lead exposure was the past use of leaded gasoline in motor vehicles. The exhaust resulting from use of leaded gasoline would release lead emissions into the air. Now, major sources of lead in the air are from ore and metals processing plants and piston-engine aircraft operating on leaded aviation fuel. Other sources are waste incinerators, utilities, and lead-acid battery manufacturers. The highest air concentrations of lead are usually found near lead smelters.	• Adversely affect the nervous system, kidney function, immune system, reproductive and developmental systems and the cardiovascular system
Toxic Air Contaminants (TACs)	TACs include certain air pollutants known to increase the risk of cancer and/or a range of other serious health effects. Sources of TAC include, but are not limited to, cars and trucks, especially diesel-fueled; industrial sources, such as chrome platers; dry cleaners and service stations; and building materials and products.	• Cancer • Chronic eye, lung, or skin irritation • Neurological and reproductive disorders

Sensitive Receptors

Some groups of people are more affected by air pollution than others. CARB has identified the following groups who are most likely to be affected by air pollution: children under 16, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, and elementary schools.

3.3.1.2 *Regulatory Framework*

Federal and State

Clean Air Act

At the federal level, the EPA is responsible for overseeing implementation of the Clean Air Act and its subsequent amendments. The federal Clean Air Act requires the EPA to set national ambient air quality standards for the six common criteria pollutants, discussed previously: PM, O_3, CO, SO_2, NO_2, and lead.[14]

CARB is the state agency that regulates mobile sources throughout the state and oversees implementation of the state air quality laws and regulations, including the California Clean Air Act.

[14] NO_x is the group of nitrogen compounds (NO_2 and nitric oxide [NO]) that typically represents NO_2 emissions because NO_2 emissions contribute the majority of NO_x exhaust emissions emitted from fuel combustion.

The EPA and the CARB have adopted ambient air quality standards establishing permissible levels of these pollutants to protect public health and the climate. Violations of ambient air quality standards are based on air pollutant monitoring data and are determined for each air pollutant. Attainment status for a pollutant means that a given air district meets the standard set by the EPA and/or CARB.

Diesel Risk Reduction Plan

To address the issue of diesel emissions in the state, CARB developed the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles. In addition to requiring more stringent emission standards for new on-road and off-road mobile sources and stationary diesel-fueled engines to reduce particulate matter emissions by 90 percent, this plan involves the application of emission control strategies to existing diesel vehicles and equipment to reduce DPM and other pollutants. Implementation of this plan, in conjunction with stringent federal and CARB-adopted emission limits for diesel fueled vehicles and equipment, including off-road equipment, will significantly reduce emissions of DPM and NO_X.

Regional

Monterey Bay Air Resources District

The Plan area is located in the North Central Coast Air Basin (Air Basin). The Monterey Bay Air Resources District (MBARD) is the regional agency responsible for the regulation and enforcement of federal, state, and local air pollution control regulations in the Air Basin. MBARD's Air Quality Management Plans (AQMPs) include control measures and strategies implemented to attain California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS) in the Air Basin.

Air Quality Management Plan

Regional air quality management districts, such as MBARD, must prepare air quality plans specifying how federal and state air quality standards will be met. MBARD's most recently adopted plan is the 2012 – 2015 AQMP, which was adopted in March 2017. The primary elements in the updated plan are air quality trends analysis, emission inventory, and mobile source programs. MBARD's focus continues to be on achieving the 8-hour component of the California ozone standard, as the region has already attained the 1-hour standard. At the time the 2012-2015 AQMP was written, the Air Basin had been a nonattainment area for the CAAQS for both O_3 and PM_{10}. The AQMP addresses only attainment of the O_3 CAAQS. Attainment of the PM10 CAAQS is addressed in the MBARD's 2005 Particulate Matter Plan.

The AQMP's emission inventory is an estimate of the amount of O_3 precursors emitted into the air each day by man-made activities, including ROG and NO_x. Mobile source emissions continue to dominate the District's NO_x emissions inventory. Lower vehicle miles traveled and cleaner exhaust standards for mobile sources remain important factors in reducing regional ROG and NO_x emissions. The following key programs and rules contained within the AQMP target a reduction in emissions while allowing for population increases:

- CARB's Low Emission Vehicle Program
- CARB's Off-Road Motor Vehicle Program
- CARB's Advanced Clean Cars
- District Rule 431, Emissions from Electric Power Bollers
- District Rule 1002 Transfer of Gasoline into Vehicle Fuel Tanks
- District Rule 426 Architectural Coatings

Despite the forecast of a significant overall increase in population of over 152,292 persons within the Air Basin between 2010 and 2035 (21 percent increase), NOx emissions are expected to decrease by over 20 tons per day (44 percent decrease) in that same time period.[15]

Particulate Matter Plan

The Particulate Matter Plan was adopted to fulfill the requirements of Senate Bill 655 to reduce public exposure to particulate matter. The legislation requires CARB, in conjunction with local air pollution control districts, to adopt a list of the most readily available, feasible, and cost-effective control measures that could be implemented by air control districts to reduce ambient levels of particulate matter in their air basins. The Particulate Matter Plan's proposed activities include control measures for fugitive dust, public education, administrative functions, and continued enhancements to the MBARD's smoke management and emission-reduction incentive programs.

CEQA Air Quality Guidelines

The MBARD CEQA Air Quality Guidelines were developed to assist local jurisdictions and lead agencies in complying with the requirements of CEQA regarding potential impacts to air quality. Jurisdictions in the Air Basin utilize the thresholds and methodology for assessing air quality impacts developed by MBARD within their CEQA Air Quality Guidelines. The guidelines include information on legal requirements, MBARD rules, methods of analyzing impacts, and recommended mitigation measures. The latest CEQA Air Quality Guidelines are the 2016 CEQA Air Quality Guidelines.

Scotts Valley General Plan

The General Plan contains the following policies which are specific to air quality and are applicable to the project:

Policy	Description
M-1.1	**Regional Infrastructure Alternative.** Support regional efforts for alternatives to expanded infrastructure that reduce single occupant vehicle trips, conserves energy, and reduced air pollution.
M-1.10	**Electric Vehicle Facilities.** Encourage new commercial development to provide facilities that support alternative mobility options such as electric vehicle stations, rideshare zones, bike and scooter parking, etc.

[15] Monterey Bay Air Resources District. 2012 – 2015 Air Quality Management Plan. March 15, 2017.

M-1.11	**Residential Vehicle Charging Facilities.** Encourage new residential development to provide facilities for electric vehicle charging.
M-3.1	**Reduce Vehicle Miles Traveled.** Work in cooperation with the Santa Cruz County Regional Transportation Commission, the Association of Monterey Bay Area Governments, and Santa Cruz County to reduce VMT.
M-3.18	**Vehicle Miles Traveled Standards and CEQA Evaluation.** The City shall require evaluation of General Plan land use designation changes, zone changes, and discretionary development for their individual (i.e., project-specific) and cumulative transportation impacts based on Vehicle Miles Traveled (VMT) under the California Environmental Quality Act (CEQA) pursuant to the methodology and thresholds of significance criteria as set forth in the City of Scotts Valley SB 743 Implementation Guidelines.
M-5.4	**Transit**. Encourage new developments to provide for and promote transit use, where feasible. This may include providing fixed transit facilities such as bus shelters and pull-outs, consistent with anticipated demand. When applicable, submit development plans to the Santa Cruz Transit District for review and incorporate transit facilities, as appropriate, per district standards.
M-6.3	**Accessibility for All Bicyclists.** Provide bikeways in Scotts Valley that are safe and convenient for bicyclists of all ages and abilities.
M-6.6	**Bicycle Lane Construction (1).** Include bicycle lane construction enhancements in all road improvement and expansion projects on designated bikeways and construct them in conformance with established safety standards. Encourage the construction of bikeways on private property, particularly where they provide an important link to the City's bikeway network.
M-6.7	**Bikeways Construction (2).** Where available, require new developments located along designated bikeways to provide an appropriate bike way (path or lane) including rights-of-way and construction.
OSC-5.1	**Maintain and Improve Air Quality.** Cooperate with regional agencies – including the Monterey Bay Air Resources Board (MBARD), the Santa Cruz County Regional Transportation Commission (SCCRTC), and the Association of Monterey Bay Area Governments (AMBAG) in developing and implementing air quality management plans
OSC-5.2	**State and Regional Collaboration.** Participate in regional, state, and federal efforts addressing renewable energy sources, energy efficiency, greenhouse gas emissions, and reduced consumption of natural resources.
OSC-5.7	**Concentration of Higher-Density Land Uses.** To help reduce air quality emissions, concentrate commercial, mixed-use, and high-density residential development along transit corridors, at major intersections, and near activity centers that can be served efficiently by public transit and alternative transportation modes.
OSC-5.9	**Reduction in GHG Emissions.** Encourage reduction in greenhouse gas emissions, including alternatives to use of gas-powered vehicles. Such alternatives include public transit, alternatively fueled vehicles, bicycle and pedestrian routes, and bicycle- and pedestrian-friendly development design.
OSC-5.14	**Support for Energy Efficiency**- Continue to support organizations that promote energy efficiency and offer assistance to residents and businesses that wish to increase their energy efficiency.
OSC-5.17	**Air Quality Design Considerations**- Encourage new development that protect and improve air quality and minimize direct and indirect air pollutant emissions by reducing vehicle trips (e.g., projects with access to transit and projects that provide walking and bicycling amenities).

OSC-5.21 **Energy-Efficient Design Features.** Encourage new development to incorporate energy-efficient design features for HVAC, lighting systems, and insulation that exceed Title 24 standards.

OSC-5.22 **High-efficiency Residential Appliances.** Require that new construction and major remodeling residential projects use high-efficiency or zero-waste fixtures.

OSC-5.26 **Minimize Construction Pollution.** Require builders to use appropriate techniques to minimize pollution from construction activities.

SN-4.16 **Roadway Materials.** Encourage the use of roadway materials that minimize particulate emissions.

SN-4.18 **Minimize Direct and Indirect Emissions of Air Contaminants.** New development shall be located and designed to conserve air quality and minimize direct and indirect emissions of air contaminants, including diesel emissions. This shall be done by the following:

1. Minimize impact of new development by reviewing development proposals for potential impacts pursuant to CEQA and the Monterey Bay Unified Air Pollution Control District CEQA Guidelines. Apply land use and transportation planning techniques such as:

- Incorporation of public transit stops;
- Pedestrian and bicycle linkage to commercial centers, employment center, schools and parks;
- Preferential parking for carpools and van pools;
- Traffic flows improvements; and
- Employer trip reduction programs.

2. Control dust and particulate matter by implementing the Monterey Bay Air Resources Board fugitive dust control measures. In addition, address construction and operational diesel exhaust impacts in consultation with the Air District, and the need for risk assessments, when conditions warrant.

SN-4.19 **Dust Control Monitor**- Consistent with Monterey Bay Area Resources Board guidelines, new developments that result any ground disturbance greater than 2.2 acres per day shall require the contractor(s) or builder(s) to designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site.

SN-4.20 **Low VOC Paint**- New developments shall require by contract specifications that the interior and exterior architectural coatings (paint and primer including parking lot paint) products have a volatile organic compound (VOC) (i.e., ROG) content of 10 g/L or less. Contract specifications shall be included in the construction documents, which shall be reviewed and approved by the City of Scotts Valley prior to the issuance of building permits.

SN-4.21 **Tier 4 Emissions**- Prior to issuance of grading permits, new developments shall prepare and submit documentation to the City of Scotts Valley that demonstrates that all off-road diesel-powered equipment meet the California Air Resources Board's Tier 4 Final off-road emissions standards.

3.3.1.3 *Existing Conditions*

As described in Section 3.3.1.1 Background Information, criteria air pollutants are pollutants that have established federal or State standards for outdoor concentrations to protect public health. Table 3.3-1 summarizes the sources and health effects of criteria air pollutants and toxic air contaminants. The discussion below summarizes the existing conditions for pollutants within the Air Basin. The Air Basin encompasses an area of 5,159 square miles and consists of Monterey, Santa Cruz, and San Benito counties.

O_3 and fine particle pollution, or $PM_{2.5}$, are the major regional air pollutants of concern in the Air Basin. O_3 is primarily a problem in the summer, and fine particle pollution in the winter. A cool marine air usually reaches across Santa Cruz County in summer. O_3 frequently forms on hot summer days when the prevailing seasonal northerly winds carry O_3 precursors southward across the county, causing health standards to be exceeded. The area experiences many exceedances of the $PM_{2.5}$ standard each winter. This is due to the high population density, wood smoke, industrial and freeway traffic, and poor wintertime air circulation caused by extensive hills to the east and west that block wind flow into the region.

Air Pollutants of Primary Concern

The Air Basin is designated as a nonattainment area for the state PM_{10} and O_3 standards and unclassified or attainment for all other state and federal standards.[16]

Sensitive Receptors

The nearest sensitive receptors to the Plan area are single- and multi-family homes within and around the Plan area. There are also seniors located in the Brookdale Scotts Valley assisted living facility to the west and infants and children located at the Coast Redwoods Montessori School to the south of the Plan area. There are more sensitive receptors located to the west and northwest of the Plan area.

3.3.2 Impact Discussion

For the purpose of determining the significance of the project's impact on air quality, would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
c) Expose sensitive receptors to substantial pollutant concentrations?

[16] Santa Cruz County. Sustainability Policy and Regulatory Update. Chapter 4.3 – Air Quality. April 2022.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for judgment on the part of the lead agency and must be based to the extent possible on scientific and factual data. The City has considered the air quality thresholds updated by MBARD in March 2017 and regards these thresholds to be based on the best information available for the Air Basin and conservative in terms of the assessment of health effects.

Impact Assessment Methodology

As summarized in Table 3.3-2 below, MBARD has established thresholds of significance for criteria air pollutants of concern for construction and operations. Construction projects using typical construction equipment such as dump trucks, scrappers, bulldozers, compactors, and front-end loaders that temporarily emit other air pollutants, such as precursors of O_3 (i.e., ROG and NO_x), are accommodated in the emission inventories of State and federally required air plans and would not have a significant impact on the CAAQS and NAAQS.

The Air Basin met all NAAQS, and as a result is no longer subject to federal conformity requirements.[17] As noted above, the Air Basin is designated as a nonattainment area for the state PM_{10} and O_3 standards.

Consistency with the AQMP is used by MBARD to determine a project's cumulative impact on regional air quality (i.e., ozone levels). Projects that are not consistent with the AQMP have not been accommodated in the AQMP and will have a significant cumulative impact on regional air quality unless emissions are totally offset. For localized impacts, the threshold for cumulative impacts is 82 pounds per day of PM_{10}. For localized CO, MBARD does not have screening levels for intersection traffic that could result in potential CO hotspots; however, several other air districts have established these levels, which are described below to provide context of the magnitude of hourly volumes that could result in significant localized CO.

- The South Coast Air Quality Management District conducted CO modeling for its 2003 AQMP for the four worst-case intersections in the South Coast Air Basin. At the time the 2003 AQMP was prepared, the most congested intersection had an average daily traffic volume of approximately 100,000 vehicles per day. Using CO emission factors for 2002, the peak modeled CO 1-hour concentration was estimated to be 4.6 ppm. Accordingly, CO concentrations at congested intersections would not exceed 1-hour or 8-hour CO CAAQS unless projected daily traffic would be at least more than 100,000 vehicles per day.
- The Bay Area Air Quality Management District determined that projects would result in a less-than-significant impact to localized CO concentrations if project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour, or

[17] Monterey Bay Unified Air Pollution Control District. CEQA Air Quality Guidelines. February 2008.

project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway.)

The Bay Area Air Quality Management District screening criterion of 24,000 vehicles per hour has been applied to the project as a metric to evaluate CO hotspots, since it is the most conservative screening volume.

Health effects from carcinogenic air toxins are usually described in terms of cancer risk. Non-cancer adverse health risks are measured against a hazard index, which is defined as the ratio of the predicted incremental exposure concentrations of the various noncarcinogens from the project to published reference exposure levels that can cause adverse health effects. The MBARD recommends an incremental cancer risk threshold of ten in one million. MBARD recommends a Hazard Index of one or more for acute (short-term) and chronic (long-term) effects.

Table 3.3-2: MBARD Air Quality Significance Thresholds

Criteria Air Pollutant	**Construction Thresholds***	**Operation Thresholds**
	Average Daily Emissions (pounds/day)	**Average Daily Emissions (pounds/day)**
ROG and NO_x	137	137
PM_{10}	82	82
$PM_{2.5}$	55	55
CO	550	550
Health Risks and Hazards	**Single Sources/Individual Project**	
Excess Cancer Risk	> 10 in a million	
Hazard Index	> 1.0	

Notes: ROG = reactive organic gases; NO_X = oxides of nitrogen; PM_{10} = respirable particulate matter with an aerodynamic resistance diameter of 10 micrometers or less; $PM_{2.5}$= fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less; CO = carbon monoxide

Source: Monterey Bay Air Resources District. Guidelines for Implementing the California Environmental Quality Act. Revised February 2016.

3.3.2.1 *Project Impacts*

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

The MBARD is the regional agency responsible for overseeing compliance with State and federal laws, regulations, and programs within the Air Basin. MBARD, with assistance from the Association of Monterey Bay Area Governments (AMBAG), has prepared and implements specific plans to meet

applicable laws, regulations, and programs within the region. As discussed in Section 3.3.1.2 Regulatory Framework, the most recent and comprehensive plan, the 2012-2015 AQMP[18], focuses on reaching attainment status for ozone. The MBARD has also developed CEQA guidelines to assist lead agencies in evaluating the significance of air quality impacts. In formulating compliance strategies, MBARD relies on planned land uses established by local general plans. Land use planning affects vehicle travel, which in turn affects region-wide emissions of air pollutants and GHGs.

According to the MBARD CEQA Air Quality Guidelines, a consistency analysis and determination serve as the project's analysis of cumulative impacts on regional air quality, i.e., ozone levels. Project emissions which are not consistent with the AQMP are not accommodated in the AQMP and would have a significant cumulative impact unless offset. This impact is addressed by assessing the growth in population and employment expected in the region.

The Plan would not increase the number of workers expected in the region compared to what was previously analyzed in the 2008 Plan EIR and the City's General Plan (buildout under the 2008 Plan EIR would have created approximately 792 jobs , whereas the 2025 Plan is expected to create 164 jobs), but would increase the amount of housing.[19]

Housing growth resulting from buildout of the Plan was not fully analyzed in the buildout projections for the General Plan, as the General Plan EIR evaluated 254 residential units, while the Plan would include 657 residential units, consistent with the adopted 2023-2031 Housing Element assumptions for the Town Center area. Buildout of the Plan would result in a net increase of 403 residential units, or approximately 1,008 residents[20] compared to what was analyzed in the General Plan.

As noted above, the net increase of residential units was anticipated in the Housing Element (2023 – 2031 Housing Element) based on housing and population projections adopted by AMBAG within the 6th Cycle RHNA Plan. Therefore, the Plan would not directly induce substantial unplanned population growth by proposing new homes unanticipated by regional projections. As discussed in greater detail under impact discussion b) below, build out of the Plan would not cause a significant increase in air pollutant emissions that exceed thresholds established by MBARD. Therefore, buildout under the Plan would not conflict or obstruct implementation of the 2012-2015 AQMP. **(Less than Significant Impact)**

[18] Monterey Bay Air Resources District*, 2012-2015 Air Quality Management Plan,* March 15, 2017.
[19] Assumes two employees per every 1,000 square feet of commercial use. Source: Personnel Communication. Hexagon Transportation Consultants. July 8, 2025.
[20] Assumes 2.5 persons per household. Source: City of Scotts Valley Housing Element. Appendix B, Table B-11.

b) Would the project 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?

As described in Section 3.3.1.3 Existing Conditions, the Air Basin is considered in attainment for most air pollutants. However, the Air Basin is a non-attainment area for ground-level O_3 and PM_{10} under the California Clean Air Act. The Air Basin has attained federal ambient air quality standards for carbon monoxide, but is unclassified under state standards. As part of an effort to attain and maintain ambient air quality standards for O_3 and particulate matter (i.e., $PM_{2.5}$ and PM_{10}), the MBARD has established thresholds of significance for these air pollutants and their precursors. These thresholds are for O_3 precursor pollutants (ROG and NOx), PM_{10}, and $PM_{2.5}$ and apply to both construction period and operational period impacts for projects.

Past, present, and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to by itself to result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant.

Construction Emissions

Implementation of the Plan would result in temporary emissions from construction activities associated with subsequent development, including demolition, site grading, asphalt paving, building construction, and architectural coating. Emissions commonly associated with construction activities include fugitive dust from soil disturbance, fuel combustion from mobile heavy-duty diesel- and gasoline-powered equipment, portable auxiliary equipment, and worker commute trips. During construction, fugitive dust, the dominant source of PM_{10} and $PM_{2.5}$ emissions, is generated when wheels or blades disturb surface materials. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby. The potential health risk impact from construction is described under impact discussion c) below.

Construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust in the form of PM_{10} and $PM_{2.5}$. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Unless properly controlled, vehicles leaving construction sites would deposit mud on local streets, which is an additional source of airborne dust after it dries. Construction exhaust emissions include those from equipment (i.e., off-road) and traffic (on-road vehicles and trucks). Off-road construction equipment is often diesel-powered and can be a substantial source of NO_X emissions, in addition to PM_{10} and $PM_{2.5}$ emissions. In addition, NO_X emissions are also caused during grading and soil import/export. Architectural coatings and application of asphalt pavement are dominant sources of ROG emissions.

The MBARD CEQA Air Quality Guidelines do not identify quantified plan level thresholds for construction emissions. There are project-level thresholds of 137 pounds per average day for NOx, and ROG, 82 pounds per average day for $PM_{10,}$, 55 pounds per average day for $PM_{2.5}$, and 550 pounds per average day for CO. Unless controlled, the combination of temporary dust from activities and diesel exhaust from construction equipment and related traffic may pose a nuisance impact to nearby receptors or exceed acceptable levels for projects.

There are several General Plan Policies that address construction measures which would apply to future projects developed within the Plan area, including but not limited to:

Policy SN-4.17 Air Quality Best Management Practices. Encourage development projects to implement best management practices that reduce air pollutant emissions associated with the construction and operation of the project.

Policy SN-4.18 Minimize Direct and Indirect Emissions of Air Contaminants. New development shall be located and designed to conserve air quality and minimize direct and indirect emissions of air contaminants, including diesel emissions. This shall be done by the following:

1. Minimize impact of new development by reviewing development proposals for potential impacts pursuant to CEQA and the Monterey Bay Unified Air Pollution Control District CEQA Guidelines. Apply land use and transportation planning techniques such as:

    - Incorporation of public transit stops;
    - Pedestrian and bicycle linkage to commercial centers, employment center, schools and parks;
    - Preferential parking for carpools and van pools;
    - Traffic flows improvements; and
    - Employer trip reduction programs.

2. Control dust and particulate matter by implementing the Monterey Bay Air Resources Board fugitive dust control measures. In addition, address construction and operational diesel exhaust impacts in consultation with the Air District, and the need for risk assessments, when conditions warrant.

Policy SN-4.19 Dust Control Monitor. Consistent with Monterey Bay Area Resources Board guidelines, new developments that result any ground disturbance greater than 2.2 acres per day shall require the contractor(s) or builder(s) to designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site.

Policy SN-4.20 Low VOC Paint. New developments shall require by contract specifications that the interior and exterior architectural coatings (paint and primer including parking lot paint) products have a volatile organic compound (VOC) (i.e., ROG) content of 10 g/L or less. Contract specifications

shall be included in the construction documents, which shall be reviewed and approved by the City of Scotts Valley prior to the issuance of building permits.

Policy SN-4.21 Tier 4 Emissions. Prior to issuance of grading permits, new developments shall prepare and submit documentation to the City of Scotts Valley that demonstrates that all off-road diesel-powered equipment meet the California Air Resources Board's Tier 4 Final off-road emissions standards.

While implementation of the above General Plan policies would be beneficial to reduce construction emissions, without application of appropriate control measures to reduce construction dust and exhaust, construction period impacts at the program level would be considered a potentially significant impact.

Impact AQ-1: Without application of appropriate control measures to reduce construction dust and exhaust, construction period impacts at the program level would be considered a significant impact.

Future development projects would be required to comply with the following mitigation measures.

MM AQ-1.1: **Require Project-Level Construction Assessment** Construction criteria pollutant and TAC quantification shall be required on individual projects built out under the Plan once those details are available through modeling to identify impacts and, if necessary, include measures to reduce emissions below the applicable MBARD construction thresholds. Reductions in emissions can be accomplished through, though is not limited to, the following measures:

- Use of alternative fuels, engine retrofits, and added exhaust devices;
- Modify construction schedule; and
- Implementation of measures to control fugitive dust due to construction, including but not limited to:
    - Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.
    - Prohibit all grading activities during periods of high wind (over 15 mph).
    - Cover all trucks hauling dirt, sand, or loose materials.
    - Cover inactive storage piles.
    - Maintain at least 2'0" of freeboard in haul trucks.
    - Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).

Site-specific construction schedules and equipment are not known at this time for the future developments under the Plan and have not been quantified at the project level. Implementation of

the General Plan Policies listed above would ensure that all construction projects use fugitive dust control measures, low VOC paints, and off-road diesel-powered equipment that meets the CARB Tier 4 Final off-road emissions standards. Implementation of mitigation measure MM-AQ-1.1 would ensure that construction of future development under the Plan would be analyzed through project-level review to quantify construction criteria pollutant emissions and identify the specific measures needed to reduce construction emissions below applicable thresholds, as necessary.

Operational Emissions

Implementation of the Plan would result in long-term area and mobile source emissions from the residents, employees, customers, and visitors to the Plan area. There are no significant thresholds applicable to emissions associated with plan-level development; however, there are project-level thresholds (137 pounds for NOx and ROG, 82 pounds for $PM_{10,}$ 55 pounds for $PM_{2.5}$, and 550 pounds for CO). The operational criteria pollutant emissions anticipated to result from Plan buildout were modeled for comparison to the project-level thresholds, as discussed below.

CalEEMod Modeling Assumptions

Operational air emissions from the Plan would be generated primarily from automobiles driven by future residents and employees. Evaporative emissions from architectural coatings and maintenance products (classified as consumer products) are typical ROG emissions from these types of land uses. CalEEMod was used to estimate net emissions from operation of the proposed Plan Update assuming full buildout in 2045 or later.

Table 3.3-3 identifies the predicted average daily operational emissions from Plan buildout.

Table 3.3-3: Plan Buildout Operational Emissions

Scenario	NOx	ROG	PM_{10}	$PM_{2.5}$	CO
Existing Plan Area Daily Emissions in 2025 (lbs./day)[1]	68.17	133.12	66.31	17.50	582.01
Existing Plan Area Daily Emissions in 2045 (lbs./day) [1]	18.64	53.95	46.38	11.97	212.94
Future Proposed Plan Update Daily Emissions in 2045 (lbs./day)	13.90	39.41	29.96	7.95	140.94
Town Center SPU (Existing + Plan Update Annual Emissions in 2045 (lbs./day)	32.54	93.35	76.33	19.92	353.87
MBARD Project-Level Thresholds (pounds per day)	137 lbs./day	137 lbs./day	82 lbs./day	55 lbs./day	550 lbs./day

[1] Listed for informational purposes.
Source: Illingworth & Rodkin, Inc. Scotts Valley Town Center Specific Plan Update Air Quality and Greenhouse Gas Assessment. Table 6. July 18, 2025.

As shown in Table 3.3-3, average daily emissions for all pollutants resulting from Plan buildout would not exceed the MBARD significance thresholds. Therefore, future projects would not require additional modeling, and their emissions would be accounted for in the criteria pollutant emissions disclosed in Table 3.3-3. Plan buildout emissions would not result in a cumulatively considerable net increase of any criteria pollutant for which the Air Basin is non-attainment under an applicable federal or state ambient air quality standard.

As described above, incorporation of Mitigation Measure MM AQ-1.1 would ensure appropriate control measures reduce construction dust and exhaust, and therefore construction period impacts at the program level would be considered a less than significant impact with mitigation. **(Less than Significant Impact with Mitigation Incorporated)**

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

There are sensitive receptors within 1,000 feet of the Plan boundaries, as well as existing residences within the Plan area itself who are sensitive receptors. Impacts related to increased health risk can occur either by introducing a new source of TACs with the potential to adversely affect existing sensitive receptors in the Plan area vicinity or by significantly exacerbating existing cumulative TAC impacts. Buildout under the Plan would introduce a new temporary source of TACs during construction (i.e., on-site construction and truck hauling emissions) and long-term sources of TACs during operation (i.e., mobile and stationary sources).

Future construction activity under the Plan would generate dust and equipment exhaust that would affect nearby sensitive receptors. In addition, the Plan would place additional sensitive receptors within the Plan area. Traffic generated by the Plan would consist of mostly light-duty gasoline-powered vehicles. The Plan may introduce new stationary sources, such as emergency diesel-powered generators, which would produce TAC and air pollutant emissions in the area.

The Plan's impacts to existing sensitive receptors for temporary construction activities and long-term operational conditions is addressed below. There are also several sources of existing TACs and localized air pollutants in the vicinity of the Plan area. The impact of the existing sources of TAC is addressed below in terms of describing the cumulative risk, which includes the Plan Update contribution, as well as the risk on the new sensitive receptors introduced by the Plan.

Plan Buildout Construction TAC Exposure

Subsequent land use activities associated with implementation of the Plan would include short-term construction sources of TACs. There are sensitive receptors within the Plan today, and adjacent to many portions of the Plan area and there will be future residents in the Plan area as part of the Plan that could potentially be exposed to construction TACs during construction activity.

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. The construction exhaust emissions may pose health risks for sensitive receptors, such as nearby residents. The primary health risk impact issues associated with construction emissions are cancer risk. Diesel exhaust poses both a potential health and nuisance impact to nearby receptors. General Plan Policy SN-4.21 Tier 4 Emissions requires that all off-road diesel-powered equipment meet the California Air Resources Board's Tier 4 Final off-road emissions standards. Equipment meeting these requirements would have emissions about 80 percent lower than typical fleet average equipment[21]. To quantify these impacts, health risk assessments would be required for future construction activities implementing the Plan.

Since the specific construction plans for future individual projects implementing the Plan and schedules for construction are not known, it is not possible to quantify the impacts and determine the significance of the construction activity required to build future individual projects under the Plan. Large construction projects of two acres or greater that last more than one year have potential to cause significant health risk impacts. There are various measures that can be incorporated into construction plans that could minimize these potential impacts. Health risks impacts to nearby existing and future sensitive receptors associated with temporary construction of the future development is considered potentially significant. Implementation of the Plan Performance Standard described below would reduce this impact to less than significant.

Plan Operation TAC Exposure

Traffic

Traffic volumes would increase with the implementation of the Plan. However, TAC emissions from traffic are anticipated to decrease for several reasons:

- Vehicles, especially heavy-duty trucks, that meet newer diesel emissions standards will replace older vehicles (Note that trucks are the highest source of traffic TAC emissions);
- Overall increase in fuel efficiency of automobiles and trucks; and
- An increase in the percentage of vehicles that have zero emissions.

Nonetheless, localized increases in traffic emissions of TACs may occur as the Plan is built out. These increases would likely be dependent on the specific types and sizes of land uses and the amount of truck traffic generated. Build out of the Plan would involve residential and local-serving retail, which would not generate substantial truck traffic that leads to significant health risk impacts.

Stationary Sources

Development of the Plan may include stationary equipment such as backup power generators powered by diesel engines. Operation of diesel generators would be a source of TAC emissions in the form of DPM. At this stage of the planning process, i.e., updating the Plan, there are no detailed

[21] This would vary by equipment size and the year of comparison, as most equipment will meet Tier 4 standards in the future when older equipment is phased out.

plans for individual development projects to include this equipment nor plans that would reasonably allow identification of potential equipment. These diesel engines would be subject to CARB's Stationary Diesel Airborne Toxics Control Measure (ATCM) and require permits from MBARD, since they will likely be equipped with engines larger than 50-horsepower. Best Available Control Technology (BACT) for Toxics requirements would apply to these generators that would limit DPM emissions. As part of the MBARD permit requirements for toxics screening analysis, the engine emissions will have to meet BACT for Toxics and pass the toxic risk screening level of less than ten in a million. The risk assessment would be prepared by MBARD. Depending on the results, MBARD would set limits for DPM emissions (e.g., more restricted engine operation periods). Sources of air pollutant emissions complying with all applicable MBARD regulations generally will not be considered to have a significant air quality health risk impact on their own. However, combined with other Plan sources, such as traffic or construction equipment, this could lead to a significant impact.

Health Risk Impacts – Construction and Operation

Sources of TAC emissions associated with Plan buildout have not been identified. The mix of land uses envisioned under the Plan could include sources such that significant exposures might occur. The impacts may be caused by a combination of construction activity, truck traffic, diesel-powered emergency generators, etc. This would be a potentially significant impact.

Impact AQ-2: Significant TAC emission exposure could occur under Plan buildout.

Plan Policies that Reduce Impacts to Air Quality:

Section 3.5 (Performance Standards) of the Plan requires the following:

- **Plan Performance Standard**: Applicants proposing development of two acres or greater and lasting more than one year within 1,000 feet of existing sensitive receptors or worker receptors as defined by the MBARD (e.g., residential, schools) shall utilize Tier 4 engines, i.e., diesel engines that meet U.S. EPA Tier 4 particulate matter emissions standards, or best available technology at the time of project construction.

Implementation of the Plan performance standard described above would reduce on-site diesel exhaust emissions and reduce construction health risk impacts to a less-than-significant level. Further, implementation of General Plan Policy SN-4.21 and Mitigation Measure MM AQ-1.1 would reduce emissions substantially. Therefore, after implementation of these recommended measures, Plan buildout would have a less-than-significant impact with respect to health risk caused by projects developed under the Plan. **(Less than Significant Impact)**

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, there are no quantitative methodologies to determine the presence of a significant odor impact. The significance of odor impacts is based on the potential to cause odor complaints. The construction of projects built out under the Plan would generate localized emissions of diesel exhaust during construction equipment operation and truck activity. These emissions may be noticeable from time to time by adjacent receptors. However, they would be localized and are not likely to adversely affect people off site by resulting in confirmed odor complaints. The Plan does not identify any uses that are typical sources of odors that could lead to objectionable odors that generate frequent odor complaints.

Therefore, the Plan would not result in emissions (such as those leading to odors) adversely affecting a substantial number of people. **(Less than Significant Impact)**

3.3.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a significant cumulative air quality impact?

The geographic area for cumulative air quality impacts is the Air Basin. Past, present, and future development projects contribute to the region's adverse air quality impacts. No single project is sufficient in size, by itself, to result in non-attainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts.

Consistency with the 2012 – 2015 AQMP

As discussed under checklist question a), build out of the Plan would not conflict with the 2012 – 2015 AQMP.

Criteria Air Pollutants

As discussed under impact discussion a), the MBARD CEQA Air Quality Guidelines states that a consistency analysis and determination serve as the project's analysis of cumulative impacts on regional air quality, i.e., ozone levels. Buildout under the Plan would not conflict or obstruct implementation of the 2012-2015 AQMP, therefore, the Plan would not have a cumulative impact on regional air quality. As discussed under impact discussion b), there are no MBARD emission thresholds that apply to potential emissions generated by a plan, such as the proposed Plan. However, as shown in Table 3.3-3, average daily emissions from Plan buildout for all pollutants would not exceed the MBARD significance thresholds that is applied to projects. Therefore, the Plan buildout would not result in a cumulatively considerable net increase of any criteria pollutant for

which the Air Basin is non-attainment under an applicable federal or state ambient air quality standard.

Exposure of Sensitive Receptors

As discussed above under checklist question c), buildout of the Plan would not expose sensitive receptors to substantial pollutant concentration with incorporation of Plan Performance Standards.

Odors

As discussed under checklist question d), odors associated with construction would be both temporary and localized, and therefore are not likely to affect people off-site. Uses in the Plan may include restaurants that could have localized odors but not likely to result in frequent odor complaints. For these reasons, the Plan would not result in a cumulative considerable contribution to odor impacts.

Buildout of the Plan would not contribute to a significant cumulative impact with respect to air quality. **(Less than Significant Cumulative Impact)**

3.3.3 Non-CEQA Effects

Per *California Building Industry Association v. Bay Area Air Quality Management District,* 62 Cal. 4th 369 *(BIA v. BAAQMD)*, effects of the environment on the project are not considered CEQA impacts. The following discussion is included for informational purposes only because the City of Scotts Valley has policies that address existing air quality conditions affecting a project (Policy OSC-5.16).

TAC Effects on Plan Sensitive Receptors

The Plan would include new sensitive receptors, primarily in the form of residents. Substantial sources of existing air pollution can adversely affect sensitive receptors proposed as part of new projects. MBARD does not have a recommended screening radius for identifying health risk impacts from citing a new source of TACs or new sensitive receptors; therefore, the Bay Area Air District's screening radius of 1,000-feet around a project site was used. A review of the Plan area was conducted to identify the existing health risks from nearby TAC sources. These include local roadways (Mt. Hermon Road and Scotts Valley Drive) and 11 nearby stationary sources (diesel-power generators, generic sources, and gas stations). Figure 3.3-1 shows the existing TAC sources, the Plan area and the 1,000-foot influence area.

<u>High-Volume Roadways</u>

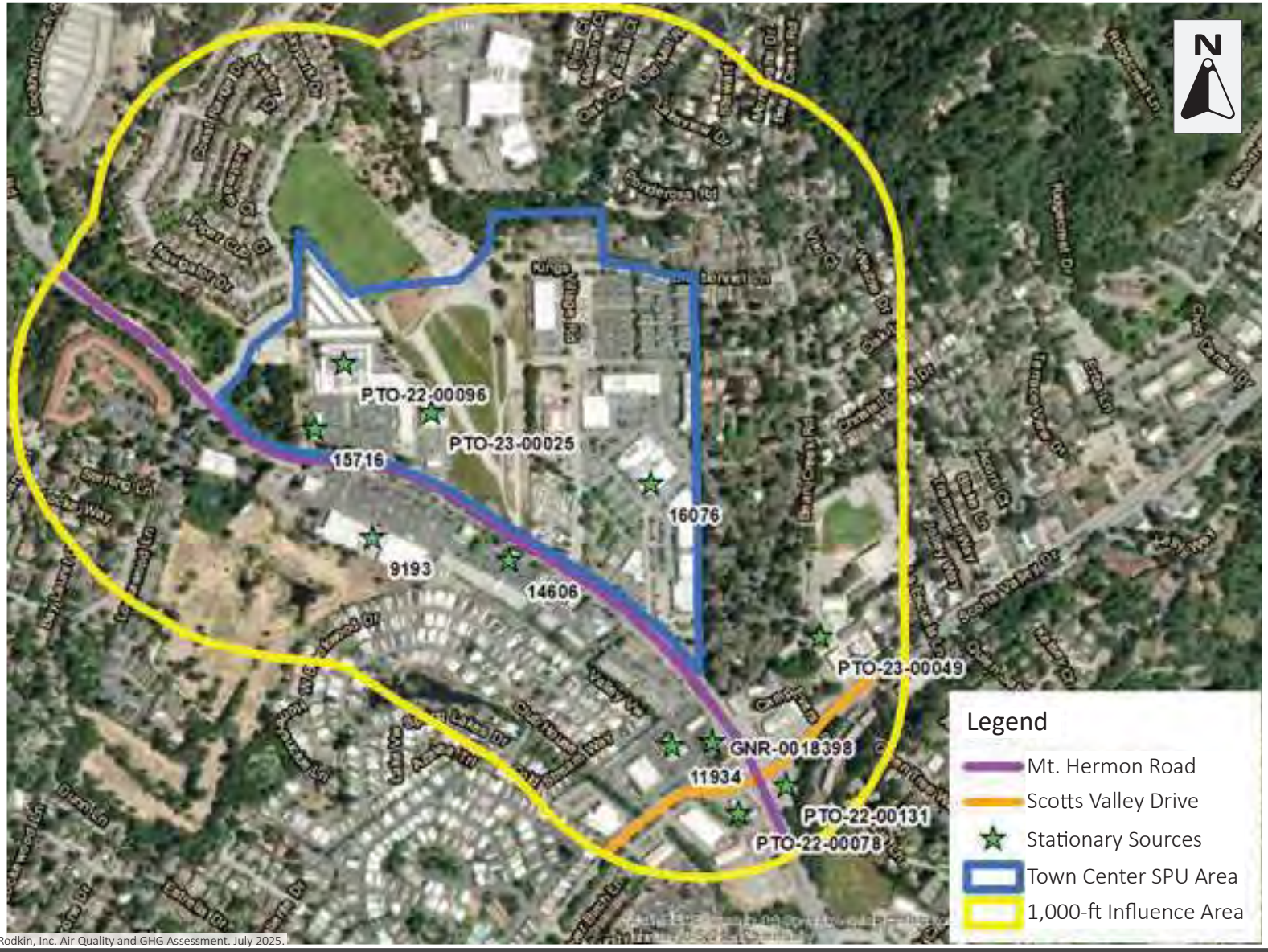
Highways – Highway 17

The Plan area is located over 3,000 feet west and upwind of Highway 17. Therefore, health risks from traffic on SR-17 to sensitive receptors within the Plan area would be negligible and would not result in any unhealthy exposures.

Local Roadways – Mt. Hermon Road and Scotts Valley Drive

Local roadways with traffic volumes of over 10,000 vehicles per day that are within the influence area could potentially have a significant TAC effect on the proposed Plan area. Mt. Hermon Road and Scotts Valley Drive were estimated as having traffic volumes over 10,000 vehicles per day. Figure 3.3-1 shows the locations of these roadways.

There is no screening tool to predict health risk impacts from local roadways provided by MBARD , and without more specific traffic and receptor location information for the Plan area, modeling could not be conducted. The distance at which the increased cancer risk and HI from the roadways would not exceed the MBARD single-source thresholds for TAC sources was estimated based on the size of the roads, which side of the roadway, and wind direction. Wind flows generally from the south-southwest, so highest risk levels would be downwind (i.e., north side of east-west roadways and east side of north-south roadways). Table 3.3-4 lists information about the roadways and the estimated buffer distances where exceedances of health risk thresholds may occur.



Source: Illingworth & Rodkin, Inc. Air Quality and GHG Assessment. July 2025.

TAC SOURCES, WATSONVILLE AIRPORT WIND ROSE, AND 1,000-FOOT INFLUENCE AREA | FIGURE 3.3-1

Table 3.3-4: TAC Sources and Buffer Distances for Exceedance

Source	Type	Estimated Screening Buffer Distance for Exceedance (feet)
Mt. Hermon Road	Traffic 30,185 ADT[1]	100
Scotts Valley Drive	Traffic 20,675 ADT[2,]	200
Gas Stations	Benzene from evaporative emissions	300
Diesel generators	Diesel particulate matter from testing and maintenance operation	300
Miscellaneous	Consult MBARD	Up to 1,000

[1] Average Daily Traffic based on traffic analysis peak-hour volume adjusted by x10 the AM/PM average for ADT.

[2] All of the Plan Update Area is to the west of Scotts Valley Drive, and only a small portion of Scotts Valley Drive is within the 1,000-foot influence zone of the Plan Update Area.

MBARD Permitted Stationary Sources

Permitted stationary sources of air pollution within and near the Plan area were identified using MBARD's *Permit Map*,[22] which identifies the location of nearby stationary sources. 11 stationary sources were identified within and near the Plan area, including five diesel-power generators, three gas stations, and three other sources. Table 3.3-5 lists the identified stationary sources. However, since MBARD's website does not identify the stationary sources risk and hazard impacts, the estimated distance sensitive receptors should be from these sources in order to have health risk impacts below the significance thresholds could not be calculated. Generally, the risks from the types of sources listed in Table 3.3-5 are low, and therefore, the risks are localized. Projects located near such sources should be evaluated for adverse effects. This would be done by submitting public records requests to MBARD to determine source health risk impacts. Figure 3.3-1 shows the stationary sources within the Plan Update Area. Screening buffer distances are provided in Table 3.3-4, above.

[22] MBARD. Permit Search. Accessed July 29, 2025. https://www.mbard.org/permit-search

Table 3.3-5: Town Center SPU Area Existing Stationary TAC Sources

Source	Source Type
PowerSecure Inc. (Permit #PTO-23-00025, 262 Mt. Hermon Road)	Prime Internal Combustion Engine / Generator
The Pratt Company (Permit #PTO-22-00096, 270 Mt. Hermon Road)	Miscellaneous
Remediation Risk Management Inc. (Permit #15716, 272 Mt. Hermon Road)	Miscellaneous
Scotts Valley Water District (Permit #9193, 255 Mt. Hermon Road)	Miscellaneous
Todd J Iles (Permit #14606, 132 Whittier Ave)	Prime Internal Combustion Engine / Generator
Nob Hill Foods (Permit #16076, 222 Mt. Hermon Road)	Emergency Internal Combustion Engine / Generator
Scotts Valley Unified School District (Permit #PTO-23-00049, 8 Bean Creek Road)	Emergency Internal Combustion Engine / Generator
Comcast of California IX Inc. (Permit #11934, 104 Whispering Pines Drive)	Emergency Internal Combustion Engine / Generator
Scotts Valley Gas & Mark (Permit # GNR-0018398, 201 Mt. Hermon Road)	Gas Dispensing Facility
Peninsula Petroleum LLC (Permit #PTO-22-00131, 90 Mt. Hermon Road)	Gas Dispensing Facility
Salkhi Petroleum Inc. (Permit #PTO-22-00078, 99 Mt. Hermon Road)	Gas Dispensing Facility

Summary of Existing TAC Health Risks

Figure 3.3-1 identifies the existing TAC sources within the Plan area. Any development of sensitive receptors within affected areas identified in the sections above would potentially expose sensitive receptors to significant exposure of cancer and non-cancer risks.

Per General Plan Policy OSC-5.16, the following Plan measure will be implemented to protect future Plan receptors from existing TAC sources.

Plan Measure: **Projects developed within the Town Center SPU that are affected by air pollutants or TAC sources shall implement appropriate measures to minimize long-term toxic air contaminant (TAC) exposure for new project occupants:** This measure applies to any project developed within affected areas that are near high volume roadways or stationary sources, as indicated above in Table 3.3-5. The project would either need to include measures to reduce long-term exposure to TAC, as described below, or conduct site-specific analysis to identify the level of exposure to TACs in terms of cancer risk concentrations. The analysis

shall use procedures prescribed by MBARD (e.g., the MBARD CEQA Air Quality Guidelines) to predict these exposures. Where cancer risk exceeds 10 chances per million from any single source (i.e., within 1,000 feet) and where HI exceeds 1.0 from any single source, the following measures shall be implemented:

- Design project developments to limit exposure from sources of TACs emissions, using setbacks to buffer sensitive portions of the development.
- Install air filtration at units that have predicted cancer risk levels above 10 chances per million and HI above 1.0. Air filtration devices shall be rated MERV13 or higher. Alternately, at the approval of the City, equivalent control technology may be used if it is shown by a qualified air quality consultant or heating, ventilation, and air conditioning (HVAC) engineer that it would reduce risk below significance thresholds.
- As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required.
- Ensure that any lease agreements and other property documents (1) require cleaning, maintenance, and monitoring of the affected units for air flow leaks; (2) include assurance that new owners and tenants are provided information on the ventilation system; and (3) include provisions that fees associated with owning or leasing a unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacements of the filters, as needed.
- Require that, prior to building occupancy, an authorized air pollutant consultant or HVAC engineer verify the installation of all necessary measures to reduce cancer risk below 10 chances per million and HI below 1.0 from any source.
- Air filtration systems should be installed on either an individual unit-by-unit basis, with individual air intake and exhaust ducts ventilating each unit separately, or through a centralized building ventilation system. The ventilation system should be certified to achieve certain effectiveness.

The air filtration systems using MERV13, can reduce exposures by 70 to 85 percent. There are filtration systems that can achieve greater reductions. The effective particulate control efficiency using a MERV13 filtration system is about 85 percent and 70 percent when accounting for three hours of non-filtered air (e.g., being outside or having windows open). Assuming the effectiveness of filtration systems described above, implementation of this Plan measure would reduce maximum cancer risk and HI to below respective threshold levels.

3.4 Biological Resources

The following discussion relies on information contained in the 2008 Plan EIR, the City's General Plan EIR, and a Biological Resource Assessment, including a Delineation of Waters of the U.S. and Waters of the State of California, completed by Stantec in July 2014 for the Scotts Valley Town Center as well as information regarding the location of special status species found in the Biological Evaluation completed in April 2022 for the Valley Gardens project located approximately 400 feet south of the Plan area's southern boundary. The 2014 Delineation of Waters of the U.S. and Waters of the State of California for the Scotts Valley Town Center and the Valley Gardens Biological Evaluation are on file with the City.

3.4.1 Environmental Setting

3.4.1.1 *Regulatory Framework*

Federal and State

Endangered Species Act

Individual plant and animal species listed as rare, threatened, or endangered under state and federal Endangered Species Acts are considered special-status species. Federal and state endangered species legislation has provided the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Permits may be required from both the USFWS and CDFW if activities associated with a proposed project would result in the take of a species listed as threatened or endangered. To "take" a listed species, as defined by the State of California, is "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill" these species. Take is more broadly defined by the federal Endangered Species Act to include harm of a listed species.

In addition to species listed under state and federal Endangered Species Acts, Sections 15380(b) and (c) of the CEQA Guidelines provide that all potential rare or sensitive species, or habitats capable of supporting rare species, must be considered as part of the environmental review process. These may include plant species listed by the California Native Plant Society and CDFW-listed Species of Special Concern.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits killing, capture, possession, or trade of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Hunting and poaching are also prohibited. This includes direct and indirect acts, except for harassment and habitat modification, which are not included unless they result in direct loss of birds, nests, or eggs. The CDFW also protects migratory and nesting birds under California Fish and Game Code Sections 3503, 3503.5, and 3800. The CDFW defines taking as causing abandonment and/or loss of reproductive efforts through disturbance.

Clean Water Act

The Clean Water Act (CWA) (33 U.S.C. Section 1251 et seq.) was enacted with the intent of restoring and maintaining the chemical, physical, and biological integrity of the waters of the United States. The CWA establishes the basic structure for regulating discharges of pollutants into the waters of the United States and has given the United States Environmental Protection Agency (EPA) the authority to implement pollution control programs. The CWA requires states to set standards to protect, maintain, and restore water quality through the regulation of point source and certain non-point source discharges to surface water.

Section 303(d) of the CWA (CWA, 33 USC 1250, et seq., at 1313(d)) requires states to identify "impaired" water bodies as those which do not meet water quality standards. States are required to compile this information in a list and submit the list to the EPA for review and approval. An affected waterbody, and associated pollutant or stressor, is then prioritized in a list of impaired water bodies known as the 303(d) List. The CWA further requires the development of a Total Maximum Daily Load (TMDL) for each listing.

Section 404 of the CWA requires a permit for construction activities involving placement of any kind of fill material into waters of the U.S. or wetlands. A Water Quality Certification pursuant to Section 401 of the CWA is required for Section 404 permit actions. If applicable, construction would also require a request for Water Quality Certification (or waiver thereof) from the Regional Water Quality Control Board (RWQCB).

When an application for a Section 404 permit is made, the applicant must show it has:

- Taken steps to avoid impacts to wetlands or waters of the United States, where practicable;
- Minimized unavoidable impacts on waters of the United States and wetlands; and
- Provided mitigation for unavoidable impacts.

Sensitive Habitat Regulations

Wetland and riparian habitats are considered sensitive habitats under CEQA. They are also afforded protection under applicable federal, state, and local regulations, and are generally subject to regulation by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board RWQCB, CDFW, and/or the USFWS under provisions of the federal Clean Water Act (e.g., Sections 303, 304, 404) and State of California Porter-Cologne Water Quality Control Act.

Fish and Game Code Section 1602

Streambeds and banks, as well as associated riparian habitat, are regulated by the CDFW per Section 1602 of the Fish and Game Code. Work within the bed or banks of a stream or the adjacent riparian habitat requires a Streambed Alteration Agreement from the CDFW.

Local

Scotts Valley General Plan

The Scotts Valley General Plan contains the following policies which are specific to biological resources and are applicable to the project:

Policy	Description
OSC-1.6	**Natural Diversity.** Promote the protection and preservation of native species, habitat, and vegetation types and overall natural diversity in Scotts Valley.
OSC-1.8	**Riparian Corridor.** Riparian corridors shall be maintained and protected consistent with federal, State, and local regulations. Degraded corridors shall be restored or improved in association with development of frontage properties. Require landscaping for new developments along creeks or in wetlands to be native riparian plant species.
OSC-1.10	**Creek and Wetland Setbacks.** Require setbacks and implementation of standards and guidelines for development and improvements within the City and adjacent to creeks and wetlands as set forth in the City's Stormwater Management Program.
OSC-1.14	**Native Plant Communities.** New development proposed in, or adjacent to, areas containing native plant communities shall be carefully planned and provide for their conservation and maintenance.
OSC-1.15	**Project Biological Resources Impacts.** The City's environmental review process shall be used to determine potential impacts to biological resources of project proposals. Ensure that new development avoids, minimizes, and/or mitigates impacts to biological resources and sensitive habitat.
OSC-1.16	**Biological Survey.** As a part of the environmental review process, require new development proposed within areas of native plants or rare or endangered wildlife habitat to prepare a site-specific survey which identifies the location and type of species present. The development shall be required to mitigate any potential impacts to such species. Where appropriate, designate those areas as open space.
OSC-1.1	**Invasive Species.** Manage or eliminate invasive species from City-owned property and open space on a regular basis, as deemed necessary to maintain the viability of native plant species.

Scotts Valley Tree Protection Regulations

The City of Scotts Valley Zoning Ordinance Section 17.44.080 regulates the removal of protected trees. Section 17.44.080 includes tree protection regulations. Protected trees are defined as:

- Any tree having a main stem or trunk at least eight inches or greater diameter at breast height (DBH) (25 inches in circumference), located in a hillside residential zone where the slope within 20 feet of where the tree is located exceeds 20 percent;
- Any single-trunk oak tree with a main stem or trunk at least eight inches DBH (25-inch circumference), or any multi-trunk oak tree with an individual trunk over four inches DBH (12-inch circumference)
- Any street tree (defined as any tree within five feet of a public or private street or right of way), regardless of size;

- Any single-trunk with a 13-inch or greater DBH (40-inch circumference);
- Any multi-trunk tree with any trunk greater than or equal to eight-inch DBH (25-inch circumference);
- Any tree, regardless of size, required to be planted or preserved as part of a permit approved by the Planning Department, Planning Commission or City Council, or required as a replacement tree for a removed tree; or
- Any Heritage Tree, defined as a tree identified, because of unique quality and/or size, as among the most significant and noteworthy in the City and formally designated by the City Council.

Future projects that would involve removal of protected trees are required to obtain a Tree Removal Permit, which involves submittal of an application and an arborist report to verify the reasons for removal or to determine alternatives to removal. Removal of protected trees other than Heritage Trees may be granted by ministerial approval. Removal of Heritage Trees, which are identified in the City of Scotts Valley Municipal Code 17.44.080 – Tree Protection Regulations, regulate the removal of protected trees within the City.

3.4.1.2 *Existing Conditions*

Habitat Described in the General Plan

Per the City's General Plan, there are three natural habitat communities in the City that support special status species: 1) Riparian Woodland (mapped in Figure OSC-3 of the General Plan), 2) Ponderosa Pine, and 3) Zayante/Santa Cruz Sandhills (mapped in Figure OSC-4 of the General Plan). These habitat communities support a variety of special-status plants and animals that occur or could potentially occur within the City.

The Plan area does not contain areas mapped in the General Plan as Riparian Woodland. However, the Plan area does contain limited areas of habitat mapped in the General Plan either as Ponderosa Pine or Zayante/Santa Cruz Sandhills.

<u>Ponderosa Pine Habitat</u>

The mixed woodland habitat contained within the Plan area (see Figure 3.4-1), as further described in detail below under "Habitat Described in Plan Area from the 2008 Plan EIR", could potentially be categorized as Ponderosa Pine habitat, although the General Plan does not explicitly map this habitat.

Ponderosa pine habitat is a rare assemblage of vegetation limited to sandy, infertile Zayante soil formed over Santa Margarita sandstone. This habitat is located in the southwestern portion of the City, and on the slopes of Mount Hermon. Due to its sandy soil, Ponderosa pine habitat drains very rapidly and does not retain enough water to support species such as redwood and Douglas fir, which are common elsewhere. A substantial portion of the Ponderosa pine habitat in Santa Cruz County has been degraded by development and quarrying activity.

Zayante/Santa Cruz Sandhills Habitat

A small corner of the western and eastern Plan area is mapped in the General Plan as Zayante/Santa Cruz Sandhills habitat. However, the portions of the Plan area mapped as Zayante/Santa Cruz Sandhills habitat are currently developed. The soil underlaying the developed area could meet the requirements for Zayante/Santa Cruz Sandhills habitat.

The Santa Cruz sandhills are unique communities of plants and animals found only on outcrops of sandy soils derived from marine deposits in Santa Cruz County, central coast California. They support diverse assemblages of plants that are uniquely adapted to the droughty, infertile soils, including four endemic plant species found nowhere else in the world. Also distinct, the sandhills fauna includes two endemic insects, isolated populations of two lizard species, and the last known population of the Santa Cruz kangaroo rat.

The endemic sandhills communities and special status plant and animal species are naturally rare, due to their limited geographic range (Santa Cruz County) and narrow habitat specificity (inland sand outcrops). Habitat destruction due to sand quarrying, urban development, and agriculture has reduced and fragmented habitat. As a result, three sandhill plants (Santa Cruz wallflower, Ben Lomond spineflower, and Santa Cruz cypress) and two sandhill animals (Mount Hermon June beetle and Zayante band-winged grasshopper) have been listed as federally endangered. Several other endemic and locally unique plants and animals in the sandhills are also very rare and the two sandhills plant communities – maritime coast range ponderosa pine forest and northern maritime chaparral – are listed as sensitive communities in the California Natural Diversity Database. Ongoing habitat conversion, fragmentation, degradation, and genetic contamination threaten the persistence of these unique species and communities.

Habitat Described in Plan Area from 2008 Plan EIR

The Plan area is largely developed, which has altered the native habitats originally present and limited the movement of wildlife through the Plan area. On the undeveloped parcels within the Plan Area but outside of the former Skypark airport, the primary habitats are Non-Native Annual Grassland and Mixed Woodland. On the former Skypark airport, the primary habitats within the Plan include Non-Native Annual Grassland, Mixed Woodland, and Vernally Moist Grassland. The habitat types within the Plan area are summarized below and depicted in Figure 3.4-1. The characterization of habitat types within the Plan area is based on the 2008 Plan EIR. Since the adoption of the 2008 Plan in 2008, new development in the area has consisted of the 46 residential units in the northeast corner of the Plan area off Blue Bonnet Lane (originally mapped as ruderal habitat at time of the 2008 Plan EIR), as well as 13,318 square feet of commercial retail space at the Hangar project at 260 Mt. Hermon Road (originally developed land at time of the 2008 Plan EIR), and surface level parking in the central portion of the Plan area, north of 262 Mt. Hermon Road (originally mapped as Coyote Brush Scrub habitat at time of 2008 Plan EIR). Therefore, development that has occurred since the time of the 2008 Plan EIR has resulted in the loss of ruderal, developed, and Coyote Brush Scrub habitat. Based on review of current aerial images, the general nature of the

habitat types within the Plan area can be reasonably assumed to be consistent with the 2008 findings.

Non-Native Annual Grassland

Vegetation in this habitat type is a combination of introduced annual grasses, native grasses, and broadleaf herbaceous plant species. Excluding development, non-native annual grassland is the dominant vegetative community found in the Plan area.

Grasslands often support a large number of individuals of a few vertebrate species. The lack of cover and the open foraging areas characteristic of grassland habitats tends to limit the overall species diversity of vertebrates. Raptors, such as northern harrier (*Circus cyaneus*), red-tailed hawk (*Buteo jamaicensis*), and American kestrel (*Falco sparverius*), along with other common bird species, such as western kingbird (*Tyrannus verticalis*), western meadowlark (*Sturnella neglecta*), lark sparrow (*Chondestes grammacus*), black phoebe (*Sayornis nigricans*), Brewer's blackbird (*Euphagus cyanocephaslus*), and goldfinches (*Carduelis spp*.) rely on open expanses of grassland for foraging habitat.

Grasslands also provide habitat for small mammals such as California ground squirrel (*Spermophilus beechei*) and Botta's pocket gopher (*Thomomys bottae*), which in turn serve as a prey base for a variety of animals, including snakes, coyotes (*Canis latrans*), and bobcats (*Lynx rufus*). Invertebrate species, many of which provide a food source for larger animals, such as lizards, birds, and some small mammals, can also be found within grassland communities. Reptiles common to grasslands that could potentially occur on-site include gopher snake (*Pituophis melanoleucis*), common king snake (*Lampropeltis getula*), and common garter snake (*Thapmnophis sirtalis*).

Mixed Woodland

The mixed woodland habitat on-site is located along the western Plan boundary, east of Skypark Drive and contains several native coast live oak trees, a small grove of large, non-native eucalyptus trees (*Eucalyptus sp*.), native ponderosa pine (*Pinus ponderosa*) and Douglas fir (*Pseudotsuga menziesii*), and non-native black locust (*Robinia pseudoacacia*) and silver wattle (*Acacia dealbata*). The understory mostly consists of weedy, non-native grasses and herbs, including periwinkle (*Vinca major*), St. John's wort (*Hypericum perforatum*), and French broom (*Genista monspessulana*), but also includes some native shrubs, such as coyote brush and poison oak (*Toxicodendron diversilobum*).

Woodlands, in general, provide good habitat for a large variety of wildlife species. Trees provide nesting sites and cover for many birds and mammals. Snags, or dead and decaying trees with few branches or no leaves, provide perches from which predatory birds can search for prey, nesting habitat for cavity nesting birds, and resting spots for other birds. They also contribute woody debris to the duff in the woodland understory, which provides foraging areas for small mammals and microclimates suitable for amphibians and reptiles, as well as fungi.

Where oaks are present, acorns are a valuable food source for many animal species, including acorn woodpecker (*Melanerpes formicivours*), western scrub jay (*Aphelocoma californica*), western gray squirrel (*Sciurus griseus*), and black-tailed deer (*Odocoileus hemionus*). Other representative animal species that could potentially occur in the oak dominated woodland on-site include western bluebird (*Sialia mexicana*), turkey vulture (*Cathartes aura*), red-tailed hawk (*Buteo jamaicensis*), arboreal salamander (*Aneides lugubris*), western screech owl (*Otus kennicottii*), oak titmouse (*Baeolophus inornatus*), dark-eyed junco (*Junco hyemalis*), and Virginia opossum (*Didelphis virginianus*).

Vernally Moist Grassland

The 2008 Plan EIR identified vernally-moist grassland habitat located east of the Skypark Airport runway. Refer to Figure 3.4-1. The habitat is supported in part by surface runoff and impoundment from the runway. This habitat also includes a small depression associated with a drainage ditch or swale on the western portion of the old runway, which was likely created by excavation as a drainage channel for the old airport.

Dominant plants include California oatgrass (*Danthonia californica*), tall cyperus (*Cyperus eragrotis*), dense sedge (*Carex densa*), brown-headed rush (*Juncus phaeocephalus*), toad rush (*Juncus bufonius* var *bufonius*), annual hairgrass (*Deschampsia danthanioides*), brome fescue (*Vulpia bromoides*), velvet grass (*Holcus lanatus*), bird-foot trefoil (*Lotus corniculatus*), Italian rye-grass, hyssop loosestrife (*Lythrum hyssopifolium*), and Mediterranean barley (*Hordeum marinum ssp. gussoneanum*). Other plants include hop clover (*Trifolium campestre*), bur clover (*Medicago polymorpha),* annual beard grass (*Polypogon monspeliensis*), and cut-leaved plantain (*Plantago cornopus*). The small, rare herb, Choris's popcorn flower (*Plagiobothrys chorisianus*) was also observed in the vernally-moist grassland habitat at the time of the 2008 Plan EIR, and is noted as a possible special-status species on-site during a recent inventory query (see Special-Status Species discussion below).

The lack of cover and open foraging areas characteristic of grassland habitats tends to limit the overall species diversity of vertebrates. However, the increased seasonal water and the wetness of the soil do increase the value of this habitat for wildlife. Typically, where surface water is pooled, several wildlife species, including birds, mammals, and reptiles, are likely to use these pools for drinking. The increase in soil moisture also increased plant diversity on site, and therefore increases vegetation structure and available habitat for insects and other invertebrates, and in turn, the wildlife that prey on them.

Ruderal

Ruderal habitat is dispersed in small patches throughout the Plan area.

Ruderal habitat occurs in areas that are regularly disturbed by human activities. Non-native species such as black mustard (*Brassica nigra*), filaree (*Erodium spp.*), fennel (*Foeniculum vulgare*), and non-native grasses are the dominant species. Cover by plant species is generally low due to disturbance,

and there is a high percentage of bare soil. Ruderal areas provide poor habitat for animal species; however, these areas can be used during dispersal and for movement during foraging in adjacent habitats.

The wildlife habitat values provided by ruderal communities are dependent on the level of ongoing disturbance and the type of plants present.

Turf

A portion of Skypark within the Plan area is composed of a grass field. This habitat is similar to ruderal in that it is highly disturbed; however, there is typically very little bare soil because it is usually almost always completely covered with planted grass. This habitat provides very little in the way of wildlife habitat. Grass fields can provide habitat for Botta's pocket gopher, but are generally managed to exclude the species. These fields can also provide food for grazing mammals, such as black-tailed mule deer (*Odocoileus hemionus*).

Developed

The majority of the Plan area is developed. Some features of developed areas, such as landscaping, can provide some habitat for wildlife, such as perches for songbirds; however, developed areas are typically poor habitat for most species of wildlife.

Skypark Mitigation Area

The Skypark Mitigation Area is located east of Skypark Drive in the western corner of the Plan area and consists of temporarily disturbed areas from the construction of Skypark Drive that has been revegetated with native plants. As part of the Skypark residential development and construction of Skypark Drive, the project required a California Department of Fish and Wildlife Streambed Alteration Agreement to allow impacts to the upper reach of a seasonal tributary to Bean Creek. Following construction, the area was revegetated with native species following requirements set forth in Streamzone Restoration Plan (Zander Associates, 1995) prepared for the developer and the Streambed Alteration Agreement. The developer was required to monitor and maintain an approximately 0.05 acre area, which extended along both the west and east sides of Skypark Drive. At the time of the 2008 Plan EIR, the site was composed of planted trees and shrubs, including coast live oak (*Quercus agrifolia*), box elder (*Acer negundo*), coyote brush (*Baccharis pilularis*), coffeeberry (*Rhamnus californica*), elderberry (*Sambucus mexicana*), and blackberry (*Rubus ursinus*).

Drainages and Jurisdictional Waters

No natural drainage features occur within the Plan area. A 0.7-acre drainage ditch that was constructed by the City's Public Works Department is present along the western side of the old Skypark Airport runway, east of the existing shopping center and handles seasonal runoff from the area, primarily the large sports field, skate park, and dog park located to the north. This constructed drainage system bisects the west-central portion of the Plan area in a primarily north-south

direction and drains to a culvert on the southern boundary of the Plan area at Mt. Hermon Road. The water then travels under Mt. Hermon Road and conveys the water to Evers Creek, which joins with Carbonera Creek and flows into the San Lorenzo River, which empties into the Monterey Bay. The Plan area also contains a seasonally-moist grassland area to the east of the old Skypark Airport runway, as described above.

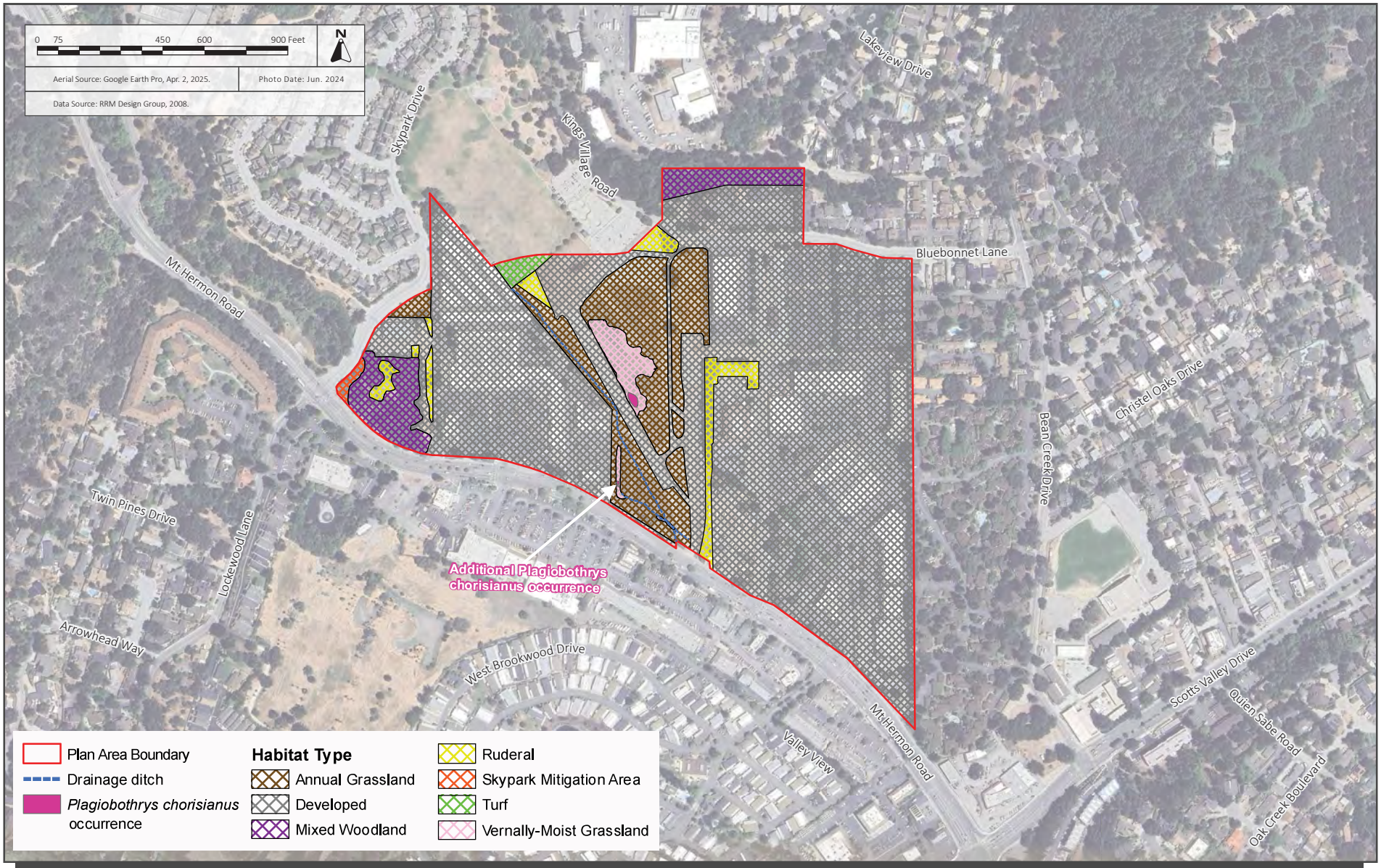
The 2008 Plan EIR completed reconnaissance-level site visits and a delineation of potential Section 404 Waters of the United States and wetlands (as a subcategory of waters), RWQCB "waters of the State", and CDFW jurisdictional areas for the on-site drainage ditch and adjacent seasonal wetland area that are hydrologically connected to Camp Evers Creek, Carbonera Creek, the San Lorenzo River, and ultimately Monterey Bay in the Pacific Ocean. The wetland delineation identified approximately 0.16 acre of potential wetland waters of the U.S. (USACE) and approximately 1.08 acres of wetland waters of the State of California (RWQCB).

However, an updated Delineation of Waters of the U.S. and Waters of the State of California was completed for the Scotts Valley Town Center by Stantec in July 2014. The 2014 delineation identified 0.26 acres of the Plan area as potential wetland waters of the U.S. and State of California and 0.14 acres of wetland waters of the State of California.

The 2014 delineation concluded that the presence of the old airport runway renders the 0.14 acres of wetland waters of the State of California isolated hydrologically within the site from the existing drainage ditch, and therefore states the area is not subject to regulations by the U.S. Army Corps. The 0.14 acres of seasonal wetland contains hydrophytic vegetation, but is not hydrologically connected to the onsite drainage ditch and therefore, is considered waters of the State of California.

The 2014 delineation concluded that the 0.26 wetland waters associated with the drainage ditch are potentially subject to regulation by the U.S. Army Corps and RWQCB, and include 0.10 acres of seasonal wetland and 0.16 acres of drainage ditch/other waters.

The 2014 delineation agreed with the determination in the 2008 delineation that the entire onsite reach of the constructed drainage ditch would likely fall under the CDFW jurisdiction pursuant to Fish and Game Code Section 1600 et seq., because it is a drainage feature within a definable bed and bank that is hydrologically connected to other natural drainage features in the region. The current connection from the onsite ditch to navigable waters of the U.S. (i.e., Camp Evers Creek, Carbonera Creek, the San Lorenzo River, and Monterey Bay) is through a culvert on the south side of the Plan area at Mt. Hermon Road, the City's storm drainage system.



HABITAT MAP

FIGURE 3.4-1



WETLAND DELINEATION MAP

FIGURE 3.4-2

Special-Status Species

The California Natural Diversity Database (CNDDB) and the California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California were queried in 2022 for an adjacent project (Valley Gardens) located on a 30-acre site at 263 Mt. Hermon Road (APNs 021-011-34, 021-231-04, 021-231-07, and 021-231-08) and 475 Lockewood Lane (APN 021-231-02) approximately 400 feet south of the Plan area's southern boundary. The query was for special status occurrences in the Felton USGS 7.5-minute quadrangle and for the seven surrounding quadrangles (Big Basin, Castle Rock Ridge, Los Gatos, Davenport, Laurel, Santa Cruz, and Soquel). This included a five-mile buffer, therefore capturing the Plan area and the Plan area's general vicinity.

Additionally, the California Native Plant Society's (CNPS) Electronic Inventory was queried in 2017 and the California Department of Fish and Wildlife RareFind database was queried in 2015 and 2017 for an adjacent project (Aviza Site General Plan Amendment and Zone Change) located on a 29-acre site located at 440 Kings Village Road, directly north of the Plan area's most northern boundary. The CNPS and CDFW Rarefind database plant query was for special status occurrences in the Felton USGS quadrangle and eight surrounding quadrangles and the CDFW RareFind query for wildlife was for the Felton and Laurel USGS quadrangles.

A reconnaissance-level biological field survey of a majority of the Plan area was completed as part of a Biological Resource Assessment in July 2014. Given the more recent nature of the queries for the Valley Garden EIR, information queried for the Valley Garden EIR was primarily used to source the discussion below, whereas information from the Avizia Site General Plan Amendment and Zone Change EIR and the 2014 Biological Resource Assessment was reviewed for consistency. Below is a summary of the special status species within the Plan area vicinity, based on these previous biological resource assessments.

Special-Status Plants

A search for special status plant and animal species in the California Native Plant Society (CNPS) and California Natural Diversity Database (CNDDB) identified a total of nine special-status plant species as potentially occurring in the Plan area, as summarized in Table 3.4-1 below. The presence of the majority of the species was determined to be absent or unlikely, except for the Ben Lomond spineflower (*Chorizanthe pungens var. hartwegiana*), Santa Cruz wallflower (*Erysimum teretifolium*), and Choris popcorn-flower (*Plagiobothrys chorisianus var. chorisianus and hickmanii*). The Ben Lomond spineflower and Santa Cruz wallflower are both considered likely to be onsite due to the presence of Zayante/Santa Cruz Sandhills habitat. The Choris popcorn-flower was identified onsite during a 2008 site survey, as shown on Figure 3.4-1. Figure 3.4-3 depicts the general locations of special status plant species.

Table 3.4-1: Special-Status Plants with the Potential to Occur in the Plan

Name	Regulatory Status	General habitat description and blooming period	Occurrence in Plan Area
Ben Lomond spineflower *Chorizanthe pungens var. hartwegiana*	FE, CRPR 1B.1	Habitat: lower montane coniferous forest, openings in sandhill chaparral, maritime ponderosa pine sandhills. Although this species is typically found in sandy Zayante soils, this species is not restricted to sandy soils and is intolerant of shade resulting from competing species. Blooms: April - July	**Possible.** Minimal suitable habitat onsite within the mixed woodland, which is mapped as Zayante/Santa Cruz Sandhills habitat within the General Plan EIR (which provides habitat for this species). Was not observed onsite during previous site surveys.
Monterey spineflower *Chorizanthe pungens var. pungens*	FT, CRPR 1B.1	Habitat: coastal dunes, sandy openings in coastal chaparral, cismontane woodland, coastal scrub, valley and foothill grassland. Blooms: April - July	**Unlikely.** No suitable habitat onsite. Not expected to occur onsite and was not observed onsite during previous site surveys.
Scotts Valley spineflower *Chorizanthe robusta var. robusta*	FE, CRPR 1B	Habitat: maritime chaparral, openings of cismontane woodlands, coastal dunes, and coastal scrub sometimes on sandy or gravelly soils. Blooms: April - September	**Unlikely.** Marginal habitat present onsite. Not expected to occur onsite and was not observed onsite during previous site surveys.
Robust spineflower *Chorizanthe robusta var. robusta*	FE, CRPR 1B	Habitat: maritime chaparral, openings of cismontane woodlands, coastal dunes, and costal scrub sometimes on sandy or gravelly soils. Blooms: April - September	**Unlikely.** No suitable habitat onsite. Not expected to occur onsite and was not observed onsite during previous site surveys.
Santa Cruz wallflower *Erysimum teretifolium*	FE, CE, CRPR 1B.1	Habitat: inland marine sands within chaparral and lower montane coniferous forest. Blooms: March - July	**Possible.** Minimal suitable habitat onsite within the mixed woodland, which is mapped as Zayante/Santa Cruz Sandhills habitat within the General Plan EIR (which provides habitat for this species). Was not observed onsite during previous site surveys.
Santa cruz tarplant *Holocarpha macradenia*	FT, CE, CRPR 1B	Habitat: coastal prairie, coastal scrub, and valley and foothill grasslands, often on clay or sandy soils. Blooms: June - October	**Unlikely.** Marginal habitat present onsite. Not expected to occur onsite and was not observed onsite during previous site surveys.

Name	Regulatory Status	General habitat description and blooming period	Occurrence in Plan Area
White-rayed Pentachaeta *Pentachaeta bellidiflora*	CE, FE, CRPR 1B	Habitat: sparsely vegetated sites in coastal prairie or serpentine bunchgrass grasslands, cismontane woodland. Blooms: March - May	**Unlikely.** Marginal habitat present onsite. Not expected to occur onsite and was not observed onsite during previous site surveys.
San Francisco popcorn-flower *Plagiobothrys diffusus*	CE, CRPR, 1B	Habitat: sparsely vegetated, mesic sites in coastal prairie valley and foothill grasslands. Blooms: March - June	**Unlikely.** Marginal habitat present onsite. Not expected to occur onsite and was not observed onsite during previous site surveys.
Scotts Valley Polygonum *Polygonum hickmanii*	FE, CE, CRPR 1B.1	Habitat: Mudstone and sandstone soils within valley and foothill grasslands; occur on gently sloping to nearly level, fine-textured shallow soils. Blooms: May - October	**Unlikely.** Marginal habitat present onsite. Not expected to occur onsite and was not observed onsite during previous site surveys.
Choris popcorn-flower *Plagiobothrys chorisianus var. chorisianus and hickmanii*	CRPR 1B.2	Habitat: Moist places in closed-cone coniferous forest, chaparral, coastal scrub, marshes and swamps, vernal pools. Blooms: April - June	**Possible.** 200 to 300 plants observed in two separate locations within the Plan area in 2008 (see Figure 3.4-1) During the July 2014 reconnaissance-level biological field survey, no plants were observed, although this was outside of the plant's bloom season.

Notes:

Federally Endangered (FE); Federally Threatened (FT); Federal Proposed Threatened (FPT); State Threatened (ST); State Candidate (SC)State Fully Protected (SP); California Species of Special Concern (CSSC); California Rare Plant Rank (CRPR); California Endangered (CE); California Threatened (CT), California Rare (CR), California Species of Special Concern (CSC), California Fully Protected (CFP).

Source: Valley Gardens EIR. Appendix C Biological Evaluation Report. April 5, 2022.

Special-Status Animals

A total of 29 special-status animals have the potential to occur on or immediately adjacent to the Plan area, as summarized in Table 3.4-2 below. The presence of the majority of the species was determined to be absent or unlikely, except for the Pallid bat (*Antrozous pallidus*), San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), Zayante band-winged grasshopper, and Mount Hermon June beetle (*Polyphylla barbata*), which are all considered possible. Figure 3.4-4 depicts the general locations of special status animal species.

Table 3.4-2: Special-Status Animals with the Potential to Occur in the Plan

Name	Regulatory Status	General Habitat Description	Occurrence in Plan Area
Mount Hermon June beetle *Polyphylla barbata*	FE	Zayante Sandhills of Santa Cruz County. Habitat includes sand parkland and sandy areas in chaparral and ponderosa pine stands.	**Possible.** Minimal suitable habitat onsite within the mixed woodland, which is mapped as Zayante/Santa Cruz Sandhills habitat within the General Plan EIR (which provides habitat for this species).
Ohlone tiger beetle *Cicindela ohlone*	FE	California native grasslands with California oatgrass and purple needlegrass; prefers sunlit barren or sparsely vegetated grasslands with mima mound (low, flattened natural mounds) topography.	**Unlikely.** Low quality, suitable habitat exists within grassland. Not expected to occur onsite and was not observed onsite during previous site surveys.
Zayante band-winged grasshopper *Trimerotropis infantillis*	FE	Endemic to the Zayante Sandhills of Santa Cruz County. Habitat includes sand parkland and sandy areas in chaparral and ponderosa pine stands. Co-occurs with the plant Erysimum teretifolium.	**Possible.** Minimal suitable habitat onsite within the mixed woodland, which is mapped as Zayante/Santa Cruz Sandhills habitat within the General Plan EIR (which provides habitat for this species).
Monarch butterfly *Danaus plexippus*	FT (candidate)	Overwinter on the California coast in relatively dense grove of trees, such as Monterey pine, Monterey cypress, or eucalyptus. Host plant is the milkweed.	**Unlikely**. Some low quality habitat onsite. The Plan area occurs outside the known overwintering range for this species.
Smith's blue butterfly *Euphilotes enoptes smithi*	FE	Endemic to inland and coastal sand dunes, serpentine grasslands, and cliff-side chaparral habitats with Eriogonum species in Monterey, Santa Cruz, and San Mateo Counties, CA.	**Absent.** No suitable habitat. Host plant not observed during previous field surveys.
California red-legged frog *Rana draytonii*	Ft, CSC	Dense, shrubby riparian vegetation such as arroyo willow, cattails, and balbrushes with still or slow-moving water. Perennial streams or ponds are preferred, and a salinity of no more than 4.5 percent.	**Unlikely.** No suitable habitat. Unlikely to occur onsite.
Foothill yellow-legged frog *Rana boylii*	CE, CSC	Occurs in swiftly flowing streams and rivers with rocky substrate with open, sunny banks in forest, chaparral, and woodland habitats, and can sometimes be found in isolated pools and ponds.	**Unlikely.** No suitable habitat. Unlikely to occur onsite.

Name	Regulatory Status	General Habitat Description	Occurrence in Plan Area
California tiger salamander *Ambystoma californiense*	FT, CT	Breeds in vernal pools and stock ponds of central California. Adults aestivate in grassland habitats adjacent to the breeding sites.	**Unlikely**. Some marginal habitat in vernally-moist grassland. No mammal burrows observed onsite.
Santa Cruz long-toed salamander *Ambystoma macrodactylum croceum*	FE, CE, CP	Endemic to the coast of Monterey Bay in southern Santa Cruz County and the northern edge of Monterey County. Occurs in dense riparian vegetation, thick coastal scrub, and oak woodland. Breeds in ponds, drying triggers transformation. Non-breeding adults occur under wood, logs, rocks, bark, rotten logs, and moist places underground such as burrows near breeding ponds.	**Unlikely**. Some marginal habitat in vernally-moist grassland. No mammal burrows observed onsite
Tricolored Blackbird *Agelaius tricolor*	CT, CSC	Breeds near fresh water, primarily emergent wetlands, with tall thickets. Forages in grassland and cropland habitats.	**Unlikely.** No suitable habitat. Unlikely to occur onsite.
Bank Swallow *Riparia riparia*	CT	Occurs in open areas near flowing water, nests in steep banks along inland water or coast. State-wide.	**Unlikely.** The site does not provide breeding nor foraging habitat.
Marbled murrelet *Brachyramphus marmoratus*	FT, CE	Occurs in coastal saltwater areas, usually within two km from the coast and occasionally rivers and lakes within 20 km from the ocean, but nests in old growth coniferous forests usually within nine km from the ocean.	**Unlikely.** No suitable habitat. Unlikely to occur onsite.
Cougar (Central Coast ESU) *Puma concolor*	CT (Candidate)	Occurs in a wide range of habitats including, but not limited to, conifer forest, chaparral and riparian and oak woodlands.	**Unlikely.** The site does not offer habitat of suitable size and quality. The surrounding area is developed enough to impede access to the site. The nearest verified puma occurrence was in October 2016 in Felton, CA, approximately three miles southeast of the site.
Coast horned lizard *Phrynosoma blainvillii*	CSC	Occur in grasslands, scrublands, oak woodlands, etc. of central California. Common in sandy washes with scattered shrubs and along dirt roads.	**Unlikely.** The site provides marginal habitat. The closest documented occurrence is more than ten kilometer northwest of the site documented in 2019.

Name	Regulatory Status	General Habitat Description	Occurrence in Plan Area
Western pond turtle *Emys marmorata*	CSC	Intermittent and permanent waterways that are either still or slow-moving including streams, marches, rivers, ponds and lakes throughout much of California. Needs rocks/logs for basking and sandy banks or grassy open fields for egg laying.	**Unlikely.** No suitable habitat. Unlikely to occur onsite.
Santa Cruz black salamander *Aneides niger*	CSC	Occurs in deciduous woodland, coniferous forests, and coastal grasslands around the Santa Cruz Mountains and foothills. This species is also known to occur on the developed flats in pockets within older developments. They can be found under rocks near streams, in talus, under damp logs, rotting wood, and other objects.	**Unlikely.** Although there may be marginal habitat onsite, the most recent occurrence within five kilometers was over 50 years ago.
California Giant Salamander *Dicamptodon ensatus*	CSC	Occurs in or adjacent to cold clear permanent to semi-permanent streams and seeps.	**Absent.** Habitat required by this species is absent from the Plan area.
American peregrine falcon (nesting) *Falco peregrines anatum*	CP	Individuals breed on cliffs in the Sierra or in coastal habitats; occurs in many habitats of the state during migration and winter.	**Unlikely.** No suitable habitat onsite. Nearest observation to the Plan area is greater than ten miles away.
White-tailed Kite (nesting) *Elanus leucurus*	CP	Open grasslands and agricultural areas throughout central California.	**Unlikely**. Marginal nesting habitat exists in onsite oak, pine, and eucalyptus trees. Low quality foraging habitat present in open areas of the Plan area, The closest known occurrence is more than ten kilometers northwest of the site.
Black swift (nesting) *Cypseloides niger*	CSC	Migrants found in many habitats of state; in Sierra nests are often associated with waterfalls.	**Unlikely.** No suitable habitat. Unlikely to occur onsite.
Golden Eagle *Aquila chrysaeto*	CP	Typically frequents rolling foothills, mountain areas, sage-juniper flats and desert.	**Unlikely.** Preferred habitats do not exist onsite.
Burrowing owl *Athene cunicularia*	CSC	Open, dry grasslands, deserts and ruderal areas. Requires suitable burrows. Often associated with California ground squirrels.	**Unlikely.** Some marginal habitat in annual grassland. Regular disturbance adversely affects the potential for this species to occur onsite. Closest documented occurrence of

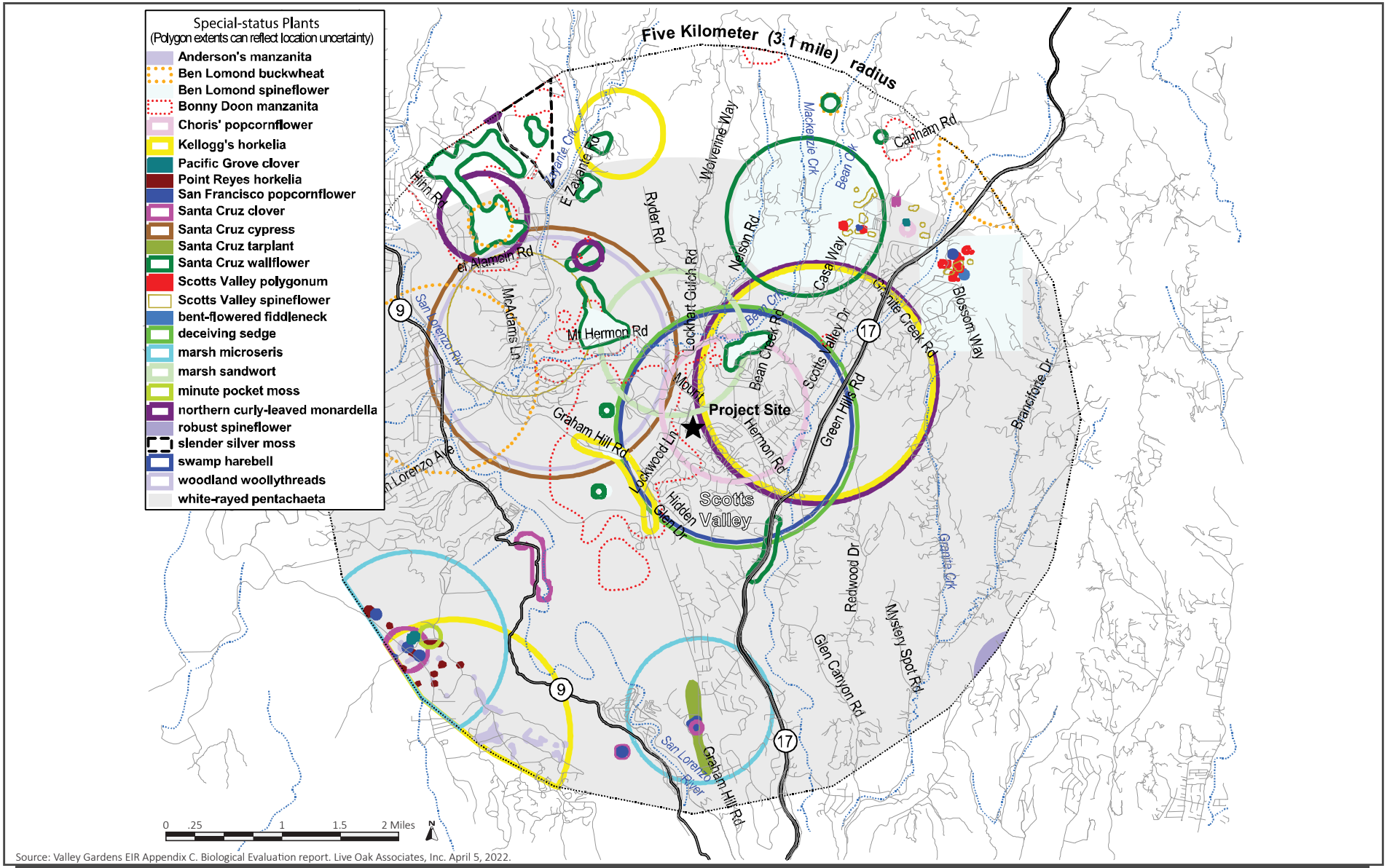
Name	Regulatory Status	General Habitat Description	Occurrence in Plan Area
			this species is more than ten kilometers southwest of the site.
Purple martin *Progne subis*	CSC	Cavity nester, nests widely in man-made birdhouses	**Unlikely.** The trees onsite may provide potential nesting habitat, also potential for foraging onsite. Closest documented occurrence of this species is more than ten miles away and from over seven years ago.
Yellow rail *Coturnicops noveboracenis*	CSC	Frequents grassy meadows and sedge marshes with dense cover; breeds in marshes.	**Unlikely.** No habitat onsite and last documented record within the surrounding area is over 100 years old.
Townsend's Big-eared bat *Corynohinus townsendii*	CSC	Primarily a cave-dwelling bat that may also roost in buildings, bridges, rock crevices, and hollow trees. Occurs in a variety of habitats.	**Unlikely.** Extremely sensitive to disturbance. Suitable foraging habitat present onsite, roosting habitat is likely absent.
Pallid bat *Antrozous pallidus*	CSC	Grasslands, chaparral, woodlands, and forests of California; most common in dry rocky open areas that provide roosting opportunities; buildings, bridges, live trees, and snags are also used for roosts.	**Possible.** Some possible roosting habitat in trees, and marginal foraging habitat in annual grassland. Very sensitive to disturbance of roosting sites. Possible to occur but considered unlikely due to high level of disturbance.
San Francisco dusky-footed woodrat *Neotoma fuscipes annectens*	CSC	Hardwood forests, oak riparian and shrub habitats.	**Possible**. Some low quality habitat in mixed woodland onsite. Numerous woodrat nests were observed in 2021 in the wooded perimeter of the adjacent Valley Gardens project, 400 feet south of the Plan area.
American badger *Taxidea taxus*	CSC	Found in drier open stages of most shrub, forest and herbaceous habitats with friable soils.	**Unlikely.** Some low quality habitat present in annual grassland. Area is highly disturbed and no small mammal burrows were observed in previous studies.
Ringtail *Bassariscus astutus*	CP	Occurs in riparian and heavily wooded habitats near water. Denning areas include rock	**Absent.** The site lacks riparian habitat and rocky areas preferred by this

Name	Regulatory Status	General Habitat Description	Occurrence in Plan Area
		crevices, boulder piles, underground cavities, hollow trees or underground in hollow roots of trees.	species. There are no known occurrences in the area.

Notes:

Federally Endangered (FE); Federally Threatened (FT); Federal Proposed Threatened (FPT); State Threatened (ST); State Candidate (SC)State Fully Protected (SP); California Species of Special Concern (CSSC); California Endangered (CE); California Threatened (CT), California Rare (CR), California Species of Special Concern (CSC), California Fully Protected (CFP).

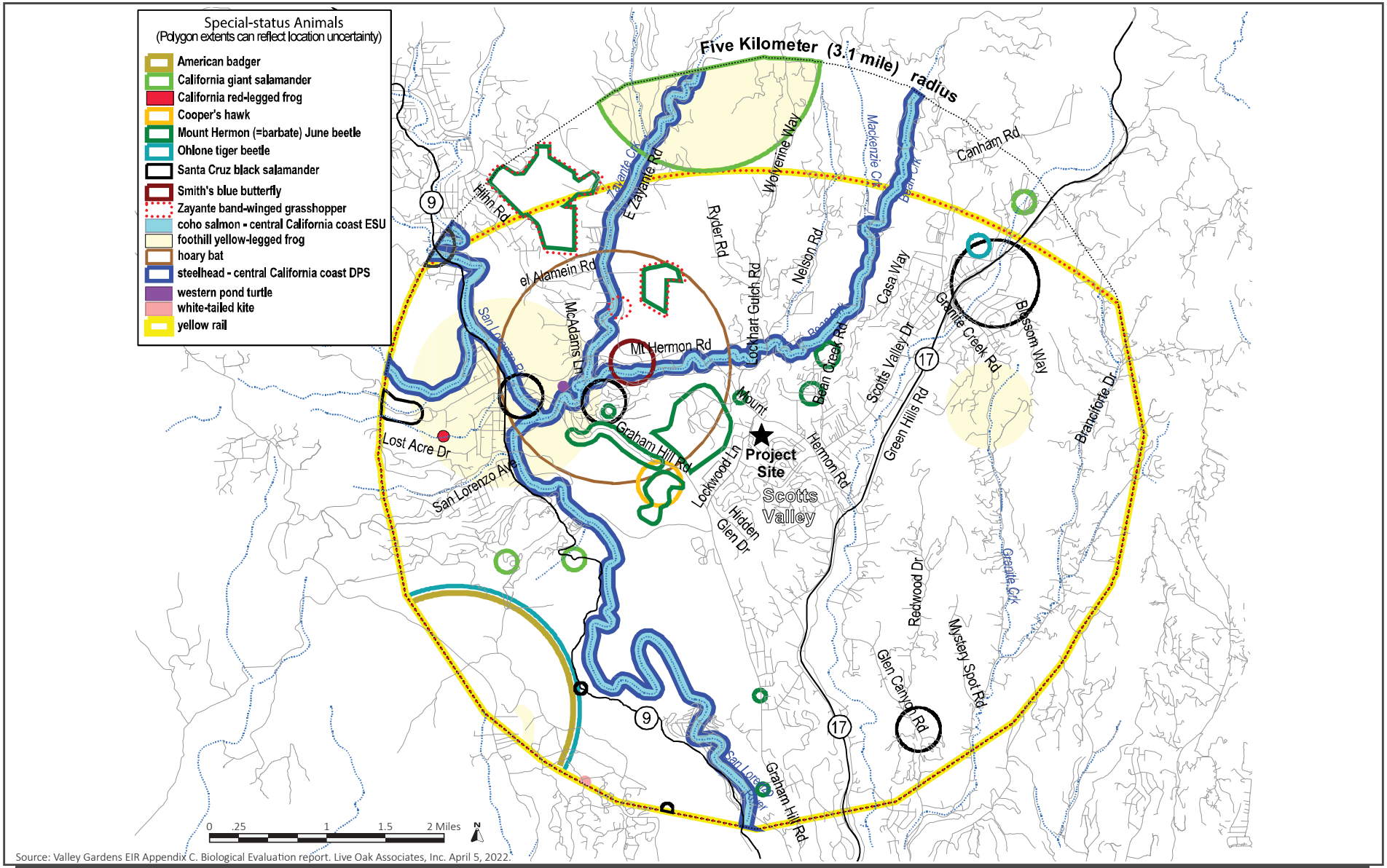
Source: Valley Gardens EIR. Appendix C Biological Evaluation Report. April 5, 2022.



Source: Valley Gardens EIR Appendix C. Biological Evaluation report. Live Oak Associates, Inc. April 5, 2022.

SPECIAL STATUS PLANT SPECIES WITHIN PLAN AREA VICINITY

FIGURE 3.4-3



Source: Valley Gardens EIR Appendix C. Biological Evaluation report. Live Oak Associates, Inc. April 5, 2022.

SPECIAL STATUS ANIMAL SPECIES WITHIN PLAN AREA VICINITY

FIGURE 3.4-4

3.4.2 Impact Discussion

For the purpose of determining the significance of the project's impact on biological resources, would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS?
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

3.4.2.1 *Project Impacts*

a) Would the project 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 CDFW or USFWS?

As described in Section 3.4-1.2 Existing Conditions, small corner areas of the western and eastern Plan area are mapped in the General Plan as Zayante/Santa Cruz Sandhills habitat (although the eastern portion of the Plan area mapped as containing this habitat is developed and the soil is overlain with concrete) and the mixed woodland habitat contained within the Plan area (see Figure 3.4-1) could potentially be categorized as Ponderosa Pine habitat. These habitat communities support a variety of special-status plants and animals that occur or could potentially occur within the City.

As described in Section 3.4.1.2 Existing Conditions, there are 29 special-status animal species and nine special status plant species that are known to occur within approximately five miles of the Plan area. However, due to habitat conditions, the majority of these species are unlikely to occur within the Plan area. Based on available habitat/nearby occurrences, the Pallid bat, San Francisco dusky-footed woodrat, Zayante band-winged grasshopper, and Mount Hermon June beetle all have

reasonable potential to occur within the Plan area. The Ben Lomond spineflower, Santa Cruz wallflower, and Choris popcorn-flower are considered possible to be onsite, with the presence of Choris popcorn-flower documented onsite in 2008 but not in 2014 (outside of bloom season).

Impact BIO-1: Plan buildout could impact habitats within the Plan area that may contain special status species.

General Plan Policies that Reduce Impacts to Biological Resources

In accordance with General Plan Policy OSC-1.16, land within the Plan area mapped on Figure 3.4-1 as containing the following habitat types would require a site-specific survey prior to any development: vernally moist grassland, mixed woodland, annual grassland, and ruderal. Land mapped as containing turf or developed habitat would not require a survey due to the low possibility of native species or rare/endangered wildlife. General Plan Policy OSC-1.16 requires the following:

General Plan Policy OSC-1.16: As part of the environmental review process, require new development proposed within areas of native plants or rare or endangered wildlife habitat are required to prepare a site-specific survey which identifies the location and type of species present. Any such development is required to mitigate any potential impacts to such species as recommended by the biologist completing the survey, and as required by the applicable wildlife agency with jurisdiction, if any.

In accordance with General Plan Policy OSC-1.16, land within the Plan area mapped on Figure 3.4-1 as containing the following habitat types would require a site-specific survey prior to any development: vernally moist grassland, mixed woodland, annual grassland, and ruderal. Land mapped as containing turf or developed habitat would not require a survey due to the low possibility of native species or rare/endangered wildlife.

With the implementation of General Plan Policy OSC-1.16, impacts to special status species and their habitats from future development in the Plan area would be less than significant.

Nesting Birds

The common bird species that nest in the Plan area are regionally abundant, are present in widely available habitats in the region, and will continue to be present in some portions of the Plan area following construction, so that development under the Plan would impact only a very small proportion of their regional populations, and the number of individuals likely to be displaced by habitat disturbance and loss would be quite small with respect to the amount of suitable habitat available in the area. Thus, impacts on regional populations of any one bird species resulting from Plan activities would be low. However, future construction under the Plan buildout has the potential to impact nesting birds by removing trees during the nesting season (February 1 through August 31) or constructing near active nests, potentially causing nest abandonment.

Impact BIO-2: Future construction activities associated with build out under the Plan could result in the loss of fertile eggs, nesting raptors or other migratory birds, or nest abandonment.

Future development under the Plan would implement the following mitigation measure pertaining to migratory nesting birds.

MM BIO-2.1: **Avoid Nesting Birds.** The grading or demolition plan (whichever is first) shall include a note on the plans that demolition and habitat removal be scheduled to occur between September 1st and February 1st of any given year. If this is not practical, the applicant shall submit documentation to the satisfaction of the Community Development Department that a qualified biologist has been hired to conduct pre-activity surveys for nesting birds. Nesting bird surveys shall be conducted no more than 14 days prior to onset of any ground disturbance or vegetation removal at the project site. If active bird nests are observed by the biologist within the areas to be disturbed, the biologist shall determine an appropriate buffer around the nest where demolition or grading activity shall be postponed until the biologist determines all young have fledged the nest. If it is not practical to set a buffer zone, then work in the vicinity of the active bird nest (e.g., 50 feet for passerines, up to 200 feet for raptors), shall be postponed until the biologist determines that all young have fledged the nest and that construction will not result in death or injury to nestlings. Nesting bird survey reports shall be submitted to the City of Scotts Valley.

With the implementation of Mitigation Measure MM BIO-2.1, future development in the Plan area would not result in impacts to special-status birds and migratory nesting birds by ensuring no construction work takes place in or near their habitat.

Roosting Bats

There is some potential for two special-status bat species that are designated as California species of special concern to occur in the Plan area. The pallid bat and Townsend's big-eared bat breed in the greater area, although primarily in areas that are less urban than the Plan area. Due the extent of human disturbance within the Plan area, the probability that either the pallid bat or Townsend's big-eared bat breed (i.e., form maternity colonies) in the Plan area is very low. However, the site's mature trees have the potential to be used by roosting bats. If roosting bats are present at the time of tree removal, individual bats could be injured or killed. Such an event would constitute a violation of the state laws protecting bats and would be considered a significant impact.

The demolition of any structures supporting a roost of other, cavity/crevice-roosting bat species would result in the direct physical disturbance of any roosting bats that may be present, possibly resulting in injury or mortality, as well as the loss of roosting sites. Building improvements and renovations could also result in such impacts if they affect areas where bats are present or if they block ingress or egress to roost sites; the kinds of improvements most likely to affect bats are those

that physically alter the exteriors (including exterior walls), roofs, and attic-like spaces of buildings or that plug holes, cavities, or crevices that allow bats to enter or exit buildings supporting bats.

Demolition or renovation of structures or removal of trees during the bat maternity season (approximately April 1 to August 31) could result in the injury or mortality of young and lactating females within a roost site. Impacts on any pallid bats or Townsend's big-eared bats, a large day roost (i.e., 20 or more bats) of common species of bats, or cumulative impacts on 20 or more common bats as multiple buildings are removed, would be considered a significant impact under CEQA, as this could have a substantial effect on regional populations of the species.

Impact BIO-3: Future demolition activities and tree removal under the Plan could result in direct physical disturbance of any roosting bats that may be present, possibly resulting in injury or mortality, as well as the loss of roosting sites.

Future development under the Plan would implement the following mitigation measure pertaining to special-status roosting bats during the removal of trees or demolition/remodeling of buildings within the Plan area.

MM BIO-3.1: **Conduct Habitat Assessment and Preconstruction Survey**. A bat habitat assessment will be conducted by a qualified biologist to identify all trees on the site that have the potential to support roosting bats. Trees and structures determined not to support bat roosting habitat may be removed at any time of year without harm to individual bats. However, any trees identified as providing potential bat roosting habitat will be visually surveyed during a preconstruction survey, as described below.

A preconstruction visual survey of all trees that were determined to provide potential roosting habitat will be conducted no more than seven days prior to any trees/vegetation removal activities to determine whether roosting bats are present. If the biologist determines that no bats are present, then the tree can be removed at any time of year and will not require a two-step removal process. If bats are determined to be present or if use of the tree by bats cannot be determined during the preconstruction survey, then additional measures including night-time emergence surveys, construction-free buffers and/or a two-step tree removal will be implemented, as described below.

MM BIO-3.2: **Two-Step Tree Removal**. Two-step removal of trees may be utilized to remove trees identified as currently supporting roosting bats or to remove trees that were determined to provide potential habitat but could not be adequately visually surveyed during the preconstruction survey. However, a two-step tree removal can only be conducted outside of the maternity and over-wintering seasons, i.e., can only be conducted during the periods from March 1st to April

15th or from August 15th to October 15th, and only when fair-weather nights are forecasted.

The two-step removal process shall consist of two consecutive days of work. On day one, a qualified biologist shall direct a tree trimming crew to trim the tree in such a way as to make the tree less suitable/attractive for bats. To the degree practicable, removed branches shall be chipped nearby. The disturbance caused by the noise and vibration of the tree trimming and chipping during day one would serve to encourage any bats using the tree to vacate their roosts. The following day, the tree shall be completely removed. A qualified biologist does not need to be present during the day two tree removal activities. To the extent practicable, day one activities shall occur in the afternoon or early evening and day two activities shall occur during morning hours.

MM BIO-3.3: **Nighttime Emergence Survey**. Alternatively, for any trees that cannot be adequately surveyed during the preconstruction survey, a nighttime emergence survey can be conducted by a qualified biologist on a fair-weather night during the volant season (March 1 through October 15) to determine if bats are present. If bats are found to be absent, the tree can be removed. If bats are found to be present, and it is within the maternity season (April 15 through August 15), further investigation must occur to determine whether a maternity colony is roosting in the tree. If bats are found to be present and it is outside of the maternity season (March 1 through April 14 or August 16 through October 15), the two-step removal process described in MM BIO-3.2 shall be utilized to remove the tree.

MM BIO-3.4: **Construction-free Buffers.** If a maternity colony or overwintering colony is identified on the site, then a construction-free buffer shall be established around the tree(s) and remain in place until it has been determined that the colony is no longer active. Tree removal shall occur between March 1 and April 14 or between August 16 and October 15, as described above, utilizing the two-step removal method to avoid interfering with an active nursery and/or overwintering bats.

With the implementation of Mitigation Measures MM BIO-3.1 through MM BIO-3.4 described above, future development in the Plan area would not result in impacts to roosting bat individuals by ensuring proper handling and removal from the site if necessary. **(Less than Significant Impact with Mitigation Incorporated)**

b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?

As described in Section 3.4.1, the Plan area contains a 0.7 acre drainage ditch and areas of vernally moist grassland, identified as Seasonal Wetland Areas A (approximately 0.92 acre) and B (approximately 0.09 acre) on Figure 3.4-2. These areas constitute sensitive natural communities. Additional information and discussion of impacts to these habitats, are described in further detail in the response to Impact BIO-4 below, and compliance with General Plan Policy OSC-1.18 would reduce impacts to sensitive natural communities to a less than significant level.

Additionally, riparian habitat is located along Carbonera Creek, approximately 1,000 feet south of the Plan area, and Bean Creek, approximately 1,000 feet northwest of the Plan area. As described in Section 3.10 Hydrology and Water Quality, grading activities may alter existing drainage patterns of stormwater and lead to erosion and siltation, which could impact riparian habitat within the general vicinity. However, any development under the Plan that would disturb more than one acre of land would be required to submit a Notice of Intent to the State Board and apply for coverage under the State NPDES General Permit for Construction Activities, prepare a SWPPP, and submit it for review and approval prior to commencing construction.

Stormwater runoff management would be required to adhere to the criteria identified in Central Coast RWQCB Order R3-2012-0032, which requires new and more stringent post-construction requirements (PCRs) for proposed development projects. Specifically, all development that would create or replace 2,500 square feet or more of impervious area would be subject to PCRs, as tiered based on the level of development. The SWPPP would detail the project site-specific BMPs to control erosion and sedimentation and maintain water quality during the construction phase of the proposed project. The SWPPP would also contain a summary of the structural and non-structure BMPs to be implemented during the post-construction period, pursuant to the nonpoint source practices and procedures as required by the City Public Works Department. As a result, potential impacts of Plan activities on water quality and riparian habitat downstream from the Plan area would be less than significant.

Lastly, as described under impact discussion a) above, General Plan Policy OSC-1.16 requires new development proposed within areas of native plants, or rare or endangered wildlife habitat to prepare a site-specific survey which identifies the location and type of species present. Any such development is required to mitigate any potential impacts to such species as recommended by the biologist completing the survey.

Therefore, should any sensitive natural communities be identified, mitigation would be implemented to reduce impacts to a less than significant level. Therefore, the project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans. **(Less than Significant Impact)**

c) Would the project have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means?

As described in Section 3.4.1, portions of the Plan area contain features that were determined to fall under jurisdictional waters during the delineation completed in 2014. Specifically, 0.26 acres of the Plan area, including 0.10 acres of seasonal wetland and 0.16 acres of drainage ditch/other waters, was determined to be potential wetland waters of the U.S. and State of California (subject to regulation by the U.S. Army Corps and RWQCB) and 0.14 acres of the Plan area was determined to only be potential wetland waters of the State of California (subject to regulation by RWQCB). The entire onsite reach of the constructed drainage ditch was determined to likely fall under the CDFW jurisdiction pursuant to Fish and Game Code Section 1600 et seq.

Per the Clean Water Act, any proposed construction that would place fill within areas identified as USACE jurisdiction waters would require a Section 404 permit and Section 401 Water Quality Certification, or waver thereof, prior to construction. The RWQCB would also require Waste Discharge Requirements for the placement of fill or any activity that would remove wetland areas. Lastly, any proposed alteration of the drainage ditch may require a Streambed Alteration Agreement from CDFW pursuant to Section 1600 et. Seq. of the California Fish and Wildlife Code, prior to construction.

Future development projects within the Plan area could disturb wetlands and jurisdictional waters.

Impact BIO-4: Future development projects under the Plan could impact jurisdictional waters.

General Plan Policies that Reduce Impacts to Biological Resources

Future development projects would be required to comply with the following General Plan policy pertaining to biological resources.

- **Policy OSC-1.18:** All future development applications are required to submit a detailed biological study where an initial site inventory indicates the presence of potential for wetland species or indicators. The study shall contain a delineation of all wetland areas on the project site based on the definitions contained in Section 13566(b) of Title 14 of the California Code of Regulations.

The City's review process for future development would ensure that any wetland features within the Plan area are properly delineated prior to development. Based off of the results of any future delineation, the responsible developer shall coordinate with the appropriate regulatory agency overseeing any jurisdictional waters determined to be located onsite. The appropriate permits deemed required by the regulatory agency shall be secured.

With adherence to General Plan Policy OSC-1.18, future development would have a less than significant impact on state or federally protected wetlands. Additionally, as described in Section 3.10 Hydrology and Water Quality, all development under Plan buildout would implement measures to minimize the potential for adverse impacts to water quality during and following construction. As discussed under checklist question b), the Plan would require treatment of stormwater runoff. These actions would improve the quality of runoff from Plan areas, relative to existing conditions, and would enhance the quality of wetland and aquatic habitats. **(Less than Significant Impact)**

d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Wildlife corridors are areas of land that connect large areas of habitat where animals live and move. These corridors help animals move through natural areas. The Plan area is almost completely surrounded by urbanized land. The few locations that could potentially allow movement of large mammals would require movement across barriers such as roads, fences, and areas of night lighting. The constructed ditch that is present along the western side of the old Skypark Airport runway may provide a movement corridor for smaller vertebrates, such as reptiles and amphibians; however, due to lack of regular flows and vegetation cover, this corridor may not be suitable for aquatic or terrestrial wildlife needing water or dense vegetative cover.

Due to development throughout and surrounding the Plan area, no well-defined or important movement corridors are present within the Plan area. Wildlife species may move through the developed portions of the Plan area using cover and refugia as they find available. However, most dispersal by wildlife species in the Plan area vicinity likely occurs within higher-quality habitats present in riparian habitat, such as habitat along Bean Creek and Carbonera Creek. As the majority of the surrounding area has been previously developed, the proposed development within the Plan area would not have a substantial effect on wildlife movement to and from surrounding areas.

The Plan would not cause substantial impacts to any important native wildlife nursery sites (i.e., an area where breeding is concentrated such as a heron rookery, pinniped pupping area, or seabird colony). Impacts on breeding animals, including breeding colonies of animals (e.g., bat maternity colonies), may occur as described under checklist question a) above, but no breeding areas for the species are so large or regionally important that they rise to the level of an “important native wildlife nursery site.” **(Less than Significant Impact)**

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Future development projects would result in the removal of trees. All future development would be required to adhere to Section 17.44.080 of the Zoning Ordinance, which regulates the removal of

protected trees. Projects that involve the removal of protected trees are required to obtain a Tree Removal Permit, which involves submittal of an application and an arborist report to verify the reasons for removal or to determine alternatives to removal. Removal of protected trees other than heritage trees may be granted by ministerial approval.

Per the City's Tree Protection Regulations, all future development would be required to provide for the planting of two trees for each protected tree removed (2:1 ratio). As part of the Planned Development review process, project applicants are required to prepare a tree protection plan to indicate the locations and types of tree protection to be implemented throughout the pre-construction, construction, and landscape phases of their project for trees intended to be retained.

Future development projects would be required to comply with the City's tree replacement and protection requirements. As a result, the Plan would have a less than significant impact related to conflicts with any local policies or ordinances protecting biological resources. **(Less than Significant Impact)**

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan applies to the Plan or Plan area. Therefore, Plan implementation would not conflict with any such plan. **(No Impact)**

3.4.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a significant cumulative biological resources impact?

The geographic area for cumulative biological resources impacts includes the Plan area and adjacent parcels, where construction and operation of future development under the Plan could contribute to on- and off-site impacts to biological resources.

Candidate, Sensitive, or Special Status Species

As discussed under checklist question a), there is potential for special status species to occur within the Plan area. Development as a result of the Plan would implement mitigation measures MM BIO-2.1 for the protection of nesting birds throughout the Plan area, mitigation measures MM BIO-3.1 through MM BIO-3.4 for the protection of roosting bats throughout the Plan area, as well as require site specific studies for new development proposed within areas of native plants or rare or endangered wildlife habitat in order to identify the location and type of species present and to mitigate any potential impacts to such species per General Plan Policy OSC-1.16 (MM BIO-1.1).

Future projects in the City would be required to adhere to General Plan policy OSC-1.16, as well as other General Plan policies protecting biological resources.

The General Plan EIR concluded the implementation of relevant General Plan Policies protecting biological species would reduce impacts to a less than significant level for projects included under the General Plan. The analysis within this EIR further concludes that buildout under the Plan would not have significant impacts on candidate, sensitive, or special status species with incorporation of the mitigation measures described above. As such, the project would not contribute to a cumulatively significant impact to candidate, sensitive, or special status species.

Riparian Habitats, Sensitive Natural Communities, and Wetlands

As described in Section 3.10 Hydrology and Water Quality, all development under Plan buildout, as well as cumulative projects in the City, would implement measures to minimize the potential for adverse impacts to water quality during and following construction. Development under the Plan would be required to comply with General Plan Policy OSC-1.18, reducing impacts to wetland habitat to a less than significant level. Therefore, the Plan would not contribute to a cumulatively considerable impact on wetland and aquatic habitats.

Movement, Migration, or Use of Native Wildlife Nursery Sites

Redevelopment under the Plan would not substantially interfere with wildlife movement or migration. Future cumulative development, including development under the Plan, would be required to adhere to General Plan policies to protect biological resources, including OSC-1.8 and OSC-1.10. With adherence to these policies and requirements, potential cumulative impacts on wildlife movement corridors would be less than significant.

Policies or Ordinances Protecting Biological Resources

Future development under the Plan would comply with policies and ordinances protecting biological resources, specifically those outlined in the Scotts Valley Zoning Ordinance Section 17.44.080. Future cumulative development would also be required to comply with the City's requirements to protect trees and provide replacement planting for protected trees removed. For these reasons, the cumulative projects would not conflict with the City's policies and regulations for tree protection.

Habitat Conservation Plans

The Plan area is not within a Habitat Conservation Plan. Therefore, there would be no cumulative conflict with a Habitat Plan.

With the implementation of project-specific requirements and adherence to existing regulations and General Plan policies and actions, the Plan would not result in a cumulatively considerable contribution to a significant biological resources impact. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

3.5 Cultural Resources

The following discussion is based upon a Cultural Resource Assessment prepared by Chronicle Heritage in June 2025. A copy of the Literature Search, which is a confidential report containing sensitive information about the location of cultural resources, is on file at the City of Scotts Valley Planning Department and is available upon request with appropriate credentials.

3.5.1 Environmental Setting

3.5.1.1 *Regulatory Framework*

National Historic Preservation Act

Federal protection is legislated by the National Historic Preservation Act of 1966 (NHPA) and the Archaeological Resource Protection Act of 1979. These laws maintain processes for determination of the effects on historical properties eligible for listing in the National Register of Historic Places (NRHP). Section 106 of the NHPA and related regulations (36 Code of Federal Regulations [CFR] Part 800) constitute the primary federal regulatory framework guiding cultural resources investigations and require consideration of effects on properties that are listed or eligible for listing in the NRHP. Impacts to properties listed in the NRHP must be evaluated under CEQA.

The NRHP is the nation's master inventory of historic resources that are considered significant at the national, state, or local level. The minimum criteria for determining NRHP eligibility include:

- The property is at least 50 years old (properties under 50 years of age that are of exceptional importance or are contributors to a district can also be included in the NRHP);
- It retains integrity of location, design, setting, materials, workmanship, feeling, and associations; and
- It possesses at least one of the following characteristics:
    - Association with events that have made a significant contribution to the broad patterns of history;
    - Association with the lives of persons significant in the past;
    - Distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant, distinguishable entity whose components may lack individual distinction; or
    - Has yielded, or may yield, information important to prehistory or history.

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is administered by the State Office of Historic Preservation and encourages protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historic resources for state and local planning purposes

and affords protections under CEQA. Under Public Resources Code Section 5024.1(c), a resource may be eligible for listing in the CRHR if it meets any of the NRHP criteria.[23]

Historical resources eligible for listing in the CRHR must meet the significance criteria described previously and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. A resource that has lost its historic character or appearance may still have sufficient integrity for the CRHR if it maintains the potential to yield significant scientific or historical information or specific data.

The concept of integrity is essential to identifying the important physical characteristics of historical resources and, therefore, in evaluating adverse changes to them. Integrity is defined as "the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance." The processes of determining integrity are similar for both the CRHR and NRHP and use the same seven variables or aspects to define integrity that are used to evaluate a resource's eligibility for listing. These seven characteristics include 1) location, 2) design, 3) setting, 4) materials, 5) workmanship, 6) feeling, and 7) association.

Senate Bill 18

The intent of SB 18 is to aid in the protection of traditional tribal cultural places through local land use planning by requiring city governments to consult with California Native American tribes on projects which include adoption or amendment of general plans (defined in Government Code Section 65300 et seq.) and specific plans (defined in Government Code Section 65450 et seq.). SB 18 requires local governments to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process.

CEQA, Archaeological Resources

CEQA and the CEQA Guidelines contain specific standards for determining the significance of impacts to archaeological sites (PRC §21083.2; 14 CCR §15064.5(c)). If the lead agency determines that the project may have a significant effect on unique archaeological resources, the EIR must address those archaeological resources (PRC §21083.2(a)). A "unique archaeological resource" is defined as an "archaeological artifact, object, or site" that, without merely adding to the current body of knowledge:

- Contains information needed to answer important scientific research questions and in which there is a demonstrable public interest;
- Has a special or particular quality such as being the oldest of its type or the best available example of its type; or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person (PRC §21083.2(g)).

[23] California Office of Historic Preservation. "CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6." Accessed July 9, 2025. https://ohp.parks.ca.gov/pages/1069/files/technical%20assistance%20bulletin%206%202011%20update.pdf.

Under CEQA, significant impacts on non-unique archaeological resources need not be addressed in an EIR (PRC §21083.2(a), (h)).

The limitations in PRC §21083.2 relating to unique archaeological resources do not apply to archaeological sites that qualify as "historical resources." (PRC §21083.2(l)). If a lead agency finds that an archaeological site is a historical resource, impact assessment is governed by PRC §21084.1, which provides standards for identification of historical resources (14 CCR §15064.5(c)(2). The CEQA Guidelines also provide that public agencies should seek to avoid effects that could damage a "historical resource of an archaeological nature" when it is feasible to do so (14 CCR §15126.4(b)(3)).

California Native American Historical, Cultural, and Sacred Sites Act

The California Native American Historical, Cultural, and Sacred Sites Act applies to both state and private lands. The act requires that upon discovery of human remains, construction or excavation activity must cease and the county coroner be notified.

Pursuant to Public Resources Code Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the county coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are of a Native American, the county coroner must notify the NAHC. The NAHC then notifies those persons most likely to be related to the Native American remains. The code section also stipulates the procedures that the descendants may follow for treating or disposing of the remains and associated grave goods.

Local

Scotts Valley General Plan

The General Plan contains the following policies which are specific to cultural resources and are applicable to the project:

Policy	Description
OSC-4.5	**Protect Archaeological Resources.** Use the City's environmental review process to determine potential impacts to archaeological resources of project proposals. The City's archaeological sensitivity zone map shall be used, along with other appropriate data, to evaluate whether archaeological resources are threatened by new development.
OSC-4.6	**Development on Known Archeological Resources.** All new development located on a parcel(s) containing an existing or former historic structure shall require an archaeological field reconnaissance report prior to project consideration by the decision-making body.
OSC-4.7	**Historic Structure Destruction.** Prohibit the destruction of designated historical resources without a prior public hearing and consideration given to preservation alternatives**.**

Scotts Valley Cultural Preservation Ordinance

Section 17.44.130 – Cultural Resource Protection requires the City to protect the interest of the public by providing for the identification, protection, enhancement, perpetuation and use of archaeological resources and sites within the City that reflect special elements of the City's prehistoric and historic archaeological heritage. The ordinance requires the City to:

- Integrate the preservation of archaeological resources and the extraction of relevant data from such resources into public and private land-management and development processes;
- Develop and maintain a cultural resource conservation and protection environment now and in the future and take all actions necessary to protect and enhance the cultural resource heritage of the City;
- Ensure that the long-term protection of the cultural resource heritage shall guide public decision;
- Require consideration of protection of cultural resources as well as economic and technical factors and long-term benefits and costs in addition to short-term benefits and costs; and consider alternatives to proposed actions affecting the cultural resource heritage of the City in land-use management and development activities.

A Cultural Resource Alteration Permit shall be required for relocation, removal, alteration or demolition of any recorded cultural resource, designated cultural resource site or area which has been identified in any preliminary or comprehensive cultural resource report as containing a potentially significant cultural resource.

The ordinance also describes specific procedures that must be followed in the event cultural resources (e.g., bones or other human remains, or artifacts clearly associated with a human interment) are discovered.

Scotts Valley Historic Landmark Preservation Ordinance

Section 17.44.140 – Historic Landmark Preservation requires the protection, enhancement, perpetuation and use of all City-designated historic landmarks. An Historic Landmark Alteration or Demolition Permit is required prior to the relocation of a designated historic landmark or for any alteration to a designated historic landmark that involves change in design, replacement of construction material or change in external appearance, or for any reconstruction thereof.

3.5.1.2 *Existing Conditions*

Archaeological Resources

Within the City, most areas are defined as being of high to moderate archaeological sensitivity. The low sensitivity zones are generally found in the upland portions of the Planning Area away from fresh water sources, while the high and moderate zones are found areas that provided better access to fresh water sources. Per the General Plan, the Plan area has moderate to high

archaeological sensitivity.[24] The Plan area was historically settled by the Costanoans, known now as the Ohlone.[25] The Cultural Resource Assessment determined that the Plan area is highly sensitive for precontact archaeological sites.

A records search was completed for the Plan area and a one-mile surrounding buffer, which found that one previously recorded cultural resource is located within the Plan area.[26] The resource consists of a precontact lithics scatter (stone tools). Two informal resources are located within the Plan area: the location of a cannery that is thought to have been at the Skypark airport and the remains of a disarticulated structure within the King's Village Shopping Center.[27]

Within one mile of the Plan area, 11 cultural resources and 11 informal resources have been recorded.

Historic Resources

Based on a review of the Santa Cruz County Built Environment Resource Directory, two non-archaeological resources are located within a one-mile buffer of the Plan area: The Scott House located at 1 Civic Center Drive and the Scotts Valley Fire Department located at 7 Erba Lane. Both buildings were evaluated for listing in the National Register of Historic Places (NRHP). The Scotts House was determined eligible and is currently listed on the NRHP, whereas the Scotts Valley Fire Department was determined not eligible for inclusion in the NRHP by consensus through the Section 106 process of the National Historic Preservation Act. No City-designated historic landmarks are located within the Plan area. However, buildings within the Plan area that are 50 years old or older, such as most of the buildings within the Kings Village Shopping Center, could have potential to be historic resources, subject to evaluation.

At the time, the 2008 Plan EIR was completed, the former Skypark Airport was described as being in “a state of ruin”, as the “the old asphalt pavement is weathered and cracked, with weeds growing through in many areas. Native sediments visible in the area appeared very disturbed.” This state of ruin has further progressed, as the asphalt has continued to weather into gravel, and the areas surrounding the runway have become overgrown by grass. Additionally, in approximately 2014, a Pump Track was installed to the north of the remaining, deteriorated runway, further reducing the remnants of the Skypark Airport.

3.5.2 Impact Discussion

For the purpose of determining the significance of the project’s impact on cultural resources, would the project:

[24] City of Scotts Valley. *Scotts Valley General Plan*. August 2023. Figure OSC-6: Cultural Resource Areas.
[25] Chronicle Heritage. *“Cultural Resource Assessment for the Scotts Valley Town Center Specific Plan Update, City of Scotts Valley, Santa Cruz County, California.”* June 2, 2025.
[26] Ibid.
[27] Ibid.

a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?
c) Disturb any human remains, including those interred outside of dedicated cemeteries?

3.5.2.1 *Project Impacts*

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?

As discussed in Section 3.5.1.2, one historic structure listed on the NRHP is located within a mile of the Plan area (the Scott House, located approximately .40 mile east of the Plan area). In addition, there may be other buildings in the Plan that are eligible for listing in the NRHP or CRHP, or as a City-designated historic landmark under Section 17.44.140 – Historic Landmark Preservation.

While the Plan does not propose the removal of any documented historic resources, implementation of the Plan would allow for new development and redevelopment over an extended period of time that could directly or indirectly affect historic resources, including those that have yet to be identified and evaluated.

Future development projects would be subject to conducting historical evaluations to determine whether the structure is a historic resource that could be significantly impacted under the definition of CEQA. It is assumed that such procedures would be implemented as part of the CEQA environmental review of future development applications. If a significant impact is identified, appropriate mitigation measures would be required and/or a project-specific CEQA review to consider substantial alteration or demolition of a historic resource that would substantially and materially alter the significance of the resource. It is noted that potential redevelopment of existing properties and potential impacts to historical resources could occur without the project.

PRC sections 21083.2(b)-(c) and CEQA Guidelines section 15126.4(b) provide information regarding the mitigation framework for historical resources and indicate that consistency with the Secretary of Interior Standards for the Treatment of Historic Properties would reduce an impact on historical resources to a less-than-significant level. Therefore, a significant historical resource impact could be mitigated to a less-than-significant level if designed to be consistent with these standards. However, since this is a program EIR and no specific development projects are proposed, it is not possible to determine whether individual projects would be able to attain the Secretary of Interior's Standards. Furthermore, preservation, reuse, maintenance, and/or avoidance of historical resources may not always be feasible, especially with potential redevelopment and intensification of uses in the project area, and recordation of a significant historical resource, alone, would not constitute adequate mitigation for a substantial adverse

change to a historical resource meeting the definitions under CEQA. Therefore, because the potential for future development accommodated by the project to cause a substantial adverse change to a historical resource cannot be precluded, impacts to historical resources are conservatively considered potentially significant.

Impact CUL-1: Future development projects under the Plan could indirectly or directly impact unknown historic buildings and structures by removing historic buildings and structures, or altering the setting for historic properties.

General Plan Policies that Reduce Impacts to Historic Resources

Future development projects would comply with the following General Plan policy pertaining to historic resources.

- **Policy OSC-4.7:** Historic Structure Destruction. Prohibit the destruction of designated historical resources without a prior public hearing and consideration given to preservation alternatives.

Additionally, future development projects would comply with the following mitigation measures.

MM CUL-1.1: **Historic Resources Assessment and Project-Level Mitigation**: Require preparation of an historic resources evaluation for any development proposal containing a structure or structures 50 years old or older and that are not identified as historic resources by the City. If the structure(s) may potentially meet the criteria for listing as an historic resource, and proposed development would have the potential to impact the historic significance of the structure(s), the development applicant shall provide an historic assessment of the structure(s) prepared by a qualified historic consultant. If it is determined by the City based upon the historic assessment that a development would impact a structure that is eligible as an historic resource under CEQA definitions, the City shall consider measures that would enable the project to avoid direct or indirect impacts to the building or structure, including designs consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties. If the building or structure can be preserved, but remodeling, renovation or other alterations are required, this work shall be conducted in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

MM CUL-1.2: **Resource Documentation:** If a significant historic building or structure is proposed for major alteration or renovation, or to be moved and/or demolished, the City shall ensure that a qualified architectural historian

thoroughly documents the building and associated landscape and setting. Documentation shall include still and video photography and a written documentary record/history of the building to the standards of the Historic American Building Survey or Historic American Engineering Record, including accurate scaled mapping, architectural descriptions, and scaled architectural plans, if available. The record shall be prepared in consultation with the State Historic Preservation Officer and filed with the Office of Historic Preservation. The record shall be accompanied by a report containing site-specific history and appropriate contextual information. This information shall be gathered through site specific and comparative archival research, and oral history collection as appropriate.

Skypark Airport

As described in Section 3.5.1.2 Existing Conditions, the former Skypark Airport no longer exists. The remnants of the former Skypark Airport are overrun with grass and the asphalt is deteriorating into gravel. The former Skypark Airport is not a designated historic resource under CEQA. However, in response to an NOP comment letter received for the Plan from the Scotts Valley Historical Society (see Appendix A), the Plan includes the following requirement (see Table 6.1 of Chapter 6 of the Plan): 1) Construct an historic recognition element in a prominent location (e. g., Tower Point Plaza) commemorating the site's historic airport use, and 2) Post information and imagery about the history of the airport and its effect on the development of Scotts Valley on City's website.

It can be reasonably expected that impacts to historic resources, including as yet identified resources, would be avoided through the implementation of General Plan policies and the mitigation measures identified above. If a future project proposed under the Plan could adversely affect historic resources, supplemental analysis would be required to identify mitigation measures or design alternatives necessary to reduce the impact to a less than significant level. With the implementation of the General Plan policies and mitigation measures listed above, future development projects under the Plan would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. **(Less than Significant Impact with Mitigation Incorporated)**

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?

As discussed in Section 3.5.1.2, the Plan area has high sensitivity for archaeological resources. Additionally, there is one identified cultural resource within the Plan area. There is a possibility that unknown archaeological deposits could be disturbed during construction of future development under the Plan. In the event that historic or prehistoric archaeological resources are encountered during Plan implementation, impacts to these resources would be considered significant.

General Plan Policies that Reduce Impacts to Archaeological Resources

Future development projects would comply with the following General Plan policy pertaining to archaeological resources.

- **Policy OSC-4.5:** Protect Archaeological Resources. Use the City's environmental review process to determine potential impacts to archaeological resources of project proposals. The City's archaeological sensitivity zone map shall be used, along with other appropriate data, to evaluate whether archeological resources are threatened by new development.
- **Policy OSC-4.6**: Development on Known Archaeological Resources. All new development located on a parcel(s) containing an existing or former historic structure shall require an archaeological field reconnaissance report prior to project consideration by the decision-making body.

Additionally, development under the Plan would be required to implement the following mitigation measures to comply with the Scotts Valley Cultural Preservation Ordinance and California Codes, per the recommendations of the Cultural Resource Assessment completed for the Plan.

Impact CUL-2: Future development projects under the Plan could inadvertently discover unknown archaeological resources during construction.

Mitigation Measures:

The following mitigation measures would be incorporated as part of the Plan and applied to all development projects under the Plan to reduce impacts on cultural resources.

MM CUL-2.1: Prior to the commencement of grading or other disturbance of native soils, the applicant shall secure the services of a qualified archaeologist. The archaeologist shall prepare a Worker Environmental Awareness Program (WEAP) to instruct construction workers of the obligation to protect and preserve valuable archaeological and Native American resources. This program will be provided to all construction workers involved in ground disturbing activities in the form of a recorded presentation and PDF pamphlet and will include a discussion of all applicable laws and penalties under the law; samples or visual aids of resources that could be encountered in the project vicinity; notification of any culturally sensitive locations where monitoring may occur; instructions regarding the need to halt work in the vicinity of any potential archaeological and Native American resources encountered; and measures to notify their supervisor, the applicant, and the specialists. An electronic version of the WEAP shall be provided to the City for review and approval prior to issuance of any tree removal, grading, demolition, or building permits, whichever occurs first.

MM CUL-2.2: Archaeological monitoring by a professional archaeologist shall occur for all ground disturbing activities within a 50-foot radius of resource P-44-00492, as

well as for any ground disturbing activities involving surface and subsurface soils that have not been previously disturbed within the Plan area. The archaeological monitor shall record and maintain daily monitoring logs that include written descriptions of the areas monitored and project activities, photographs, sediment descriptions, any finds encountered, and the response to the finds. Monitors shall halt or redirect work in the immediate area if archaeological resources are identified during earth-moving activities.

MM CUL 2.3: **Presence of Artifacts.** Any property owner who, at any time in the preparation for or process of excavating or otherwise disturbing the ground, discovers artifacts or other evidence of a Native American cultural site, shall:

- Cease and desist from all further excavations and disturbances within 25 feet of the discovery.
- Arrange for staking completely around the area of discovery by visible stakes no more than 10 feet apart, forming a circle having a radius of no less than 100 feet from the point of discovery; provided, however, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking.
- Notify the proper authority in accordance with the Native American Cultural Sites ordinance. Notify the Community Development Director
- The archaeological monitor will evaluate the find to determine if it meets the definition of a historical, unique archaeological, or tribal cultural resource and evaluate its eligibility for listing in the California Register of Historic Resources as determined by the California Office of Historic Preservation. Data recovery methods may include, but are not limited to, backhoe trenching, shovel test units, hand augering, and hand-excavation. The techniques used for data recovery shall follow the protocols identified in a treatment plan to be reviewed and approved by the City. Data recovery shall include excavation and exposure of features, field documentation, and recordation. All documentation and recordation shall be submitted to the Northwest Information Center and Native American Heritage Commission (NAHC) Sacred Land Files, and/or equivalent prior to the issuance of an occupancy permit. A copy of the evaluation shall be submitted to the Community Development Director.

With implementation of the above mitigation measures, future development under the Plan that disturbs native soils would not result in a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. **(Less than Significant Impact with Mitigation Incorporated)**

c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Future development projects under the Plan could directly or indirectly disturb human remains, including those interred outside of dedicated cemeteries during future construction activities. Future development projects would be required to comply with Section 7050.5 of the Health and Safety Code and Section 5097 of the Public Resources Code, as discussed in Section 3.5.1.1 Regulatory Framework. Specifically, Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are determined to be of Native American origin, the county coroner must contact the California NAHC within 24 hours of this identification. An NAHC representative will then identify a Native American Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. In addition, CEQA Guidelines Section 15064.5 specifies the procedures to be followed in case of the discovery of human remains on non-federal land. The disposition of Native American burials falls within the jurisdiction of the NAHC. **(Less than Significant Impact)**

3.5.2.2 *Cumulative Impacts*

a) Would the project result in a cumulatively considerable contribution to a significant cumulative cultural resources impact?

Historic Resources

The geographic area for cumulative impacts to historic resources is Citywide.

As described above under impact discussion a), development under the Plan would incorporate mitigation measures M-1.1 and M-1.2 and comply with General Plan policies to reduce impacts to historical resources to less than significant. Any future developments in the City would be required to comply with the City's General Plan policies to preserve historic resources within the City. Buildout under the General Plan, in addition to buildout of the Plan, would result in less than significant cumulative impacts to historic resources with continued compliance with existing federal, State, and local regulations and General Plan goals, policies, and actions described in checklist questions a) above.

Archaeological Resources

The geographic area for cumulative impacts to archaeological resources includes parcels in the Plan area and adjacent parcels, where construction and operation of future development under the Plan could contribute to on- and off-site impacts to archaeological resources.

As described above under impact discussion b), development under the Plan would incorporate mitigation measures M-2.1 through M-2.3 and comply with General Plan policies to reduce impacts to archaeological resources to less than significant. Any future developments in the City would be required to comply with the City's General Plan policies to preserve archaeological resources. Buildout under the General Plan, in addition to buildout of the Plan, would result in less than significant cumulative impacts to archaeological resources with continued compliance with existing federal, State, and local regulations and General Plan goals, policies, and actions described in checklist questions b) above.

Human Remains

All cumulative projects would be required to comply with Section 7050.5 of the Health and Safety Code and Section 5097 of the Public Resources Code, as discussed in Section 3.5.1.1 Regulatory Framework. With the mandatory regulatory procedures and compliance with the General Plan policies discussed above, potential cumulative impacts related to the potential discovery or disturbance of any human remains accidentally unearthed during construction activities associated with cumulative development would be less than significant.

For these reasons, the cumulative projects would not result in significant cumulative impacts to cultural resources. **(Less than Significant Cumulative Impact)**

3.6 Energy

The following discussion is based, in part, on an Air Quality and Greenhouse Gas Assessment completed by Illingworth & Rodkin, Inc. dated July 18, 2025. This report is included as Appendix B to this EIR.

3.6.1 Environmental Setting

3.6.1.1 *Regulatory Framework*

Federal and State

Energy Star and Fuel Efficiency

At the federal level, energy standards set by the EPA apply to numerous consumer products and appliances (e.g., the EnergyStar™ program). The EPA also sets fuel efficiency standards for automobiles and other modes of transportation.

Renewables Portfolio Standard Program

In 2002, California established its Renewables Portfolio Standard Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2010. Governor Schwarzenegger issued Executive Order (EO) S-3-05, requiring statewide emissions reductions to 80 percent below 1990 levels by 2050. In 2008, EO S-14-08 was signed into law, requiring retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. In October 2015, Governor Brown signed SB 350 to codify California's climate and clean energy goals. A key provision of SB 350 requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from renewable sources by 2030. SB 100, passed in 2018, requires 100 percent of electricity in California to be provided by 100 percent renewable and carbon-free sources by 2045.

Executive Order B-55-18 and Assembly Bill 1279

Executive Order B-55-18 was issued in September 2018. It ordered a new statewide goal of achieving carbon neutrality no later than 2045 and to maintain net negative emissions thereafter.

Assembly Bill 1279, also known as the California Climate Crisis Act, was approved on September 16, 2022, and codifies the statewide goal set by Executive Order B-55-18 of achieving net zero GHG emissions no later than the year 2045 and maintaining net negative emissions thereafter. In addition, this bill has a statewide goal of reducing anthropogenic GHG emissions by 85 percent below the 1990 levels by the year 2045. The bill requires CARB to work with relevant state agencies to ensure that updates to the scoping plan, identify and recommend measures to achieve these policy goals, and implement strategies that enable CO_2 removal solutions and carbon capture, utilization, and storage technologies in California. The bill requires CARB to submit an annual report.

California Building Standards Code

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6 of the California Code of Regulations (Title 24), was established in 1978 in response to a legislative mandate to reduce California's energy consumption. Title 24 is updated approximately every three years.[28] Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.[29]

California Green Building Standards Code

CALGreen establishes mandatory green building standards for buildings in California. CALGreen was developed to reduce GHG emissions from buildings, promote environmentally responsible and healthier places to live and work, reduce energy and water consumption, and respond to state environmental directives. CALGreen covers five categories: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality.

Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars II program in 2022 in coordination with the EPA and National Highway Traffic Safety Administration. The program combines the control of smog-causing pollutants and GHG emissions into a single coordinated set of requirements for vehicle model years 2026 through 2035. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.[30]

Regional and Local

Scotts Valley General Plan

The General Plan contains the following policies which are specific to energy and are applicable to the project:

Policy	Description
OSC-5.7	**Concentration of Higher-Density Land Uses.** To help reduce air quality emissions, concentrate commercial, mixed-use, and high-density residential development along transit corridors, at major intersections, and near activity centers that can be served efficiently by public transit and alternative transportation modes.
OSC-5.9	**Reduction in GHG Emissions.** Encourage reduction in greenhouse gas emissions, including alternatives to use of gas-powered vehicles. Such alternatives include public transit,

[28] California Building Standards Commission. "California Building Standards Code." Accessed July 7, 2025. https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo.
[29] California Energy Commission (CEC). "2022 Building Energy Efficiency Standards." Accessed July 7, 2025. https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency.
[30] California Air Resources Board. "Advanced Clean Cars II." Accessed July 7, 2025. https://ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program/advanced-clean-cars-ii.

	alternatively fueled vehicles, bicycle and pedestrian routes, and bicycle-and-pedestrian-friendly development design.
OSC-5.10	**Reduced Vehicles Miles Traveled.** Encourage development of transit-oriented and infill development and encourage a mix of uses that foster walking and alternative transportation, and thereby reduce vehicle miles traveled.
OSC-5.14	**Support for Energy Efficiency.** Continue to support organizations that promote energy efficiency and offer assistance to residents and businesses that wish to increase their energy efficiency.
OSC-5.18	**Photovoltaic Panels.** Encourage the installation of photovoltaic panels on new homes and businesses.
OSC-5.20	**Passive Solar Design.** Encourage passive solar design in new development, in which window placement and building materials help to collect and maintain solar heat in the winter and reflect solar heat in the summer.
OSC-5.21	**Energy-Efficient Design Features.** Encourage new development to incorporate energy-efficient design features for HVAC, lighting systems, and insulation that exceed Title 24 standards.
OSC-5.22	**High-efficiency Residential Appliances.** Require that new construction and major remodeling residential projects use high-efficiency or zero-waste fixtures.
OSC-5.24	**VMT Reduction.** Provide bikeways, pedestrian paths, and transit turnouts/stops as requirements of new development applications, as applicable.

3.6.1.2 *Existing Conditions*

Total energy usage in California was approximately 6,817 trillion British thermal units (Btu) in the year 2023, the most recent year for which this data was available.[31] Out of the 50 states, California is ranked second in total energy consumption and 49th in energy consumption per capita. The breakdown by sector was approximately 17 percent (1,167 trillion Btu) for residential uses, 17 percent (1,158 trillion Btu) for commercial uses, 21 percent (1,457 trillion Btu) for industrial uses, and 45 percent (3,036 trillion Btu) for transportation.[32] This energy is primarily supplied in the form of natural gas, petroleum, nuclear electric power, and hydroelectric power.

Electricity

In 2023, California produced approximately 90 percent of the electricity it consumed and the rest was imported from outside the state.[33] California's non-carbon dioxide emitting electric generation (from nuclear, large hydroelectric, solar, wind, and other renewable sources) accounted for approximately 54 percent of total in-state generation for 2023.[34] Electricity from natural gas-powered plants makes up 39 percent of the state electricity generation and the remaining seven percent of the state's electricity generation is from nuclear power.

[31] United States Energy Information Administration. "California State Energy Profile." Accessed July 7, 2025. https://www.eia.gov/state/print.php?sid=CA.
[32] Ibid.
[33] Ibid.
[34] U.S. Energy Information Administration. *California State Energy Profile*. Accessed July 7, 2025. https://www.eia.gov/state/print.php?sid=CA#tabs-3

California's total system electric generation in 2023 was approximately 215,623 gigawatt-hours (GWh), which was down two percent from 2022's total generation of approximately 221,703 GWh.[35] In 2022 nonhydroelectric renewables represented the largest portion of the state's electricity sources (at 56 percent). Natural gas generation accounted for more than 44 percent of all electricity generation.[36]

Central Coast Community Energy (3CE), formerly Monterey Bay Community Power, was formed in March 2017 as a joint powers authority to provide locally controlled, clean, and renewable electricity to residents and businesses in Monterey, San Benito, and Santa Cruz Counties, as well as parts of Santa Barbara and San Luis Obispo Counties, through the Community Choice Energy (CCE) model established by the State of California. The CCE model enables communities to choose clean-source power at a cost equivalent to PG&E while retaining PG&E's role in maintaining power lines and providing customer service. PG&E delivers power and maintains electric infrastructure, while 3CE manages where (local vs. California vs. out-of-state) and how (solar, wind, geothermal, etc.) electricity is generated. The CCE model helps support local economic vitality because surplus revenues that would normally flow to PG&E will stay in the community. 3CE started serving electricity to customers in Santa Cruz County beginning in Spring 2018, with current PG&E customers automatically switched over.[37]

Electricity in Santa Cruz County in 2022 was consumed primarily by the non-residential sector (53 percent), followed by the residential sector consuming 47 percent. In 2022, a total of approximately 1,177 gigawatt hours (GWh) of electricity was consumed in Santa Cruz County.[38]

Natural Gas

In 2024, California's natural gas supply came from a combination of in-state production and imported supplies from other western states and Canada.[39] In 2022, Santa Cruz County used 52 million therms, which was less than one percent of the state's total consumption of natural gas.[40]

In 2021, PG&E delivered approximately 53 million therms to Santa Cruz County, with 33 million therms for non-residential use and 20 million therms for residential use.

[35] California Energy Commission. "2023 Total System Electric Generation." Accessed July 7, 2025.
[36] Ibid.
[37] County of Santa Cruz. Sustainability Policy and Regulatory Update. Draft Environmental Impact Report. Section 4.6-1. April 2022.
[38] California Energy Commission. Energy Consumption Data Management System. "Electricity Consumption by County." Accessed July 7, 2025. http://ecdms.energy.ca.gov/elecbycounty.aspx.
[39] California Gas and Electric Utilities. 2024 *California Gas Report.* Accessed July 7, 2025. https://www.socalgas.com/sites/default/files/2024-08/2024-California-Gas-Report-Final.pdf
[40] According to the California Energy Commission, the State of California consumed 11,710.64 million therms of natural gas in 2022. California Energy Commission. "Natural Gas Consumption by County." Accessed July 7, 2025. http://ecdms.energy.ca.gov/gasbycounty.aspx.

Fuel for Motor Vehicles

In 2024, California produced 105 million barrels of crude oil and in 2019, 15.4 billion gallons of gasoline were sold in California.[41, 42] The average fuel economy for new light-duty vehicles (motorcycles, cars, and light trucks/vans) in the United States has steadily increased from about 13 miles per gallon (mpg) in the mid-1970s to 27.1 mpg in 2023.[43] Federal fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007. That standard, which originally mandated a national fuel economy standard of 35 miles per gallon by the year 2020, was updated in April 2022 to require all cars and light duty trucks achieve an overall industry average fuel economy of 49 mpg by model year 2026.[44,45]

3.6.2 Impact Discussion

For the purpose of determining the significance of the project's impact on energy, would the project:

a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?
c) Result in a substantial increase in demand upon energy resources in relation to projected supplies?

3.6.2.1 *Project Impacts*

a) Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Construction

Construction associated with future development under the Plan would result in the temporary usage and consumption of electricity to power electric construction equipment, mobile offices, or water delivered to construction sites; gasoline and diesel fuel used for transportation of workers

[41] U.S. Energy Information Administration. "Petroleum & Other Liquids, California Field Production of Crude Oil." Accessed March 21, 2025. https://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=pet&s=mcrfpca1&f=a
[42] California Department of Tax and Fee Administration. "Net Taxable Gasoline Gallons." Accessed July 7, 2025. https://www.cdtfa.ca.gov/dataportal/dataset.htm?url=VehicleTaxableFuelDist.
[43] United States Environmental Protection Agency. "The 2024 EPA Automotive Trends Report: Greenhouse Gas Emissions, Fuel Economy, and Technology since 1975." November 2024. Accessed July 7, 2025. https://www.epa.gov/automotive-trends.
[44] United States Department of Energy. *Energy Independence & Security Act of 2007.* Accessed July 7, 2025. http://www.afdc.energy.gov/laws/eisa.
[45] United States Department of Transportation. USDOT Announces New Vehicle Fuel Economy Standards for Model Year 2024-2026." Accessed July 7, 2025. https://www.nhtsa.gov/press-releases/usdot-announces-new-vehicle-fuel-economy-standards-model-year-2024-2026.

and haul trucks to and from construction sites; and fuel used for operation of off-road equipment. Construction-related energy usage and consumption would be dispersed over the course of the build out period, and would vary based on the level of activity, length of the construction period, specific construction operations, types of equipment, and number of personnel. Since the timing and intensity of the construction activity required for future development projects under the Plan is not yet known, energy consumption during construction of future development cannot be quantified.

For any project, the overall construction schedule and process is designed to be efficient to avoid excess monetary costs. That is, equipment and fuel would not be used wastefully on the project site because of the added expense associated with renting the equipment, maintaining it, and fueling it. Further, the Plan is in an urbanized area in proximity to roadways, construction supplies, and workers, making it more efficient than construction occurring in outlying, undeveloped areas. Therefore, energy consumption by construction of future development would not be wasteful, inefficient, or unnecessary.

Operation

The Plan is currently developed with approximately 396,000 square feet of commercial uses and 46 residential units. Buildout of the Plan would allow for an increase of 657 residential units and 205,664 square feet of non-residential uses (82,000 square feet of commercial land uses, 35,000 square feet of public/quasi-public uses, and 88,663 square feet of park improvements).

Once constructed, gasoline would be consumed during those trips by future residents , employees, customers, and visitors relying on internal combustion-powered vehicles, which is anticipated to be primarily light-duty vehicles. Electricity would be consumed by future development to power buildings and those trips using vehicles powered by electricity. Table 3.6-1 below summarizes existing annual energy use and the increase in energy use under the Plan.

Table 3.6-1: Estimated Annual Energy Use

	Electricity Use (kWh/yr.)	Natural Gas Use (kBtu/yr.)	Gasoline (gal./yr.)
A. Existing Conditions	4,499,602	4,690,122	1,374,566[1]
B. Net Increase	3,359,136	17,709,484	623,886[2]
Total within Plan area under buildout (A + B)	7,858,738	22,399,606	1,998,452

Notes:

[1] The gasoline demand is based on the estimated VMT of 33,539,405 and an average fuel demand of 24.4 mpg.

[2] The gasoline demand is based on the estimated VMT of 15,222,823 and an average fuel demand of 24.4 mpg.

Source: Illingworth & Rodkin, Inc. *Scotts Valley Town Center Update Specific Plan Air Quality and Greenhouse Gas Assessment*. July 2025.

U.S. Department of Energy. "Maps and Data – Average Fuel Economy by Major Vehicle Category." July 2025. https://afdc.energy.gov/data

As shown in Table 3.6-1, buildout of the Plan would result in an increase in electricity use compared to existing conditions. All new development facilitated by the Plan would be required to demonstrate compliance with the California Building Energy Efficiency Standards and CALGreen standards in effect at the time the individual development applications are submitted and therefore would not be a wasteful or inefficient use of energy. For instances where new development under the Plan would replace existing development, the new developments would be expected to be more energy-efficient than the use being replaced, resulting in reductions in building electricity consumption on a per square foot basis when compared to existing development.

As shown in Table 3.6-1, buildout of the Plan would result in an increase in natural gas use compared to existing conditions. Similar to electricity consumption, all future development would be required to demonstrate compliance with the current California Building Energy Efficiency Standards and CALGreen and would result in reductions in heating fuel (i.e., natural gas or propane) consumption.

As shown in Table 3.6 1, buildout of the Plan would result in an increase in gasoline consumption compared to existing conditions. As discussed in Section 3.17 Transportation, future development projects would result in a less than significant VMT impact.

As documented above, while the Plan would increase electricity and natural gas use and gasoline consumption compared to existing conditions, the project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project operation. Further, the General Plan policies listed in Section 3.6.1.1 above encourage the reduction of nonrenewable energy use and improvement of energy efficiency. For the reasons discussed above, the project would not result in a wasteful use of energy. **(Less than Significant Impact)**

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

As discussed above under checklist question a), buildout of the Plan would increase consumption of electricity, natural gas, and gasoline. All new development facilitated by the Plan would be required to demonstrate compliance with the California Building Energy Efficiency Standards and CALGreen standards in effect at the time the individual development applications are submitted. In addition, all future development would comply with General Plan policies noted above to further reduce energy consumption and improve energy efficiency. While the Plan would result in an increase in demand on existing energy resources, future development under the Plan would be required to comply with applicable regulations and City policies that would conserve energy and water and reduce fuel consumption and waste generation. For these reasons, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(Less than Significant Impact)**

c) Would the project result in a substantial increase in demand upon energy resources in relation to projected supplies?

Electricity

The demand for electricity in California will continue to increase through 2045 due to population growth, climate change, and transportation trends (e.g., increased EV usage). As discussed in Section 3.6.1.2, California's total system electric generation in 2023 was approximately 215,623 GWh. The Plan's increase in energy consumption represents 0.00016 percent of the State's total electric generation in 2023. Efficiency and production capabilities, such as SB 100, would help meet increased electricity demand in the future, such as improving energy efficiency in existing and future buildings, establishing energy efficiency targets, inclusion of microgrids and zero-net energy buildings, and integrating renewable technologies.[46] Future development under the Plan would be built to the most recent CALGreen requirements and Title 24 energy efficiency standards, which would improve the efficiency of the growth allowed under the Plan. Also, refer to the discussion under checklist question a) as to why the Plan buildout would not result in wasteful, inefficient, or unnecessary consumption of energy. For these reasons, the Plan buildout's increase in electricity use would not result in a significant increase in demand on electrical energy resources in relation to projected supplies statewide.

Natural Gas

Natural gas supply and demand data and reporting is provided at the state level. Statewide natural gas demand is projected to decline at an annual average rate of 1.1 percent per year through 2035, and gas demand will continue to decrease as the state moves towards carbon neutrality by 2045 or sooner.[47] As discussed under checklist question a), all future development would be required to demonstrate compliance with the current California Building Energy Efficiency Standards and CALGreen and would result in reductions in heating fuel (i.e., natural gas or propane) consumption. Therefore, the Plan buildout would not result in wasteful, inefficient, or unnecessary consumption of natural gas.

Fuel for Motor Vehicles

Future trips from development under the Plan would increase gasoline use by approximately 623,886 gallons per year compared to existing conditions. This increase is small (less than 0.01 percent) when compared to the 17,121 million gallons of gasoline consumed in California in 2022 for commercial and industrial uses.[48] New automobiles purchased by future employees and residents would be subject to fuel economy and efficiency standards applied throughout the State of California, which means that over time, the fuel efficiency of vehicles associated with the project would improve. In addition, an increasing percentage of new vehicles over the timeframe of Plan

[46] California Energy Commission. "2016 Integrated Energy Policy Report." Accessed February 18, 2025. https://ww2.energy.ca.gov/2016_energypolicy/

[47] California Gas and Utilities. *2022 California Gas Report.* Pages 6 and 10.

[48] U.S. Energy Information Administration. "Table F3: Motor gasoline consumption, price, and expenditure estimates, 2022." Accessed June 18, 2025. https://www.eia.gov/state/seds/sep_fuel/html/fuel_mg.html

buildout are anticipated to be electric. Lastly, as described in Section 3.17 Transportation, the Plan includes policies to encourage alternative modes of transportation, including walking, bicycling, and using transit. For the above reasons, the project would not result in a significant increase in gasoline demand relative to projected supply. Also, refer to the discussion under checklist question a) as to why the project would not result in wasteful, inefficient, or unnecessary consumption of gasoline. **(Less than Significant Impact)**

3.6.2.2 *Cumulative Impacts*

a) Would the project result in a cumulatively considerable contribution to a significant cumulative energy impact?

By its nature, energy is a cumulative resource. The geographic area for cumulative energy impacts is the state. Past, present, and future development projects contribute to the state's energy impacts. If the project is determined to have a significant energy impact, it is concluded that the impact is cumulatively considerable. As discussed under checklist questions a) through c) above, the project would not result in significant energy impacts. The project would not result in significant cumulative energy impacts. **(Less than Significant Cumulative Impact)**

3.7 Geology and Soils

3.7.1 Environmental Setting

3.7.1.1 *Regulatory Framework*

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was passed following the 1971 San Fernando earthquake. The act regulates development in California near known active faults due to hazards associated with surface fault ruptures. Alquist-Priolo maps are distributed to affected cities, counties, and state agencies for their use in planning and controlling new construction. Areas within an Alquist-Priolo Earthquake Fault Zone require special studies to evaluate the potential for surface rupture to ensure that no structures intended for human occupancy are constructed across an active fault.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) was passed in 1990 following the 1989 Loma Prieta earthquake. The SHMA directs the California Geological Survey (CGS) to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. CGS has completed seismic hazard mapping for the portions of California most susceptible to liquefaction, landslides, and ground shaking. The SHMA requires that agencies only approve projects in seismic hazard zones following site-specific geotechnical investigations to determine if the seismic hazard is present and identify measures to reduce earthquake-related hazards.

California Building Standards Code

The California Building Standards Code (CBSC) prescribes standards for constructing safe buildings. Part 2 of the CBSC contains the California Building Code (CBC), which contains provisions for earthquake safety based on factors including occupancy type, soil and rock profile, ground strength, and distance to seismic sources. The CBC requires that a site-specific geotechnical investigation report be prepared for most development projects to evaluate seismic and geologic conditions such as surface fault ruptures, ground shaking, liquefaction, differential settlement, lateral spreading, expansive soils, and slope stability. The CBC is updated every three years.

California Division of Occupational Safety and Health Regulations

Excavation, shoring, and trenching activities during construction are subject to occupational safety standards for stabilization by the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) under Title 8 of the California Code of Regulations and Excavation Rules. These regulations minimize the potential for instability and collapse that could injure construction workers on the site.

Public Resources Code Section 5097.5

Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. They range from mammoth and dinosaur bones to impressions of ancient animals and plants, trace remains, and microfossils. These materials are valued for the information they yield about the history of the earth and its past ecological settings. California Public Resources Code Section 5097.5 specifies that unauthorized removal of a paleontological resource is a misdemeanor. Under the CEQA Guidelines, a project would have a significant impact on paleontological resources if it would disturb or destroy a unique paleontological resource or site or unique geologic feature.

Local

Scotts Valley General Plan

The General Plan contains the following policies which are specific to geology and soils and are applicable to the project:

Policy	Description
SN-3.3	**Development Restrictions.** Prohibit structural development unless seismic and geological hazards can be mitigated.
SN-3.7	**Critical Facilities and Services.** Ensure that seismic hazards are mitigated to the greatest extent possible for critical public facilities, infrastructure, and emergency services.
SN-3.10	**Geotechnical Evaluations.** In a geologic hazard area, development shall be approved only after a geotechnical evaluation is completed by a registered geologist as part of the environmental review process. Where new development proposed for areas of known or suspected geologic hazards, as identified in City or County maps or where other information obtained by the City indicates geologic hazards exist in an area proposed for development, a detailed geotechnical and/or geologic report shall be prepared and submitted to the City as a part of the application or environmental review process.

Scotts Valley Municipal Code

Title 15 Buildings and Construction of the Scotts Valley Municipal Code contains rules, regulations, and minimum standards to control excavation, grading, erosion, and sediment. Section 15.06 Excavation, Grading, Erosion and Sediment Control Regulations, states that a permit is required for grading activities and sets forth design standards related to cut and fill, slopes, sediments, and erosion.

3.7.1.2 *Existing Conditions*

Geology and Soils

The City of Scotts Valley is a mountain/alluvial environment located in Santa Cruz County. Santa Cruz County is located along the southwestern side of the Santa Cruz Mountains. The mountains are

in the central portion of the Coast Ranges Physiographic Province of California and are underlain by granitic and metamorphic rocks. The core of the mountain range is dominated by basement rocks such as gneiss, schist, limestone, quartzite, and granite. This suite of basement rocks is separated from contrasting basement rock of the Franciscan Formation to the northeast by the San Andreas Fault System.

The historic and modern core of the urban area of the City are formed by the alluvian valleys of Carbonera Creek and Camp Evers Creek. Open space areas within the City include areas with extreme slopes and poor soils unsuitable for development. Gentle slopes, ranging from zero percent to 25 percent, are found on mountain ridges in the Granite Creek, Glenwood, and Carbonera Creek valley, lower Bean Creek Road, Whispering Pines, and La Cuesta Drive areas and in most of the Mt. Hermon Road area. The County is not in an area of regional ground subsidence per USGS.[49] Additionally, the project area is not in an area with expansive soils.[50]

Groundwater

The Santa Margarita Groundwater Basin (SMGB) is a primary water supply for the City.[51] The SMGB covers over 34 square miles (21,760 acres) in the Santa Cruz Mountains foothill forming a triangular area that extends from Scotts Valley to the east, Boulder Creek to the northwest, and Felton to the southwest. The SMGB contains the City of Scotts Valley, and the communities of Boulder Creek, Brookdale, Ben Lomond, Lompico, Zayante, Felton, and Mount Hermon.

The SMGB has four principal aquifers, each with their own unique characteristics:

- Santa Margarita Sandstone (Santa Margarita aquifer)
- Monterey Formation
- Lompico Sandstone (Lompico aquifer)
- Butano Formation (Butano aquifer)

Seismic Hazards

Santa Cruz County is located in a seismically active region of California. The County is oriented between the San Andreas Fault, located along the northeast County boundary, and the San Gregorio Fault, located along the northwest County coast. Ground surface rupture due to faulting within the County is possible along the San Andreas, San Gregorio, Lomita, Butano, and Zayante-Vergeles faults. There are no faults that run through the City of Scotts Valley. The closest fault zone

[49] USGS. "Areas of Land Subsidence in California." Accessed May 29, 2025. https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html.
[50] County of Santa Cruz. *Draft Environmental Impact Report Sustainability Policy and Regulatory Update (SCH No. 2020079005).* Aprill 2022. Figure 4.7-2.
[51] City of Scotts Valley. *Scotts Valley General Plan.* August 2023. Figure SN-3: Fault Zones.

to the project is the Ben Lomond Fault Zone, which is approximately 4.3 miles northeast of the Plan area.[52]

Landslides and Liquefaction

Landslides are downward and outward movements of slope-forming materials which may be rock, soil, artificial fill, or combinations of such materials. Liquefaction is a temporary loss of shear strength as a result of increased pore pressure due to strong ground shaking or cyclic loading. Liquefaction is defined by saturation of soil and loss of cohesion. It is associated with loose, high-plasticity soils and near-surface groundwater levels.

The CGS has created maps delineating areas of seismically induced landslide hazards for portions of the state, but to date, the CGS has not created seismically induced landslide hazard maps for Santa Cruz County. Landsliding occurs throughout Santa Cruz County but is centered primarily along the steeper slopes in the hills and mountains, along stream corridors, and along coastal bluffs and inlets. Isolated landslides occur throughout the County. The project area has a low to moderate liquefaction potential.[53,54] Additionally, the Plan area is not in an area with landslide deposits and was not identified as a potential landslide hazard area.[55,56]

Lateral Spreading

Lateral spreading is a type of ground failure related to liquefaction. It consists of the horizontal displacement of flat-lying alluvial material toward an open or "free" face such as an open body of water, channel, or excavation. The closest waterway to the project is Carbonera Creek, which is 0.5 miles east of the Plan area. The creek is not directly adjacent to the Plan area and is separated by various developments and Scotts Valley Drive.

Paleontological Resources

Paleontological resources are the fossilized remains of organisms from prehistoric environments captured in geologic strata. Per the County's Sustainability Policy and Regulatory Update EIR, the total area of mapped geologic paleontological resource areas in the County is approximately 6,161 acres. Seven areas within the County are likely to have rare or unique geological and paleontological resources. The largest of these areas is located between the Lompico and Glenwood areas in the Santa Cruz Mountains and Scotts Valley. Another area is located within the north coast and urban areas on the northwestern edge of the City of Santa Cruz. The remaining five areas are all located within the north coast area.

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[52] USGS. "U.S. Quaternary Faults." Accessed May 29, 2025. https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf.
[53] City of Scotts Valley. *Scotts Valley General Plan.* August 2023. Figure SN-4: Liquefaction Potential.
[54] County of Santa Cruz. *Draft Environmental Impact Report Sustainability Policy and Regulatory Update (SCH No. 2020079005).* Aprill 2022. Figure 4.7-1.
[55] City of Scotts Valley. *Scotts Valley General Plan*. August 2023. Figure SN-5: Landslide Potential.
[56] County of Santa Cruz. *Draft Environmental Impact Report Sustainability Policy and Regulatory Update (SCH No. 2020079005).* Aprill 2022. Figure 4.7-1.

3.7.2 Impact Discussion

For the purpose of determining the significance of the project's impact on geology and soils, would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
   - 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)?
   - Strong seismic ground shaking?
   - Seismic-related ground failure, including liquefaction?
   - Landslides?

b) Result in substantial soil erosion or the loss of topsoil?

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

d) Be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?

3.7.2.1 *Project Impacts*

a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving 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; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides?

Fault Rupture

The Plan area is not located on a known active fault or located in an Alquist-Priolo Earthquake Fault Zone.[57] While existing faults are located near the site, such as the Ben Lomond Fault Zone (4.3 miles

[57] USGS. "U.S. Quaternary Faults." Accessed May 29, 2025. https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf.

northeast of the Plan area[58]), the Plan area is outside of the fault zones, and significant impacts from fault ruptures would not occur.

Seismic Ground Shaking and Liquefaction

As discussed above in Section 3.7.1.2 Existing Conditions, the Plan area is located in a seismically active region. The Plan area would be subject to strong seismic ground shaking and seismic-related ground failure, including liquefaction, in the event of a large earthquake. It can be reasonably anticipated that future development projects in the Plan would experience strong ground shaking during the developments' lifetime. As noted in Section 3.7.1.2, the Plan area has a low to moderate liquefaction potential.[59,60] Strong ground shaking from seismic activity could damage structures and infrastructure and cause liquefaction. Conformance with the CBC would reduce impacts to new development associated with strong seismically induced ground shaking to the maximum extent practicable, under currently accepted engineering practices. The CBC sets forth structural design parameters for buildings to withstand seismic shaking without substantial structural damage. Section 1803 of the CBC requires preparation of a site-specific geotechnical investigation to assess the degree of potential seismic hazards and recommend appropriate design/mitigation measures. The 2022 CBC contains standards and regulations relating to seismic safety and construction standards for building foundations.

As part of any Planned Development application submitted to the City, the project applicant would be required to submit plans that are in compliance with the latest CBC standards and consistent with Title 15 – Buildings and Construction of the SCCC. Conformance with the CBC, as required by State law, would minimize the potential for damage of new structures and their foundations.

Landslides

The Plan area is not in an area with landslide deposits and was not identified as a potential landslide hazard area within the City's or County's General Plan.[61,62] Therefore, future development under the Plan would not cause substantial adverse effects associated with landslides.

Adhering to the California Building Code, County Building Code, and various policies and actions established in the City's General Plan would minimize seismic related impacts. **(Less than Significant Impact)**

[58] USGS. "U.S. Quaternary Faults." Accessed May 29, 2025. https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf.
[59] City of Scotts Valley. *Scotts Valley General Plan.* August 2023. Figure SN-4: Liquefaction Potential.
[60] County of Santa Cruz. *Draft Environmental Impact Report Sustainability Policy and Regulatory Update (SCH No. 2020079005).* Aprill 2022. Figure 4.7-1.
[61] City of Scotts Valley. *Scotts Valley General Plan*. August 2023. Figure SN-5: Landslide Potential.
[62] County of Santa Cruz. *Draft Environmental Impact Report Sustainability Policy and Regulatory Update (SCH No. 2020079005).* Aprill 2022. Figure 4.7-1.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Most of the Plan area is level due to current or previous development (such as the vacant land that was formally part of the Skypark Airport), which limits the potential for substantial soil erosion. The potential for erosion would be highest during the grading and excavation for future development projects. Ground-disturbing activities could increase the exposure of on-site soils to wind and water erosion. Consistent with the requirements of the Scotts Valley Municipal Code, future development projects would be required to prepare two sets of Site Map, Grading, Drainage, and Erosion Control Plans. Further, future development projects greater than one acre would prepare a Storm Water Pollution Prevention Plan (SWPPP), which specifies best management practices for temporary erosion control, which would reduce the potential for erosion during construction activities. Therefore, because future development under the Plan is anticipated to occur as infill and redevelopment in urban areas, development is not likely to result in substantial soil erosion or loss of topsoil. Adherence to existing regulatory requirements that include, but are not limited to, the Scotts Valley Municipal Code, NPDES General Construction Permit, and General Plan Polices OSC-1.13, Policy SN-3.3, Policy SN-3.7, and Policy SN-3.10, would ensure that impacts associated with substantial erosion and loss of topsoil from future development would be less than significant. **(Less than Significant Impact)**

c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

The Plan area is not located in a zone with high or very high liquefaction potential, or within a landslide hazard area as discussed in Section 3.7.1.2 Existing Conditions. As discussed under checklist question a), the CBC requires preparation of site-specific geotechnical investigation reports and implementation of the identified recommendations in those reports to avoid and minimize seismic and seismic-related hazards. Further, General Plan Policy SN-3.10 requires preparation of a geotechnical and soils report where potentially serious geologic risks exist. The project would adhere to the City's General Plan policies, including those that manage surface runoff and construction-related erosion (further discussed in Section 3.10 Hydrology any and Water Quality). Compliance with the CBC, Scotts Valley Municipal Code, and General Plan goals, policies, and action would ensure that the future development under the Plan would not result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. **(Less than Significant Impact)**

d) Would the project be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?

The soils underlaying the Plan area are not within an area mapped to have expansive soils, as discussed in Section 3.7.1.2 Existing Conditions above. All future development under the Plan would be required to be designed in accordance with the CBC. Therefore, the Plan would not create

substantial direct or indirect risks to life or property as a result of being located on expansive soils. **(Less than Significant Impact)**

e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The Plan area would continue to be served by an existing sanitary sewer system, which is adequately supported by the soil onsite. While some lateral connections would be made to the existing sewer lines, they would adhere to the CBC and all General Plan policies. Therefore, implementation of the Plan would not require the use of septic tanks or alternative wastewater disposal systems. **(No Impact)**

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?

Per the County of Santa Cruz's Sustainability Policy and Regulatory Update EIR, seven areas within the County are likely to have rare or unique geological and paleontological resources. The largest of these areas is located between the Lompico and Glenwood areas in the Santa Cruz Mountains and Scotts Valley. The County's EIR does not map which areas of the County are considered to have paleontological resources. This analysis assumes the Plan area has potential for sensitive for paleontological resources at depth .[63] Although not anticipated, construction activities could disturb paleontological resources, if present. Development under the Plan would implement the following standard measure should paleontological resources be discovered during project construction:

Impact GEO-1: Future construction activities could disturb paleontological resources, if present.

Future development under the Plan would implement the following mitigation measure pertaining to paleontological resources.

MM GEO-1.1: **Paleontological Resource Modeling.** In the event a fossil(s) is discovered during construction, excavations within 50 feet of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards.

The applicant shall include a standard inadvertent discovery clause on construction plans to inform contractors of this requirement. If the paleontological resources are found to be significant, they shall be avoided by project construction activities and recovered by a qualified paleontologist. Upon

[63] City of Scotts Valley. Scotts Valley General Plan. August 2023. Figure OSC-6: Cultural Resource Areas.

completion of the recovery, a paleontological assessment shall be conducted by a qualified paleontologist to determine if further monitoring for paleontological resources is required. The project site assessment shall include 1) the results of any geotechnical investigation, 2) specific details of the construction plans, 3) background research, and 4) limited subsurface investigation.

If a high potential to encounter paleontological resources is confirmed, a monitoring plan of further project subsurface construction shall be prepared in conjunction with this assessment. After project subsurface construction has ended, a report documenting monitoring, methods, findings, and further recommendations regarding paleontological resources shall be prepared and submitted to the Community Development Director.

With implementation of Mitigation Measure MM GEO-1.1 described above, as well as adherence to City, State, and federal preservation regulations related to paleontological resources, buildout under the Plan would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. **(Less than Significant Impact with Mitigation Incorporated)**

3.7.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant geology and soils impact?

The geographic area for cumulative geologic impacts is the Plan area and closely surrounding areas because it is assumed that the effects of ground disturbing activities would be limited to the Plan area and surrounding sites. Future cumulative development would be subject to CBC regulations and best management practices pertaining to seismic safety. Compliance with these requirements would, to the maximum extent practicable, reduce cumulative development-related impacts that pertain to seismic shaking, seismic-related ground failure, seismically induced landslides, soil erosion, and unstable soils. Similarly, compliance with relevant CBC requirements would minimize the cumulative impacts associated with substantial erosion or loss of topsoil.

Future cumulative development would be required to comply with California Public Resources Code Section 5097.5 to ensure the protection of unique paleontological resources during construction. Therefore, the project would not result in a cumulatively considerable impact to geology and soils and cumulative impacts would be less than significant. **(Less than Significant Cumulative Impact)**

3.8 Greenhouse Gas Emissions

The following discussion is based, in part, on an Air Quality and Greenhouse Gas Assessment completed by Illingworth & Rodkin, Inc. dated July 18, 2025. This report is included as Appendix B to this EIR.

3.8.1 Environmental Setting

Greenhouse gases (GHG) are gases that trap heat in the atmosphere and regulate the earth's temperature. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate. In GHG emission inventories, the weight of each gas is multiplied by its global warming potential (GWP) and is measured in units of CO_2 equivalents (CO_2e). The most common GHGs are carbon dioxide (CO_2) and water vapor but there are also several others, most importantly methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). These are released into the earth's atmosphere through a variety of natural processes and human activities (anthropogenic). Natural and anthropogenic sources of GHGs are generally as follows:

- CO_2 exchange between the atmosphere, ocean, and land surface
- CO_2, CH_4, and N_2O are emitted from wildfires and volcanic eruptions
- CO_2 and N_2O are byproducts of fossil fuel combustion
- N_2O is associated with agricultural operations such as fertilization of crops
- CH_4 is commonly created by off-gassing from agricultural practices (e.g., keeping livestock) and landfill operations
- Chlorofluorocarbons (CFCs) were widely used as refrigerants, propellants, and cleaning solvents, but their production has been stopped by international treaty
- HFCs are now used as a substitute for CFCs in refrigeration and cooling
- PFCs and SF_6 emissions are commonly created by industries such as aluminum production and semiconductor manufacturing

An expanding body of scientific research supports the theory that global climate change is currently causing changes in weather patterns, average sea level, ocean acidification, chemical reaction rates, and precipitation rates, and that it will increasingly do so in the future. Per the 2022 Scoping Plan from CARB, atmospheric concentrations of CO_2 have increased by 50 percent since the Industrial Revolution and continue to increase at a rate of two parts per million each year, which will result in increased global temperatures.[64] The climates within California are adversely affected by the global warming trend. Increased precipitation and sea level rise will increase coastal flooding, saltwater intrusion, and degradation of wetlands. Mass migration and loss of plant and animal species could also occur. Potential effects of global climate change that could adversely affect human health include more extreme heat waves and heat-related stress; an increase in climate-sensitive diseases;

[64] CARB. *2022 Scoping Plan for Achieving Carbon Neutrality*. December 2022. Page 3.

more frequent and intense natural disasters such as flooding, hurricanes and drought; and increased levels of air pollution.

3.8.1.1 *Regulatory Framework*

State

Assembly Bill 32 and State Bill 32

Under the California Global Warming Solutions Act, known as AB 32, CARB established a statewide GHG emissions cap for 2020, adopted mandatory reporting rules for significant sources of GHGs, and adopted a comprehensive plan, known as the Climate Change Scoping Plan, identifying how emission reductions would be achieved from significant GHG sources. The first Scoping Plan was approved by CARB in 2008 and must be updated at least every five years. Since 2008, there have been two updates to the Scoping Plan.

In 2016, SB 32 was signed into law, amending the California Global Warming Solution Act. SB 32, and accompanying Executive Order B-30-15, require CARB to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. CARB updated its Climate Change Scoping Plan in December of 2017 to accelerate 2030 statewide target in terms of million metric tons of CO_2e ($MMTCO_2e$). Based on the emissions reductions directed by SB 32, the annual 2030 statewide target emissions level for California is 260 $MMTCO_2e$.

2022 Scoping Plan

On December 15, 2022, CARB approved the 2022 Scoping Plan. The 2022 Scoping Plan provides a sector-by-sector guide on how to reduce man-made (i.e., anthropogenic) GHG emissions by 85 percent below 1990 levels and achieve carbon neutrality by 2045 over a 25-year horizon.[65] The primary focus of the 2022 Scoping Plan is to reduce the usage of fossil fuels by electricizing the transportation sector, procuring electricity from renewable resources, phasing out natural gas in land use developments, and building transit-oriented communities that encourage multi-modal transportation. If implemented successfully, the 2022 Scoping Plan would not only reduce GHG emissions but also reduce smog-forming air pollution (NO_x) by 71 percent and reduce fossil fuel demand by 94 percent. The 2022 Scoping Plan also details natural carbon capture and storage process along with mechanical carbon capture programs to address the remaining 15 of anthropogenic GHG emissions that will remain post-2045. To meet these goals, CARB also includes a revised goal of reducing state GHG emissions 48 percent below 1990 levels by 2030.

Senate Bill 375

SB 375, known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. SB 375 builds upon AB 32 by requiring CARB to develop regional GHG reduction targets for automobile and light truck sectors for 2020 and 2035.

[65] CARB. *2022 Scoping Plan for Achieving Carbon Neutrality*. December 2022. Page 5.

SB 100

SB 100, known as The 100 Percent Clean Energy Act of 2018, was adopted on September 10, 2018. The overall goal is to have all retail electricity sold in California be procured from 100 percent renewable and zero-carbon resources by the year 2045. SB 100 also modified the renewables portfolio standard to 50 percent by 2025 and 60 percent by 2030.

Executive Order B-55-18 and Assembly Bill 1279

Executive Order B-55-18 was issued in September 2018. It ordered a new statewide goal of achieving carbon neutrality no later than 2045 and to maintain net negative emissions thereafter.

Assembly Bill 1279, also known as the California Climate Crisis Act, was approved on September 16, 2022, and codifies the statewide goal set by Executive Order B-55-18 of achieving net zero GHG emissions no later than the year 2045 and maintaining net negative emissions thereafter. In addition, this bill has a statewide goal of reducing anthropogenic GHG emissions by 85 percent below the 1990 levels by the year 2045. The bill requires CARB to work with relevant state agencies to ensure that updates to the scoping plan identify and recommend measures to achieve these policy goals and implement strategies that enable CO_2 removal solutions and carbon capture, utilization, and storage technologies in California. The bill requires CARB to submit an annual report.

Advanced Clean Cars II Regulation

To continue reducing air pollutants and GHG emissions in the transportation sector, CARB adopted the Advanced Clean Cars II Regulations (Resolution 22-12) on August 25, 2022. The new regulation requires that by 2035 all new passenger cars, trucks, and SUVs sold in California will be zero-emission vehicles. This regulation bans the sale of new gasoline or diesel passenger cars, trucks, and SUVs in California from automakers. Beginning in 2026, 35 percent of new vehicle sales must be zero-emission vehicles and plug-in hybrid electric vehicles (EV) and that percentage will increase per year. By 2030, 70 percent of new vehicle sales will be zero-emissions vehicles and by the 2035 model year 100 percent of new vehicle sales will be zero-emissions. CARB will limit the use of plug-in hybrid EVs in the percentage requirements to keep the manufacturing of zero-emissions as the primary goal. Existing gasoline cars can continue to be driven and sold as used cars beyond 2035. CARB is required to track and report on the zero-emissions vehicle market development annually.

California Building Standards Code – Title 24 Part 11 and Part 6

The CALGreen Code is part of the California Building Standards Code under Title 24, Part 11.[66] The CALGreen Code encourages sustainable construction standards that incorporate planning/design, energy efficiency, water efficiency, resource efficiency, and environmental quality. These green building standard codes are mandatory statewide and are applicable to residential and non-

[66] California Government. CALgreen. Accessed July 22, 2025. https://www.dgs.ca.gov/BSC/CALGreen.

residential developments. The most recent CALGreen Code (2022 CALGreen Code) was effective as of January 1, 2023.

The California Building Energy Efficiency Standards (California Energy Code) is under Title 24, Part 6 and is overseen by the CEC. This code includes design requirements to conserve energy in new residential and non-residential developments. This Energy Code is enforced and verified by cities during the planning and building permit process. The 2022 Energy Code replaced the 2019 Energy Code as of January 1, 2023. There are new 2022 standards for single-family residences, multi-family residences, and non-residential uses.[67,68,69] Major changes include electric-ready single-family and multi-family residence and solar photovoltaic systems and energy storage systems for residential and commercial developments.

Requirements for EV charging infrastructure are set forth in Title 24 of the California Code of Regulations and are regularly updated on a three-year cycle. The CALGreen standards consist of a set of mandatory standards required for new development, as well as two more voluntary standards known as Tier 1 and Tier 2. The 2022 CALGreen standards require deployment of additional EV chargers in various building types, including multi-family residential, hotel, and non-residential land uses. They include requirements for both EV capable parking spaces and the installation of EV supply equipment for multi-family residential and nonresidential buildings. The 2022 CALGreen standards also include requirements for both EV readiness and the actual installation of EV chargers.

CALGreen also requires new construction and demolition projects to have a diversion of at least 65 percent of the construction waste generated.

Regional and Local

Association of Monterey Bay Area Governments

The Association of Monterey Bay Area Governments (AMBAG) is the designated MPO for the Monterey Bay region. The AMBAG region includes Monterey, San Benito, and Santa Cruz counties. The AMBAG Energy Watch designed a program to assist member jurisdictions in a variety of climate action planning support services. Additionally, in 2008, AMBAG adopted the Monterey Bay Regional Energy Plan (Regional Energy Plan). The Regional Energy Plan provides a framework that local cities and counties can adopt or use as guidelines to reduce energy use.

[67] California Energy Commission. "2022 Building Energy Efficiency Standards What's New for Single-Family Residential." Revised July 15, 2022. Accessed July 22, 2025. https://www.energy.ca.gov/sites/default/files/2022-08/2022_Single-family_Whats_New_Summary_ADA.pdf.
[68] California Energy Commission. "2022 Building Energy Efficiency Standards What's New for Multifamily." Revised August 4, 2022. Accessed July 22, 2025. https://www.energy.ca.gov/sites/default/files/2022-08/2022_Multifamily_Whats_new_Summary_ADA.pdf.
[69] California Energy Commission. "2022 Building Energy Efficiency Standards What's New for Nonresidential." Revised August 4, 2022. Accessed July 22, 2025. https://www.energy.ca.gov/sites/default/files/2022-08/2022_Nonresidential_Whats_New_Summary_ADA.pdf.

Additionally, CARB set SB 375 GHG-reduction targets for the Monterey Bay Area at zero percent increase from 2005 per capita emissions by 2020, and five percent below 2005 per capita emissions by 2035. In June 2014, AMBAG adopted the Moving Forward 2035 Monterey Bay – Metropolitan Transportation Plan/Sustainable Communities Strategy (2035 MTP/SCS). The 2035 MTP/SCS demonstrated that, if implemented, the region would achieve over a three percent per capita GHG reduction in passenger vehicle emissions by 2020, and an approximately six percent reduction in 2035. These reductions meet the GHG targets for AMBAG, as discussed above.

In June 2018, AMBAG adopted an update to the 2035 MTP/SCS, Moving Forward Monterey Bay 2040 (2040 MTP/SCS), the implementation of which was anticipated to achieve a four percent capita reduction in GHG emissions from passenger vehicles by 2020, as well as a projected reduction in GHG emissions of nearly seven percent per capita from passenger vehicles by 2035. The 2040 MTP/SCS outlines the region's proposed transportation network, emphasizing multimodal system enhancements, system preservation, and improved access to high quality transit, as well as land use development that complements this transportation network.

Monterey Bay Air Resources District

California has 35 Air Pollution Control Districts and Air Quality Management Districts, many of which are currently addressing climate change issues by developing significance thresholds, performance standards, and mitigation measures. The Montrey Bay Air Resources District (MBARD) is the regional agency responsible for the regulation and enforcement of federal, state, and local air pollution control regulations in the North Central Coast Air Basin (Air Basin). MBARD's Air Quality Management Plans (AQMPs) include control measures and strategies implemented to attain California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS) in the Air Basin.

Scotts Valley General Plan

The Scotts Valley General Plan contains the following policies which are specific to greenhouse gases and are applicable to the project:

Policy	Description
M-1.1	**Regional Infrastructure Alternative.** Support regional efforts for alternatives to expanded infrastructure that reduce single occupant vehicle trips, conserves energy, and reduced air pollution.
M-1.10	**Electric Vehicle Facilities.** Encourage new commercial development to provide facilities that support alternative mobility options such as electric vehicle stations, rideshare zones, bike and scooter parking, etc.
M-1.11	**Residential Vehicle Charging Facilities.** Encourage new residential development to provide facilities for electric vehicle charging.

M-3.1	**Reduce Vehicle Miles Traveled.** Work in cooperation with the Santa Cruz County Regional Transportation Commission, the Association of Monterey Bay Area Governments, and Santa Cruz County to reduce VMT.
M-3.18	**Vehicle Miles Traveled Standards and CEQA Evaluation.** The City shall require evaluation of General Plan land use designation changes, zone changes, and discretionary development for their individual (i.e., project-specific) and cumulative transportation impacts based on Vehicle Miles Traveled (VMT) under the California Environmental Quality Act (CEQA) pursuant to the methodology and thresholds of significance criteria as set forth in the City of Scotts Valley SB 743 Implementation Guidelines.
M-5.4	**Transit**. Encourage new developments to provide for and promote transit use, where feasible. This may include providing fixed transit facilities such as bus shelters and pull-outs, consistent with anticipated demand. When applicable, submit development plans to the Santa Cruz Transit District for review and incorporate transit facilities, as appropriate, per district standards.
M-6.3	**Accessibility for All Bicyclists.** Provide bikeways in Scotts Valley that are safe and convenient for bicyclists of all ages and abilities.
M-6.6	**Bicycle Lane Construction (1).** Include bicycle lane construction enhancements in all road improvement and expansion projects on designated bikeways and construct them in conformance with established safety standards. Encourage the construction of bikeways on private property, particularly where they provide an important link to the City's bikeway network.
M-6.7	**Bikeways Construction (2).** Where available, require new developments located along designated bikeways to provide an appropriate bike way (path or lane) including rights-of-way and construction.
OSC-5.1	**Maintain and Improve Air Quality.** Cooperate with regional agencies – including the Monterey Bay Air Resources Board (MBARD), the Santa Cruz County Regional Transportation Commission (SCCRTC), and the Association of Monterey Bay Area Governments (AMBAG) in developing and implementing air quality management plans
OSC-5.2	**State and Regional Collaboration.** Participate in regional, state, and federal efforts addressing renewable energy sources, energy efficiency, greenhouse gas emissions, and reduced consumption of natural resources.
OSC-5.7	**Concentration of Higher-Density Land Uses.** To help reduce air quality emissions, concentrate commercial, mixed-use, and high-density residential development along transit corridors, at major intersections, and near activity centers that can be served efficiently by public transit and alternative transportation modes.
OSC-5.9	**Reduction in GHG Emissions.** Encourage reduction in greenhouse gas emissions, including alternatives to use of gas-powered vehicles. Such alternatives include public transit, alternatively fueled vehicles, bicycle and pedestrian routes, and bicycle- and pedestrian-friendly development design.
OSC-5.14	**Support for Energy Efficiency**- Continue to support organizations that promote energy efficiency and offer assistance to residents and businesses that wish to increase their energy efficiency.
OSC-5.17	**Air Quality Design Considerations**- Encourage new development that protect and improve air quality and minimize direct and indirect air pollutant emissions by reducing vehicle trips (e.g., projects with access to transit and projects that provide walking and bicycling amenities).
OSC-5.21	**Energy-Efficient Design Features.** Encourage new development to incorporate energy-efficient design features for HVAC, lighting systems, and insulation that exceed Title 24 standards.

OSC-5.22 **High-efficiency Residential Appliances.** Require that new construction and major remodeling residential projects use high-efficiency or zero-waste fixtures.

OSC-5.26 **Minimize Construction Pollution.** Require builders to use appropriate techniques to minimize pollution from construction activities.

SN-4.18 **Minimize Direct and Indirect Emissions of Air Contaminants.** New development shall be located and designed to conserve air quality and minimize direct and indirect emissions of air contaminants, including diesel emissions. This shall be done by the following:

1. Minimize impact of new development by reviewing development proposals for potential impacts pursuant to CEQA and the Monterey Bay Unified Air Pollution Control District CEQA Guidelines. Apply land use and transportation planning techniques such as:

- Incorporation of public transit stops;
- Pedestrian and bicycle linkage to commercial centers, employment center, schools and parks;
- Preferential parking for carpools and van pools;
- Traffic flows improvements; and
- Employer trip reduction programs.

2. Control dust and particulate matter by implementing the Monterey Bay Air Resources Board fugitive dust control measures. In addition, address construction and operational diesel exhaust impacts in consultation with the Air District, and the need for risk assessments, when conditions warrant.

SN-4.21 **Tier 4 Emissions**- Prior to issuance of grading permits, new developments shall prepare and submit documentation to the City of Scotts Valley that demonstrates that all off-road diesel-powered equipment meet the California Air Resources Board's Tier 4 Final off-road emissions standards.

3.8.1.2 *Existing Conditions*

Unlike emissions of criteria and toxic air pollutants, which have regional and local impacts, emissions of GHGs have a broader, global impact. Global warming is a process whereby GHGs accumulating in the upper atmosphere contribute to an increase in the temperature of the earth and changes in weather patterns.

3.8.2 Impact Discussion

For the purpose of determining the significance of the project's impact on greenhouse gas emissions, would the project:

a) Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?

3.8.2.1 *Thresholds of Significance*

MBARD does not have any guidance or significance thresholds for GHG emissions; therefore, the GHG significance thresholds from the State's goals, as expressed in the most recent Scoping Plan, to reduce emissions to 40% below 1990 levels by 2030 and carbon neutrality by 2045 were used for this analysis.

On a Plan level, the thresholds of significance considered within this analysis are:

Plan Level

1. Meet State's goals to reduce emissions to 40% below 1990 levels by 2030 and carbon neutrality by 2045; or:

3.8.2.2 *Project Impacts*

a) Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

Changes to GHG emissions associated with the Plan would occur from temporary construction activities, consisting primarily of emissions from equipment exhaust and worker and vendor trips. There would also be long-term changes to operational emissions associated with vehicular traffic within the Plan Update vicinity, energy and water usage, and solid waste disposal.

Construction

Construction GHG emissions estimates are not included as part of this analysis due to the speculative nature and lack of a MBARD or industry-standard model for calculating emissions on a program-level basis. In addition, neither the City nor the MBARD have an adopted threshold of significance for construction related GHG emissions.

MBARD does not specifically recommend best management practices to reduce GHG emissions during construction where feasible and applicable. Industry-accepted best management practices include using alternative fuel (e.g., biodiesel, electric) construction vehicles/equipment for at least 15 percent of the fleet, using local building materials of at least 10 percent, and recycling or reusing at least 65 percent of construction waste or demolition materials.

Future redevelopment under the Plan would comply with CALGreen and require the recycling of at least 65 percent of all future projects' construction waste. Future development under the Plan would also comply with General Plan Policy OSC-5.26 which requires builders to use appropriate techniques to minimize pollution from construction activities. For these reasons, future projects implementing the Plan would result in less than significant construction GHG emissions.

Operation

The CalEEMod model was used to estimate daily emissions associated with operation of the existing and new development under the Plan buildout. The annual GHG emissions estimate resulting from buildout of the Plan would be approximately 15,533 MT of CO_2e.

The primary sources of GHG emissions are from vehicle travel, energy consumption, and solid waste. The modeling results using CalEEMod do not incorporate future regulations that would reduce GHG emissions. For example, CalEEMod results are based on regulations in place in 2020 for on-road vehicles and current emission rates of electricity providers. Under new State laws, these emissions are anticipated to decrease substantially beyond those levels predicted by CalEEMod. However, overall emissions may increase under the Plan because there will be more workers and residents in the area.

Redevelopment under the Plan would lead to an increase in vehicle emissions due to the increase in employment and housing and associated vehicle travel. The incorporation of VMT and Transportation Demand Management (TDM) measures are typical ways to reduce mobile emissions, which can be included in CalEEMod modeling.

GHG emissions associated with energy consumption would increase. The level of this increase would depend on whether new projects are constructed all electric or include natural gas appliances.

Solid waste generation is anticipated to increase due to the increased population supported by the Plan Update. CalEEMod emissions associated with solid waste are likely overestimated as various programs are designed to reduce solid waste and reduce emissions from solid waste transport and land fill. The CalEEMod model does not consider these future reductions in emissions.

Plan-Level Impact

To have less-than-significant GHG emissions), the Plan must meet the State's goals to reduce emissions to 40% below 1990 levels by 2030 and achieve carbon neutrality by 2045.

As disclosed above, the annual GHG emissions estimate resulting from buildout of the Plan would be approximately 15,533 MT of CO_2e. There are not currently feasible measures within the City's control to achieve the state's target of carbon-neutrality in 2045. Achieving carbon neutrality is expected to take advancements in technology, investments in clean energy, and regulatory actions by other levels of government, including the state, and perhaps even federal government, and there is not substantial evidence in the record for the City to conclude it is feasible in 2025 for Plan buildout in 2045 to achieve this goal. Therefore, buildout under the Plan would not meet the State's goal of carbon neutrality by 2045 and, as a result, the Plan would not meet the criteria of the Plan-level threshold. Based on these factors, buildout under the Plan would constitute a significant impact.

Impact GHG-1: Buildout under the Plan would result in approximately 15,533 MT of CO_2e annually and would not meet the State's goal of carbon neutrality by 2045.

Future development under the Plan would implement the following mitigation measure pertaining to GHG emissions.

MM GHG-1.1: **GHG Emission Reduction.** The following measures will be implemented to address the State's efforts to reduce GHG emissions and make progress toward attaining carbon neutrality. Future development under the Plan shall meet the following requirements:

- Avoid construction of new natural gas connections for residential buildings to the extent feasible, recognizing federal law preempts local government attempts to prohibit the use of natural gas. If this is not feasible, then the project must comply with Mitigation Measure MM GHG-1.2 below.
- Avoid wasteful or inefficient use of electricity by meeting CALGreen Building Standards Code requirements that are considered to be energy efficient and including electric vehicle charging infrastructure that meets current Building Code CALGreen Tier 2 compliance.
- Reduce VMT per service population by 15 percent over regional average or screen out based on the *Analyzing Vehicle Miles Traveled for CEQA Compliance SB 743 Implementation Guidelines for the City of Scotts Valley*.

MM GHG-1.2: **Natural Gas Project Requirements.** Projects that include natural gas appliances shall enter into an agreement with the City to reduce GHG emissions equivalent to those emitted by the project's natural gas appliances. Applicants would have to provide evidence to the City demonstrating that these emissions were properly identified and offset, prior to receiving any approval for construction (e.g., building permit).

Implementation of Mitigation Measures MM GHG-1.1 and MM GHG-1.2 would reduce GHG emissions resulting from buildout under the Plan. However, the mitigation measures would not reduce GHG emissions to a level of carbon neutrality by 2045, as required by the 2045 Plan-level threshold. The Plan would allow for growth within the region that would generate net new GHG emissions, such as vehicles on roadways which consume gasoline. In order to achieve carbon neutrality by 2045, policies must be implemented at the state and federal level, which is outside of the City's control. Therefore, even with implementation of the mitigation measures described above, buildout under the Plan would not achieve carbon neutrality by 2045, in conflict with state GHG reductions goals, and result in a significant and unavoidable GHG impact. **(Significant and Unavoidable Impact with Mitigation Incorporated)**

b) Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?

The City of Scotts Valley enforces its building codes, which aim to reduce GHG emissions. Future projects under the Plan would be constructed in conformance with at minimum the 2022 CalGreen and the Title 24 Building Codes, which require high-efficiency water fixtures, water-efficient irrigation systems, and compliance with current energy efficiency standards.

CARB Scoping Plan

Future development projects would be required to adhere to the statewide programs and regulations identified by the Scoping Plan and implemented by State, regional, and local agencies to achieve the statewide GHG reduction goals of AB 32, SB 32, and AB 1279. For example, new buildings in the Plan would be required to meet the CALGreen and Title 24 Building Energy Efficiency Standards in effect at the time when applying for building permits. However, as described above under impact discussion a), the Plan would not be able to meet the CARB Scoping Plan's goal of carbon neutrality by 2045. **(Significant and Unavoidable Impact with Mitigation Incorporated)**

3.8.2.3 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant GHG emissions impact?

As discussed above, GHG emissions have a broader, global impact; therefore, if a project would result in a significant project-level GHG impact, it would also result in a significant cumulative GHG impact. The discussion above under checklist questions a) and b) show that the Plan would have a significant GHG emissions impact by not achieving carbon neutrality by 2045 in accordance with the State's Scoping Plan. Therefore, the project would result in a cumulatively considerable contribution to a significant cumulative GHG emissions impact. **(Significant and Unavoidable Cumulative Impact with Mitigation Incorporated)**

3.9 Hazards and Hazardous Materials

Information used to develop this section includes, but is not limited to, the California Environmental Protection Agency Cortese List Data Resources, the City's General Plan, and the City's Municipal Code. Additionally, the following reports on file with the City were referenced:

- Semiannual Monitoring Report July 1 to December 31, 2024, Scotts Valley Dry Cleaners, 272A Mount Hermon Road, Scotts Valley, California completed by Terraphase Engineering in July 2025
- Remedial Excavation Completion Report Scotts Valley Town Center Parcels completed by Weber, Hayes & Associates in January 2024.
- Response to Remedial Excavation Completion Report; Former Skypark Airport (GeoTracker Global IDs T10000018739 and T10000018740), Kings Village Road and Mount Hermon Road, Scotts Valley, California completed by County of Santa Cruz Environmental Health Division in January 2024.

3.9.1 Environmental Setting

3.9.1.1 *Regulatory Framework*

Overview

The storage, use, generation, transport, and disposal of hazardous materials and waste are highly regulated under federal and state laws. In California, the EPA has granted most enforcement authority over federal hazardous materials regulations to the California Environmental Protection Agency (CalEPA). In turn, local agencies have been granted responsibility for implementation and enforcement of many hazardous materials regulations under the Certified Unified Program Agency (CUPA) program.

Worker health and safety and public safety are key issues when dealing with hazardous materials. Proper handling and disposal of hazardous material is vital if it is disturbed during project construction. Cal/OSHA enforces state worker health and safety regulations related to construction activities. Regulations include exposure limits, requirements for protective clothing, and training requirements to prevent exposure to hazardous materials. Cal/OSHA also enforces occupational health and safety regulations specific to lead and asbestos investigations and abatement.

Federal and State

<u>Federal Aviation Regulations Part 77</u>

Federal Aviation Regulations, Part 77 Objects Affecting Navigable Airspace (FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These

regulations require that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above the ground.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law created a tax on the chemical and petroleum industries and provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Over five years, $1.6 billion was collected and the tax went to a trust fund for cleaning up abandoned or uncontrolled hazardous waste sites. CERCLA accomplished the following objectives:

- Established prohibitions and requirements concerning closed and abandoned hazardous waste sites;
- Provided for liability of persons responsible for releases of hazardous waste at these sites; and
- Established a trust fund to provide for cleanup when no responsible party could be identified.

The law authorizes two kinds of response actions:

- Short-term removals, where actions may be taken to address releases or threatened releases requiring prompt response; and
- Long-term remedial response actions that permanently and significantly reduce the dangers associated with releases or threats of releases of hazardous substances that are serious, but not immediately life-threatening. These actions can be completed only at sites listed on the EPA's National Priorities List.

CERCLA also enabled the revision of the National Contingency Plan (NCP). The NCP provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.[70]

[70] United States Environmental Protection Agency. "Superfund: CERCLA Overview." Accessed May 11, 2025. https://www.epa.gov/superfund/superfund-cercla-overview.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA), enacted in 1976, is the principal federal law in the United States governing the disposal of solid waste and hazardous waste. RCRA gives the EPA the authority to control hazardous waste from the "cradle to the grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also sets forth a framework for the management of non-hazardous solid wastes.

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization, phasing out land disposal of hazardous waste, and corrective action for releases. Some of the other mandates of this law include increased enforcement authority for the EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.[71]

Government Code Section 65962.5

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB).[72]

Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 provides the EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. The TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint.

California Accidental Release Prevention Program

The California Accidental Release Prevention (CalARP) Program aims to prevent accidental releases of regulated hazardous materials that represent a potential hazard beyond the boundaries of a property. Facilities that are required to participate in the CalARP Program use or store specified quantities of toxic and flammable substances (hazardous materials) that can have off-site consequences if accidentally released. The Santa Cruz County Department of Environmental Health reviews CalARP risk management plans as the CUPA.

[71] United States Environmental Protection Agency. "Summary of the Resource Conservation and Recovery Act." Accessed May 11, 2025. https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act.
[72] California Environmental Protection Agency. "Cortese List Data Resources." Accessed May 28, 2025. https://calepa.ca.gov/sitecleanup/corteselist/.

Asbestos-Containing Materials

Friable asbestos is any asbestos-containing material (ACM) that, when dry, can easily be crumbled or pulverized to a powder by hand, allowing the asbestos particles to become airborne. Common examples of products that have been found to contain friable asbestos include acoustical ceilings, plaster, wallboard, and thermal insulation for water heaters and pipes. Common examples of non-friable ACMs are asphalt roofing shingles, vinyl floor tiles, and transite siding made with cement. The EPA began phasing out use of friable asbestos products in 1973 and issued a ban in 1978 on manufacture, import, processing, and distribution of some asbestos-containing products and new uses of asbestos products.[73] The EPA is currently considering a proposed ban on on-going use of asbestos.[74] National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines require that potentially friable ACMs be removed prior to building demolition or remodeling that may disturb the ACMs.

CCR Title 8, Section 1532.1

The United States Consumer Product Safety Commission banned the use of lead-based paint in 1978. Removal of older structures with lead-based paint is subject to requirements outlined by the Cal/OSHA Lead in Construction Standard, CCR Title 8, Section 1532.1 during demolition activities. Requirements include employee training, employee air monitoring, and dust control. If lead-based paint is peeling, flaking, or blistered, it is required to be removed prior to demolition.

Local

Santa Cruz County Hazardous Materials Program

The Santa Cruz County Health Environmental Health Division manages and regulates the storage, use, and disposal of hazardous wastes through the Hazardous Materials Program. This program provides measures for hazardous waste on-site treatment, spill prevention control, and countermeasures for aboveground and underground storage tanks, site mitigation and risk management and prevention.

County of Santa Cruz Local Hazard Mitigation Plan

The County Local Hazard Mitigation Plan (LHMP) 2021-2026 was prepared in accordance with requirements of FEMA. FEMA reviews and approves LHMPs and requires updates on a five-year cycle. The County LHMP identifies potential hazards in the County, including wildfire hazards. The plan provides hazard mitigation to implement actions that reduce vulnerability and risk from hazards or reduce the severity of the effects of hazards on people and property. Mitigation actions include both short-term and long-term activities that reduce the impacts of hazards, reduce exposure to hazards, or reduce effects of hazards through various means, including preparedness

[73] United States Environmental Protection Agency. "EPA Actions to Protect the Public from Exposure to Asbestos." Accessed June 19, 2025. https://www.epa.gov/asbestos/epa-actions-protect-public-exposure-asbestos
[74] Ibid.

and response and recovery measures. Effective mitigation actions also reduce the adverse impacts and cost of future disasters.

The County LHMP also designates critical hazard areas of the County as areas subject to greater threat from wildfire, and identifies these areas based on slope, vegetation, ability to respond to fire threats, and localized weather conditions in order to assist with preparation of County hazard mitigation and response planning. The LHMP was last updated in September 2021.

Santa Cruz – San Mateo Community Wildfire Protection Plan

Community Wildfire Protection Plans (CWPPs) are authorized and defined in Title 1 of the Healthy Forests Restoration ACT of 2003. The 2022 Santa Cruz County San Mateo County CWPP identifies the risks and hazards associated with wildland fires in the wildland-urban interface (WUI) areas of San Mateo and Santa Cruz counties. The CWPP also identifies recommendations aimed at preventing and reducing both infrastructure and ecosystem damage associated with wildland fires. The CWPP documents suggested actions intended to reduce the risk to people, property, and the environment. Fuel reduction projects identified in approved CWPP receive priority for federal funds.

Scotts Valley General Plan

The General Plan contains the following policies which are specific to hazards and hazardous materials and are applicable to the project:

Policy	Description
SN-1.5	**City-Owned Space.** Maintain City-owned open space in a matter that minimizes fire hazards.
SN-1.15	**Minimize Fire Hazards.** Support the Scotts Valley Fire District efforts to minimize fire hazards through the removal of vegetation, hazardous structures, materials, and debris.
SN-4.2	**Storage and Handling Hazardous Materials.** The City, in coordination with the County Department of Environmental Health Services, shall control the use storage and handling of hazardous materials to protect the health and welfare of the life, environment and property within the community of Scotts Valley. Control of hazardous materials waste and disposal of hazardous materials shall be consistent with Santa Cruz County Hazardous Materials Program, and state requirements.
SN-4.5	**Underground Storage Tanks.** Underground storage tanks may be permitted provided the installation conforms with the requirements of Chapter 6.7 of Division 20 of the State Health and Safety Code and all regulations pertaining to underground storage tanks.
SN-4.6	**Above Ground Storage Tanks.** Above ground storage tanks may be permitted provided the installation conforms with the requirements of Chapter 6.6.7 of Division 20 of the State Health & Safety Code.
SN-4.7	**Sensitive Receptors.** Prohibit land uses and development that emit obnoxious odors, particulates, excessive light or glare, or other environment contaminant from being located near schools, community centers, senior homes, or other sensitive receptors.

SN-4.9	**Hazardous Material Program.** The City shall continue to administer through the County Comprehensive Hazardous Materials Program, pursuant to Chapter 6.95 of the California Health and Safety Code.
SN-4.11	**Mitigation Processes.** Mitigate hazard exposure from new development projects through the environmental review process, design criteria, and standards development.
SN-4.12	**Site Assessments.** Where necessary and based on the history of land use, require site assessments for hazardous and toxic soil contamination prior to approving development project applications.
CSF-2.13	**Community Wildfire Protection Planning.** Require new development in areas susceptible to wildfires to be responsible for fire prevention activities (e.g., visible house numbering and use of fire resistant and fire-retardant building and landscape materials) and to provide a defensible zone to inhibit the spread of wildfires.

City of Scotts Valley Emergency Operations Plan

The City of Scotts Valley Emergency Operations Plan (EOP) addresses the City's responsibilities in emergencies associated with natural disaster, human-caused emergencies and technological incidents. It provides a framework for coordination of response and recovery efforts within the City in coordination with local, state, and federal agencies. The EOP establishes an emergency organization to direct and control operations during a period of emergency by assigning responsibilities to specific personnel.

3.9.1.2 *Existing Conditions*

Site History

The Plan area contains Skypark Airport, which was formerly used as an airport. Portions of the former Skypark Airport have been redeveloped with recreational uses. The Plan area currently consists of mostly residential, commercial, and public uses, but approximately 12.4 acres in the Town Center Core are vacant.

On-Site Sources of Contamination

A search of hazardous and contaminated sites was conducted using the Cortese List, which is a planning source used under CEQA to provide information about the location of hazardous materials release sites. There are eight sites within the Plan area that are listed on the Cortese List, in addition to eight sites that are adjacent to the Plan area, as summarized in Table 3.9-1 below.[75] As denoted below, there are four open Cleanup Program sites within the Plan area, all other cases within the Plan area have been closed. The open cases are described further below.

[75] California Environmental Protection Agency. "Cortese List Data Resources." Accessed June 5, 2025. https://calepa.ca.gov/sitecleanup/corteselist/.

Table 3.9-1: Summary of Known On-Site and Nearby Sources of Contamination

Site Name	Address	Status	Distance from the Plan Area
Coast to Coast Hardware	218 Mt. Hermon Road	Closed LUST Case	Within Plan Area
Chevron Station 9-1337	200 Mt. Hermon Rd	Closed LUST Case	Within Plan Area
Former Kings Cleaner	**222 Mt. Hermon Road**	**Open -Remediation[76] Cleanup Program Site(Tetrachloroethylene [PCE] is a potential contaminant of concern)**	**Within Plan Area**
Former Suburban Propane	260 Mt. Hermon Road	Closed Cleanup Program Site	Within Plan Area
Scotts Valley Target	**270 Mt. Hermon Road**	**Open – Long-Term Management[77] Cleanup Program Site**	**Within Plan Area**
Scotts Valley Square- Dry Cleaning	**272-A Mt. Hermon Road**	**Open (Tetrachloroethylene [PCE] is a potential contaminant of concern]**	**Within Plan Area**
Skypark Airport Property	**Kings Village Road and Mt. Hermon Road**	**Open – Site Assessment[78] Cleanup Program Site (arsenic, lead or total petroleum hydrocarbons as diesel [TPHd])**	**Within Plan Area**
Commercial Property	662 Mt. Hermon Road	Closed Cleanup Program Site	Within Plan Area
Scotts Valley Middle School	8 Bean Creek Road	Closed LUST Case	552 feet east
Shell Station	90 Mt. Hermon Road	Closed LUST Case	700 feet southeast
Mobil Station #10-KDQ	201 Mt. Hermon Road	Closed LUST Case	397 feet south
BP #11239	201 Mt. Hermon Road	Closed LUST Case	370 feet south
Skypark Airport Property	400 Kings Village Rd	Closed LUST Case	Adjacent Northwest
Tosco - Facility #6153	99 Mt. Hermon Rd	Closed LUST Case	770 feet south
Scotts Valley Gas & Mart (Waste Oil Tank)	201 Mt. Hermon Rd	Closed LUST Case	414 feet south

[76] Open – Remediation suggests that an approved remedy or remedies has/have been selected for the impacted media at the site and the responsible party is implementing one or more remedy under an approved cleanup plan for the site.

[77] Open – Long-Term Management suggests remediation phases are complete, all current risks to receptors are mitigated, and risk management measures are in place. A monitoring/sampling program is occurring to confirm ongoing performance of the risk management measures. The case should be periodically re-evaluated to verify that the risk management remains effective and to evaluate the case for closure when risk management is no longer warranted.

[78] Open – Site Assessment suggests that site characterization, investigation, risk evaluation, and/or site conceptual development are currently occurring at the site.

Site Name	Address	Status	Distance from the Plan Area
Watkins-Johnson Superfund Site	**440 Kings Village Road**	**Open Cleanup Program Site [TCE**	**180 feet north**
Bold= open case			

Former Kings Cleaner

The subject property was formerly operated as a dry-cleaning facility. PCE is used in the dry-cleaning process. A release of 55-gallons of PCE was reported in 1970. PCE and related chemicals may be present in subsurface soil vapor and possibly subsurface soil at concentrations above applicable health-based screening levels. Remediation activities are ongoing at the property under the oversight of the County of Santa Cruz Environmental Health Division.

Scotts Valley Target

The subject property is under oversight by the County of Santa Cruz Environmental Health Division under a Long-Term Management. VOC impacts (primarily PCE) to soil vapor and groundwater were reported at the property due to the upgradient Scotts Valley Dry Cleaners (refer to discussion below). A vapor intrusion mitigation system (VIMS) was installed in 2022 at the Target Store.

Scotts Valley Square Dry Cleaners

PCE was detected migrating from the Scotts Valley Dry Cleaners in 1999. A release resulting in PCE and TCE impacts to groundwater at the Scotts Valley Dry Cleaners occurred sometime after 1985. The Central Coast RWQCB is currently providing regulatory oversight of the investigation and cleanup of the property.

From July 2005 to August 2015, a groundwater extraction and treatment system operated at the site. Approximately 1.2 million gallons of groundwater were extracted, treated, and discharged. After more than ten years of operation, the groundwater extraction and treatment system had removed only 3.66 pounds of PCE.[79] Currently, 18 groundwater monitoring wells, 11 soil-vapor extraction wells, and seven air sparging wells are installed at the site. Based on the most recently conducted groundwater monitoring, concentrations of PCE and TCE are within the historical ranges and appear to be relatively stable.[80]

Former Skypark Airport Property

The subject property consists of approximately 12.4 acres of land, the majority of which were formerly developed as part of Skypark Airport, a small Municipal airport. Surface soils have been impacted with either arsenic, lead or total petroleum hydrocarbons as diesel (TPHd) at

[79] Terraphase Engineering. *Semiannual Monitoring Report July 1 to December 31, 2024 Scotts Valley Dry Cleaners, 272A Mount Hermon Road, Scotts Valley, California.* July 22, 2025.
[80] Ibid.

concentrations exceeding residential Environmental Screening Levels (ESLs) or established arsenic background levels. Remedial excavation activities were successfully completed between October 2 and October 16, 2023, at the subject property.[81] All impacted soils exceeding site cleanup goals have been successfully removed, properly disposed of at an offsite landfill and potential risk to future residential site users from residual soil impacts has been eliminated. PCE soil vapor impacts from an offsite source exceed residential or commercial ESLs, however, do not pose a health risk under current site conditions (i.e., undeveloped lands with no structures). Soil vapor intrusion mitigation would be required to eliminate the potential vapor intrusion risk to occupied structures.

The County of Santa Cruz Environmental Health Division has determined that there are no further requirements for investigation and/or cleanup at this time. As a final condition for case closure, a land use covenant will need to be recorded to document residual soil vapor impacts on-site.[82]

Off-Site Sources of Contamination

As summarized in Table 3.9-1, there is one open Cleanup Program Site (Watkins-Johnson Superfund Site) located at 440 Kings Village Road. The EPA provides regulatory oversight of the subject property under the Superfund program. The subject property was proposed to be on the National Priority List (NPL) as a Superfund in 1987; the EPA issued a Record of Decision (ROD) in 1990. Historically, on-site industrial processes included metal matching, degreasing operations, metal plating, glass etching, welding, soldering, painting, and photo lab activities. Soil and groundwater contamination resulted from the disposal of TCE and trichloroethane (TCA) solvents into the septic leach-field drainage system at the facility.[83]

The EPA ROD established the remedy for clean-up of the subject site, which primarily consisted of extracting contaminated groundwater and treating it to achieve cleanup levels. In 1994, a soil vapor extraction system and treatment system were installed. TCE has not been detected in the groundwater since 2011. PCE is the only contaminant of concern above clean-up standards and it appears to be entirely from an off-site source.[84] As a result, groundwater extraction has stopped, and clean-up activities are considered complete.

Asbestos, Lead-Based Paint, Polychlorinated Biphenyls

As stated in Section 3.9.1.1, the United States Consumer Product Safety Commission banned the use of lead-based paint in 1978. Due to the age of some of the existing buildings within the Plan predating 1978, (such as most of the buildings within the Kings Village Shopping Center), ACMs and lead-based paints may be present. In addition, materials including lamps, thermostats, light switches that contain mercury, batteries from exit signs, emergency lights, smoke alarms, lighting

[81] Weber, Hayes & Associates. *Remedial Excavation Completion Report Scotts Valley Town Center Parcels.* January 10, 2024.
[82] County of Santa Cruz Environmental Health Division. "Response to Remedial Excavation Completion Report; Former Skypark Airport (GeoTracker Global IDs T10000018739 and T10000018740), Kings Village Road and Mount Hermon Road, Scotts Valley, California." January 30, 2024.
[83] City of Scotts Valley. *Aviza Site General Plan Amendment and Zone Change Draft EIR*. February 2018.
[84] Ibid.

ballasts which contain PCBs, lead pipes, and roof vent flashings could result in risk to human health and the environment if improperly managed.

Airport Hazards

There are no public or private airports within two miles of the Plan. Watsonville Municipal Airport is the only public airport within the County and is located approximately 14.7 miles southeast of the project site. The project is not within the Watsonville Municipal Airport's Airport Influence Area (AIA).[85] There are three private airports within the County of Santa Cruz: the Monterey Bay Academy Airport (approximately 13.7 miles southeast of the project site), the Las Trancas Airport (approximately 13.5 miles west of the project site), and the Bonny Doon Village Airport (approximately 5.8 miles northwest of the project site).

Wildland Fire Hazards

A small portion of the northern Plan area, as shown on Figure 3.20-1, is within a moderate fire hazard zone.[86,87,88, 89] Section 3.20 Wildfire discusses wildfire risk in more detail.

3.9.2 Impact Discussion

For the purpose of determining the significance of the project's impact on hazards and hazardous materials, would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

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[85] County of Santa Cruz. *County of Santa Cruz General Plan / Local Coastal Program.* March 2024. Chapter 2: Built Environment Element.

[86] CalFire. "Find your Fire Hazard Severity Zone (FHSZ) and local public contacts." Accessed May 1, 2025. https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones.

[87] CalFire. *Local Responsibility Area Fire Hazard Severity Zones.* February 24, 2025.

[88] The Fire Hazard Severity Zone Map created by CalFire evaluates "hazard" not "risk". "Hazard" is based on the physical conditions that create a likelihood and expected fire behavior over a 30 to 50 year period without considering mitigation measures such as home hardening, recent wildfire, or fuel reduction. "Risk" is the potential damage a fire can do to the area under existing conditions, accounting for any modifications such as fuel reduction projects, defensible space, and ignition resistant building constriction. Classification of a wildland zone as Moderate, High or Very High fire hazard is based on the average hazard across the area included in the zone, which have a minimum size of 200 acres. In wildlands, hazard is a function of modeled flame length under the worst conditions and annual burn probability. Both these factors generally increase with increasing hazard level. On average, both modeled flame length and burn probability increase by roughly 40 to 60 percent between hazard classes. Classification outside of wildland areas is based on the fire hazard of the adjacent wildland and the probability of flames and embers threatening buildings. Source: CalFire. Frequently Asked Questions About 2024 Fire Hazard Severity Zones. December 18, 2024. https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/osfm-website/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/2024-fhsz-faqs_english.pdf?rev=538374a27bb44bbab4c2786ff2eafb39&hash=AD4DB7857E3EF6F0BEC0B56429A1C262

[89] CalFire does not state restrictions for a moderate fire hazard zone. A Very High Fire Hazard Severity Zone in the LRA triggers a 100-foot clearance requirement. California's WUI building codes apply to the design and construction of new buildings in High and Very High FHSZs, which the Plan area does not fall under. Source: Ibid.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

3.9.2.1 *Project Impacts*

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Construction

Future construction of development projects under the Plan could involve the use of potentially hazardous materials, such as vehicle fuels, oils, and fluids. However, all hazardous materials would be transported, contained, stored, used, and disposed of in accordance with manufacturers' instructions and would be handled in compliance with all applicable standards and regulations required by the DTSC, Cal/OSHA, and the County of Santa Cruz Department of Environmental Health (refer to Section 3.9.1.1). Construction-related hazardous materials use would be temporary, and would not require routine transport, use, or disposal. Any hazardous materials (e.g., debris or soil containing lead-based paint or coatings) that would be removed from the site during project construction would be properly disposed of in compliance with all applicable standards and regulations.

Operation

The use, storage, transport, and disposal of hazardous materials by future residents and commercial tenants/owners would be required to comply with existing regulations that apply to the uses that involve transporting, using, or disposing of hazardous materials include RCRA, CERCLA, and CCR Title 22 (refer to Section 3.9.1.1 Regulatory Framework). Adherence with the aforementioned regulations and processes would ensure that the routine transport, use, or disposal of hazardous

materials by future development under the Plan would not create a significant hazard to the public or the environment. **(Less than Significant Impact)**

b) Would the project 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?

Demolition

As discussed in Section 3.9.1.2 Existing Conditions, due to the age of the existing buildings within the Plan, ACMs, lead-based paints, and PCBs may be present and could pose a risk to human health and the environment if improperly managed. Future development would adhere to CCR Title 8, Section 1532.1 to reduce impacts from ACMs, LBP, and PCBs to less than significant levels. Therefore, with compliance with existing federal, State, and local regulations, future development would not create a significant hazard during demolition. In addition, the following Standard Permit Conditions would be required by the City for any future project-specific development involving the demolition of existing buildings.

Standard Permit Conditions

- Remove all potentially friable asbestos prior to building demolition or any renovation and reuse that could disturb asbestos. Removal of such materials would occur in accordance with the National Emissions Standard for Hazardous Air Pollutants (NESHAP) guidelines.
- Prior to demolition of structures constructed prior to 1978, remove all peeling and flaking point and dispose of separately from other building debris, in accordance with current DTSC requirements. Any debris containing lead paint or coasting must be disposed of at landfills that have the appropriate acceptance criteria. If such structures are to be renovated and reused, they should be repainted with non-lead paints.
- During demolition of structures constructed prior to 1978, follow the Cal/OSHA Lead Construction Standard, Title 8 California Code of Regulations (CCR) 1532.1 requirements, which include use training, air monitoring, and dust control.
- Prior to demolition of structures, remove all fluorescent light ballasts and tubes and dispose of in accordance with EPA requirements.
- Dispose of all hazardous materials on the project site in accordance with local, state, and federal hazardous materials regulations.

Subsurface Contamination

The Plan area contains Skypark Airport, which was formerly used as an airport. As discussed above in Section 3.9.1.2 Existing Conditions, there are four open Cleanup Program sites within the Plan area. The primary contaminants of concern are PCE, TCE, and TPHd. Various remedial activities have been ongoing at these sites under the oversight of the Central Coast RWQCB and County of Santa Cruz Environmental Health Division. Future development within the Plan could encounter and

disturb contaminated soil, soil vapor, and groundwater, and result in adverse effects on construction workers, existing residents and employees, and nearby sensitive receptors. As summarized in Table 3.9-1, there are historic sources of contamination within the Plan area and surrounding properties.

Impact HAZ-1: Future development within the Plan area could encounter and disturb contaminated soil, soil vapor, and groundwater, and result in adverse effects on construction workers, existing residents and employees, and nearby sensitive receptors.

General Plan Policies that Reduce Impacts

The following General Plan policies would reduce impacts associated with contaminated soil, soil vapor and/or groundwater from future development in the Plan:

- **SN-4.9:** Hazardous Material Program. The City shall continue to administer through the County Comprehensive Hazardous Materials Program, pursuant to Chapter 6.95 of the California Health and Safety Code.
- **SN-4.11:** Mitigation Processes. Mitigate hazard exposure from new development projects through the environmental review process, design criteria, and standards development.
- **SN-4.12:** Site Assessments. Where necessary and based on the history of land use, require site assessments for hazardous and toxic soil contamination prior to approving development project applications.

Mitigation Measure:

The following mitigation measure would be incorporated as part of the Plan to ensure General Plan policy SN-4.12 is applied to all development projects under the Plan to reduce impacts from hazards and hazardous materials that may be present.

MM HAZ-1.1: All future development that would occur as a result of the Plan would be required to complete a Phase I Environmental Site Assessment (ESA), unless the Community Development Director determines that a prior Phase I ESA completed for the site adequately establishes baseline conditions and/or the site has undergone regulatory oversight and the site condition is deemed acceptable for the proposed use. The Phase I ESA must be prepared by a qualified environmental consultant and will assess the property's nature, history, and setting. If determined necessary based on the findings of the ESA, future development would be required to complete additional testing and/or reports. Mitigation for future projects will be implemented as deemed necessary by the required ESAs to mitigate the risk of hazardous materials being released into the environment.

Compliance with the above General Plan policies and mitigation measure MM HAZ-1.1 would ensure that future development under the Plan does not create a significant hazard to the public or

the environment through the disturbance of contaminated soil, soil vapor, and groundwater. **(Less than Significant Impact with Mitigation Incorporated)**

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The Plan area includes Pacific Sands Academy located off Mt. Hermon Road. Schools that are outside of the Plan area and within 0.25 mile include Coast Redwoods Montessori at 255 Mt. Hermon Road (258 feet south of the project area) and Scotts Valley Middle School at 8 Bean Creek Road (515 feet east of the project area).

Land uses allowed under the Plan include residential, commercial, and public/quasi-public uses, which do not emit hazardous emissions or handle acutely hazardous materials. Land uses allowed under the Plan may involve small quantities of cleaning and maintenance supplies, which would be properly stored and handled. As discussed under checklist question a), future development would comply with existing regulations that apply to the uses that involve transporting, using, or disposing of hazardous materials include RCRA, CERCLA, and CCR Title 22 (refer to Section 3.9.1.1 Regulatory Framework). During future demolition and construction activities, adherence to existing federal, state, and local laws and regulations (including General Plan policies) pertaining to the handling, storage, and disposal of hazardous materials would ensure that no significant hazards to the public or the environment would result. Therefore, future development under the Plan would not result in the emission of hazardous emissions or exposure of an existing or proposed school to hazardous materials, substances, or waste. **(Less than Significant Impact)**

d) Would the project 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?

As shown in Table 3.9-1 above, there are eight sites within the Plan area that are on the Cortese List as compiled pursuant to Government Code Section 65962.5. As discussed above in Section 3.9.1.2 Existing Conditions, there are four open Cleanup Program sites within the Plan.

As discussed under checklist question b), future development on those sites currently on the Cortese List could encounter and disturb contaminated soil and groundwater. Consistent with General Plan policies SN-4.9, SN-4.11 and SN-4.12, future development projects would be required to complete Phase I ESAs and mitigate hazard exposure during environmental review. Compliance with mitigation measures MM HAZ-1.1 would ensure that there would be no significant hazard to the public or environment due to development on a site included on the Cortese List.

Further, any required remediation would be completed under the oversight of the Central Coast RWQCB to ensure that all remediation requirements are met. Additionally, all dewatering activities, including the dewatering of contaminated groundwater, would be conducted in accordance with

the requirements of the RWQCB and the City's Municipal Code 12.14.030, which would ensure that contaminated groundwater is disposed of properly and is not discharged into the storm drain system. Groundwater at 272-A Mt. Hermon Road has been recorded to occur between 11.94 to 25.70 feet bgs.[90] Adherence to the aforementioned regulations and processes would ensure that future development under the Plan on the sites listed on the Cortese List would not create a significant hazard to the public or the environment. **(Less than Significant Impact)**

e) If 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?

As described in Section 3.9.1.2 Existing Conditions, the project site is not within two miles of a public airport or public use airport, or within an airport land use plan. **(No Impact)**

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Buildout under the Plan would not impair or interfere with implementation of an emergency evacuation plan, including the EOP, CWPP, or LHMP plans described in Section 3.9.1.1. The Santa Cruz County Office of Response, Recovery, and Resilience serves as the emergency management office for responding to ongoing disasters in the County. Evacuations are frequently a response to natural disasters in order to protect people from potential harm. People may be evacuated because they are in the direct path of a natural disaster or because emergency responders may lose the ability to rescue residents due to road closures.

The County and City uses a variety of methods to notify residents when an evacuation is necessary. These include 911 calls, text or phone messages through Code Red, and/or door to door notifications. Evacuation areas are determined by the incident command team, who are in charge of responding to the disaster. Buildout of the Plan would not interfere with the County's ability to notify residents when an evacuation is necessary. Further, the City's EOP outlines a Standardized Emergency Management System (SEMS) to manage responses to multi-agency and multi-jurisdiction emergencies. Should an emergency occur within the City, a coordinated response would occur according to the plans and systems outlined in the City's EOP. The buildout of the Plan, for the reasons noted below, would not interfere with the City's ability to successfully organize and respond to emergencies.

The Plan would not result in substantial changes to the circulation patterns or emergency access routes and would not block or otherwise interfere with use of evacuation routes. The Plan would introduce four new roadways: Main Street, Park Street, Theater Walk, and Aero Lane, thereby

[90] ENSR. Phase I Environmental Site Assessment. Scotts Valley Square 262-274 Mt. Hermon Road. May 23, 2000. https://www.envirostor.dtsc.ca.gov/getfile?filename=/public%2Fdeliverable_documents%2F9615995645%2FScotts%20Valley%20Dry%20Cleaners%20Phase%20I%20Env.%20Site%20Assessment.pdf

improving access within the Plan and facilitating emergency response. As described in the Plan, the new roadways within the Plan area would be constructed to comply with all applicable dimensional and design standards. Buildout under the Plan would be required to comply with adopted local, regional, and State plans and regulations addressing emergency access, and the new roadways would comply with standards set forth by the Scotts Valley Fire District to provide adequate emergency access.

Construction and operation under the Plan, which would be done in accordance with City and County building and fire codes and regulations, would not impair implementation of or physically interfere with the County's LHMP or CWPP, or with the City's EOP. As discussed under Checklist Question d) in Section 3.17 Transportation, the project would not result in inadequate emergency access. For these reasons, implementation of the Plan would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. **(Less than Significant Impact)**

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

As aforementioned in Section 3.9.1.2 Existing Conditions, a portion of the northern Plan area is mapped on CalFire's Fire Hazard Severity Zones as being within a moderate fire hazard zone.[91,92] A portion of all proposed Land Use Districts within the Plan area are within the moderate fire zone. Therefore, there would be an inherent risk of exposure to wildfire to people working, living, and utilizing recreational facilities within the Plan Area.

However, development under the Plan would avoid exacerbating wildfire risks by complying with the standards set forth in the California Public Resources Code Section 4442 through 4431, which include restrictions on the type of equipment that can be used in fire prone areas to reduce the risk of causing wildfire during construction activities. Section 3.20 Wildfire below discusses polices the Plan would adhere to mitigate fire risk in depth. Therefore, exposure of people or structures to a significant risk of loss, injury or death involving wildland fires as a result of the project would be a less than significant impact. **(Less than Significant Impact)**

[91] CalFire. "Find your Fire Hazard Severity Zone (FHSZ) and local public contacts." Accessed May 1, 2025. https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones.
[92] CalFire. *Local Responsibility Area Fire Hazard Severity Zones.* February 24, 2025.

3.9.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant hazards and hazardous materials impact?

Transport, Use, and Disposal of Hazardous Materials

The transport, use, and disposal of hazardous materials by future development within the Plan area and elsewhere in the City would not create a significant hazard to the public or the environment with adherence to the regulations and processes identified in Section 3.9.1.1, which are mandated by federal and state law. All cumulative projects within the cumulative area of effect would be subject to these regulations and processes. Accordingly, buildout of the Plan would not contribute to a cumulatively considerable impact on the public or environment due to the transport, use, and disposal of hazardous materials.

Release of Hazardous Materials Due to Upset and Accident Conditions

Hazardous material release is a localized condition, therefore the geographic area for cumulative hazardous material release is the Plan area and its immediate surroundings. There is one cumulative project identified in Table 3.0-1 Cumulative Projects List, the Valley Gardens Project located at 263 Mt. Hermon Road and 475 Lockewood Lane, approximately 400 feet south of the Plan area. The Valley Gardens Project and the Plan would be required to adhere to CCR Title 8, Section 1532.1 to reduce demolition impacts from ACMs, LBP, and PCBs. The Valley Gardens Project and the Plan would be required to comply with General Plan policies SN-4.11 and SN-4.12, which requires completion of site assessments and mitigating hazard exposure as part of the environmental review process. Adherence with the regulations and processes identified in Section 3.9.1.1 by all cumulative projects (as mandated by federal and state law) would ensure that the Plan does not contribute to a cumulatively considerable impact due to the release of hazardous materials into the environment.

Government Code Section 65962.5 Sites

There are no sites adjacent to the Plan area as listed in Table 3.0-1 Cumulative Projects List that are listed on the Cortese List. Nonetheless, pursuant to the discussion under checklist question d), any cumulative development projects occurring on sites included on the Cortese list would be required to adhere with the aforementioned regulations and processes to ensure that development would not create a significant hazard to the public or the environment.

Impairment or Interference with Emergency Plans

The new roadways proposed under the Plan would not block or otherwise interfere with use of evacuation routes. Therefore, the Plan would not result in a cumulatively considerable impact due to the impairment or interference with emergency response or evacuation plans.

Exposure of People and Structures to Wildland Fires

As discussed under checklist question g), the Plan would avoid exacerbating wildfire risks by complying with the standards set forth in the California Public Resources Code Section 4442 through 4431, which include restrictions on the type of equipment that can be used in fire prone areas to reduce the risk of causing wildfire during construction activities. As discussed above, the project would not impair or interfere with emergency response or evacuation plans, including those related to wildland fires. Therefore, the project would not contribute to a cumulatively considerable impact.

With adherence to existing regulations and policies (including the General Plan), the project would not result in a cumulatively considerable contribution to a significant hazardous materials or hazards impact. **(Less than Significant Cumulative Impact)**

3.10 Hydrology and Water Quality

The following discussion is based in part upon a Water Supply Assessment prepared in August 2025 by BKF Engineers and adopted by the Scotts Valley Water District, and a Storm Drain System Technical Memorandum completed September 2025 by BKF Engineers. These reports are included as Appendix E and Appendix G, respectively, of this EIR.

3.10.1 Environmental Setting

3.10.1.1 *Regulatory Framework*

Federal and State

The federal Clean Water Act and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality in California. Regulations set forth by the Environmental Protection Agency (EPA) and the State Water Resources Control Board (SWRCB) have been developed to fulfill the requirements of this legislation. EPA regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into the waters of the United States (e.g., streams, lakes, bays, etc.). These regulations are implemented at the regional level by the Regional Water Quality Control Boards (RWQCBs). The Plan area is within the jurisdiction of the Central Coast RWQCB.

Clean Water Act

The Clean Water Act (CWA) (33 U.S.C. Section 1251 et seq.) was enacted with the intent of restoring and maintaining the chemical, physical, and biological integrity of the waters of the United States. The CWA establishes the basic structure for regulating discharges of pollutants into the waters of the United States and has given the United States Environmental Protection Agency (EPA) the authority to implement pollution control programs. The CWA requires states to set standards to protect, maintain, and restore water quality through the regulation of point source and certain non-point source discharges to surface water.

Section 303(d) of the CWA (CWA, 33 USC 1250, et seq., at 1313(d)) requires states to identify "impaired" water bodies as those which do not meet water quality standards. States are required to compile this information in a list and submit the list to the EPA for review and approval. An affected waterbody, and associated pollutant or stressor, is then prioritized in a list of impaired water bodies known as the 303(d) List. The CWA further requires the development of a Total Maximum Daily Load (TMDL) for each listing. The "303(d) list" can be found on the on the SWRCB's website.[93]

[93] California State Water Resources Control Board. "2020-2022 California Integrated Report (Clean Water Act Section 303(d) List and 305(b) Report)." May 11, 2022. Accessed January 10, 2025. https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2020_2022_integrated_report.html.

Section 404 of the CWA requires a permit for construction activities involving placement of any kind of fill material into waters of the U.S. or wetlands. A Water Quality Certification pursuant to Section 401 of the CWA is required for Section 404 permit actions. If applicable, construction would also require a request for Water Quality Certification (or waiver thereof) from the Regional Water Quality Control Board (RWQCB).

When an application for a Section 404 permit is made, the applicant must show it has:

- Taken steps to avoid impacts to wetlands or waters of the United States, where practicable;
- Minimized unavoidable impacts on waters of the United States and wetlands; and
- Provided mitigation for unavoidable impacts.

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) established the National Flood Insurance Program (NFIP) to reduce impacts of flooding on private and public properties. The program provides subsidized flood insurance to communities that comply with FEMA regulations protecting development in floodplains. As part of the program, FEMA publishes Flood Insurance Rate Maps (FIRMs) that identify Special Flood Hazard Areas (SFHAs). An SFHA is an area that would be inundated by the one-percent annual chance flood, which is also referred to as the base flood or 100-year flood.

Statewide Construction General Permit

The SWRCB has implemented an NPDES General Construction Permit for the State of California (Construction General Permit) as authorized under Section 402 of the CWA (Water Quality Order 99-08-DWQ). For projects disturbing one acre or more of soil, a Notice of Intent (NOI) must be filed with the RWQCB by the project sponsor, and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared by a qualified professional prior to commencement of construction and filed with the RWQCB by the project sponsor. The Construction General Permit includes requirements for training, inspections, record keeping, and, for projects of certain risk levels, monitoring. The general purpose of the requirements is to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges.

Regional and Local

Central Coast RWQCB Post-Construction Stormwater Management Requirements

In July 2013, the Central Coast RWQCB adopted Order R3-2012-0032, which requires new and more stringent Post-Construction Requirements (PCRs) for proposed development projects. The PCRs mandate that development projects use Low Impact Development (LID) features and facilities to detain, retain and treat site runoff. LID incorporates and conserves on-site nature features, together with constructed hydrologic controls to more closely mimic pre-development hydrology and

watershed processes. Projects that receive their first discretionary approval after March 6, 2014, are subject to the PCRs if they create or replace 2,500 square feet or more of impervious area.

The PCR tiers range from Tier 1 to Tier 4, with requirements strengthened for each additional tier. Tier 4 projects have the most stringent requirements. For these projects which create or replace 22,500 square feet or more of impervious surface, post-development peak flows discharged from the project site must not exceed pre-project peak flows for the 2-year through 10-year storm events. This requirement is in addition to other requirements for Tier 1-3 projects.

Scotts Valley General Plan

The General Plan contains the following policies which are specific to hydrology and water quality and are applicable to the project:

Policy	Description
OSC-1.2	**Regional Collaboration – Stormwater.** Continue to partner with and support federal, state, and local agencies in regional planning and management initiatives to promote and enhance water quality in Scotts Valley and the region. Participate in efforts to reduce stormwater and urban runoff impacts to water quality, restoration efforts, and regional mitigation, monitoring, and public education programs.
OSC-3.2	**Water Use Efficiency.** Continue to partner with and support water districts in the Planning Area to develop and implement water use efficiency programs.
OSC-3.4	**Storm Drainage System.** Seek to maintain a storm drainage system which provides optimal flood protection and maximum groundwater recharge.
OSC-3.6	**Project Surface and Groundwater Supplies.** Maintain regulatory measures to protect streams, creeks, ponds, and aquifers from pollution due to toxic substances, and erosive forces.
OSC-3.7	**Development Impact to Groundwater Resources.** As part of the environmental review process, and in cooperation with the applicable water districts, require new development to evaluate the impact to local water resources. Where deemed appropriate, mitigation may include construction of recharge improvements.
OSC-3.8	**Non-Point Source Pollution**. Minimize, avoid, or eliminate non-point source pollution by controlling stormwater runoff, polluted dry weather runoff, and other pollution, in compliance with Scotts Valley's National Pollutant Discharge Elimination System (NPDES) Permit and Stormwater Management Plan.
OSC-3.9	**Best Management Practices – Stormwater.** Require new development, public and private, to meet or exceed state stormwater requirements and incorporate best management practices to treat, infiltrate, or filter stormwater runoff and reduce pollutants discharged into the storm drain system during construction and post-construction, to the maximum extent practicable.
OSC-3.12	**City Property Water Quality Maintenance.** Design, construct, and maintain City properties in a manner that maximizes water quality protection through: 1) Designing new and renovated landscaped and paved areas that suit site conditions, protect water quality, and support sustainable maintenance; 2) Using drought-tolerant native and non-invasive plant species; 3) Incorporating Low Impact Development design techniques; 4) Practicing the principles of integrated pest management; and, 5) Selecting and using fertilizers that minimize negative impacts on soil organisms and aquatic environments.

	Water Use. Encourage efficient water use methods such as the use of low-flow plumbing fixtures and water-wise landscaping in new and existing residences and businesses.
OSC-3.14	**Drainage Plans.** Require new development to protect water infiltration, purification, and retentive functions of natural systems. Drainage plans shall be designed to complement and utilize existing drainage patterns and systems, providing drainage for the developed area while minimizing the potential for erosion.
OSC-3.15	**Impervious Surfaces.** New development shall minimize the amount of impervious surfaces and shall be prohibited from having post-project peak stormwater runoff discharge rates exceeding the estimated pre-project rate.
OSC-3.16	**Prevent Contaminant Settling.** Utilize natural features supplemented by engineering designs to prevent contaminants from settling over recharge areas while allowing percolation of non-contaminated water into the aquifer.
OSC-3.17	**Project Groundwater and Water Quality Impacts.** Use the environmental review process to determine potential groundwater and water quality impacts of new development.
OSC-3.18	**Water Quality Best Management Practices**. Require new development to implement best management practices that reduce stormwater runoff and water quality impacts associated with the construction and operation of the project.

3.10.1.2 *Existing Conditions*

Drainage and Flooding

There are no streams or waterways in the Plan area. The closest waterway to the project is Carbonera Creek, which is 0.5 miles east of the Plan area. The project is located in the San Lorenzo River watershed; the entire City of Scotts Valley lies within the watershed. The Plan area is within Flood Zone X, which is defined as the area determined to be outside the 500-year flood and protected by levee from 100-year flood.[94] The Plan area currently utilizes the City's storm water system. As described in the Storm Drain System Utility Impact Analysis completed for the Plan (see Appendix G), the City of Scotts Valley is comprised of storm drain systems that drain directly to the Carbonera or Camp Evers Creek or tributaries to the creeks. Pipe sizes vary across the network (e.g., minimum diameters of 18 inches are required within County rights-of-way and 12 inches permitted for driveway culverts). The Plan area's storm drainage system outfalls to Camp Evers Creek.

Per the City's Storm Drain Master Plan Update, the majority of the Plan area is within a high priority area for hydraulic concern, whereas the easterly portion of the Plan area is a medium priority. Onsite storm drainage systems convey storm runoff from each parcel within the Plan area to the adjacent public roadways before entering the existing reinforced concrete pipe in Mt. Hermon Road. The Storm Drain Master Plan discloses a bottleneck with localized flooding at Whispering Pines Drive and therefore identifies a high priority Capital Improvement Program project to replace

[94] FEMA. "Header Controller FEMA's National Flood Hazard Layer (NFHL) Viewer." Accessed May 30, 2025. https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-122.03474347441282,37.042427934110584,-122.02238385527222,37.05099109691775.

a culvert beneath Whispering Pines Drive and construct a bioswale upstream of the culvert to infiltrate runoff. [95]

Water Quality

The water quality of streams, creeks, ponds, and other surface water bodies can be greatly affected by pollution carried in contaminated surface runoff. Pollutants from unidentified sources, known as "non-point" source pollutants, are washed from streets, construction sites, parking lots, and other exposed surfaces into storm drains. Carbonera Creek, the creek closest to the Plan area, is on the 303(d) list of impaired waterways for sedimentation, nutrients, and indicator bacteria.[96]

Groundwater

The Santa Margarita Groundwater Basin (SMGB) is a primary water supply source for Scotts Valley and covers over 30 square miles. The Plan area is within a groundwater recharge area.[97] The SMGB covers over 34 square miles (21,760 acres) in the Santa Cruz Mountains foothill forming a triangular area that extends from Scotts Valley to the east, Boulder Creek to the northwest, and Felton to the southwest. The SMGB contains the City of Scotts Valley, and the communities of Boulder Creek, Brookdale, Ben Lomond, Lompico, Zayante, Felton, and Mount Hermon.

The SMGB has three principal aquifers, each with their own unique characteristics:

- Santa Margarita Sandstone (Santa Margarita aquifer)
- Monterey Formation
- Lompico Sandstone (Lompico aquifer)

As discussed in detail in Section 3.19 Utilities and included as Appendix E, a Water Supply Assessment (WSA) was completed for the Plan which discloses that the potable water source for the City is groundwater from the SMGB, and the WSA concluded that the SVWD has adequate water supply from the SMGB to serve buildout of the Plan.

Dam Failure

The closest dam to the City of Scotts Valley is the Loch Lomond Dam. The City is over a mile from the nearest potential area of inundation and the City is separated from this area by significant topography.[98]

[95] City of Scotts Valley. Storm Drain Master Plan Update. October 2018.
[96] California Water Boards. "Appendix A: 2018 303(d) List of Impaired Waters." Accessed June 2, 2025. https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2018_integrated_report.html.
[97] Santa Margarita Groundwater Agency. *Groundwater Sustainability Plan*. 2021. Figure 2-24.
[98] City of Scotts Valley. *Scotts Valley General Plan.* August 2023.

Seiches, Tsunamis, and Mudflows

A seiche is an oscillation of the surface of a lake or landlocked sea varying in period from a few minutes to several hours. There are no landlocked bodies of water near the Plan area that, in the event of a seiche, will affect the Plan Area.

A tsunami or tidal wave is a series of water waves caused by the displacement of a large volume of a body of water, such as an ocean or a large lake. Due to the immense volumes of water and energy involved, tsunamis can devastate coastal regions. The Plan area is not within a tsunami inundation area.[99]

3.10.2 Impact Discussion

For the purpose of determining the significance of the project's impact on hydrology and water quality, would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
    - result in substantial erosion or siltation on- or off-site;
    - substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
    - 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
    - impede or redirect flood flows?
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

[99] County of Santa Cruz. *Draft Environmental Impact Report Sustainability Policy and Regulatory Update (SCH No. 2020079005).* Aprill 2022. Figure 4.10-4.

3.10.2.1 *Project Impacts*

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Implementation of the Plan could impact water quality during construction and post-construction of future development.

Construction Water Quality

Future excavation and grading of sites within the Plan could result in sediment and other pollutants being transported from active construction sites to nearby waterways and Monterey Bay through soil erosion, stormwater runoff, and/or wind-blown dust. Construction activities, such as excavation and grading of sites within the Plan could result in sediment and other pollutants being transported from active construction sites to nearby waterways and Monterey Bay through soil erosion, stormwater runoff, and/or wind-blown dust. Any future grading under the Plan that would occur during the winter season (October 15th through April 15th), will be required to prepare a stormwater pollution control plan (SWPPP) addressing the use of BMPs during construction, including appropriate BMPs from the County Construction Site Stormwater Pollution Control BMP Manual. The SWPPP shall include erosion control measures, sediment control measures, temporary water drainage control measures, and site housekeeping requirements for construction materials, waste management, vehicle storage and maintenance, and landscape materials.[100]

Additionally, development under the Plan would comply with Central Coast RWQCB Resolution No. R3-2013-0032, which requires development to comply with NPDES statewide Phase II Municipal General Permit, Order No. 2003-0005-DWQ. The resolution requires all projects that create and/or replace 2,500 square feet or more of impervious surface to implement the following design strategies:

- Limit disturbance of creeks and natural drainage features
- Minimize compaction of highly permeable soils
- Limit clearing and grading of native vegetation at the site to the minimum area needed to build the project, allow access, and provide fire protection
- Minimize impervious surfaces by concentrating improvements on the least-sensitive portions of the site, while leaving the remaining land in a natural undisturbed state
- Minimize impervious surfaces by concentrating improvements on the least-sensitive portions of the site, while leaving the remaining land in a natural undisturbed state
- Minimize stormwater runoff by implementing one or more of the following site design measures:
    - Direct roof runoff into cisterns or rain barrels for reuse

[100] County of Santa Cruz Planning Department. Construction Site Stormwater Pollution Control BMP Manual. October 2011.

- Direct roof runoff onto vegetated areas safely away from building foundations and footings, consistent with California building code
- Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas safely away from building foundations and footings, consistent with California building code
- Direct runoff from driveways and/or uncovered parking lots onto vegetated areas safely away from building foundations and footings, consistent with California building code
- Construct bike lanes, driveways, uncovered parking lots, sidewalks, walkways, and patios with permeable surfaces

Per the resolution, development under the Plan creating and/or replacing 2,500 square feet or more of impervious surface would be required to treat stormwater runoff to reduce pollutant loads and concentrations using physical, biological, and chemical removal. The onsite measure listed below is the preferred method of compliance, however Section B.3.b. of the resolution lists other methods of compliance that could be implemented.

- Low Impact Development (LID) Treatment Systems – Implement harvesting and use, infiltration, and evapotranspiration Stormwater Control Measures that collectively achieve the following hydraulic sizing criteria for LID systems:
  - Hydraulic sizing criteria for LID treatment systems – LID systems shall be designed to retain stormwater runoff equal to the volume of runoff generated by the 85th percentile 24-hour storm event, based on local rainfall data.

Future development under the Plan in compliance with existing regulations described above would not result in significant water quality impacts during construction or post-construction. **(Less than Significant Impact)**

b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

As described in further detail in Section 3.19 Utilities and Service System, a WSA (see Appendix E) was completed for the Plan. The WSA states that the SMGB recharges quickly. Additionally, SMGB groundwater levels are monitored via a network of 40 wells. Further, all SVWD extraction and monitoring wells are equipped with pressure transducers to continuously record groundwater levels.

The WSA confirms that the SVWD, which relies entirely on the SMGB for potable water, has adequate supplies to serve buildout under the Plan. Therefore, future development under the Plan would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. **(Less than Significant Impact)**

c) Would the project 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 result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; 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 impede or redirect flood flows?

The rate and amount of surface runoff is determined by multiple factors, including the amount and intensity of precipitations; amount of water that enters a watershed; and amount of precipitation and water that infiltrates to the groundwater. Infiltration is determined by several factors, including soil type, antecedent soil moisture, rainfall intensity, the amount of impervious surfaces within a watershed, and topography. The rate of surface runoff is largely determined by topography and intensity of rainfall over a given period of time.

Buildout of the Plan would involve grading activities typical of development on relatively flat terrain. Implementation of the Plan over time would result in the eventual conversion and repurposing of land to residential, mixed-use, public, and quasi-public land uses. The conversion of this land would increase the amount of surface area impervious to water, such as pavement, roofing, and walkways, and could increase runoff and alter existing draining patterns. Grading activities may alter existing drainage patterns of stormwater and lead to erosion and siltation.

Any development under the Plan that would disturb more than one acre of land would be required to submit a Notice of Intent to the State Board and apply for coverage under the State NPDES General Permit for Construction Activities, prepare a SWPPP, and submit it for review and approval prior to commencing construction. Stormwater runoff management would be required to adhere to the criteria identified in Central Coast RWQCB Order R3-2012-0032, which requires new and more stringent PCRs for proposed development projects. Specifically, all development that would create or replace 2,500 square feet or more of impervious area would be subject to PCRs, as tiered based on the level of development. The SWPPP would detail the project site-specific BMPs to control erosion and sedimentation and maintain water quality during the construction phase of the proposed project. The SWPPP would also contain a summary of the structural and non-structure BMPs to be implemented during the post-construction period, pursuant to the nonpoint source practices and procedures as required by the City Public Works Department.

Further, all development under the Plan would be subject to the General Plan policies summarized in Section 3.10.1.1. With compliance with General Plan policies, as well as the local and state regulations requiring future project-specific applicants to prepare and submit a SWPPP for review and approval prior to construction activities occurring on the site, implementation of the Plan would not significantly alter the existing drainage pattern of the Plan area. Therefore, future implementation of the Plan would not result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in

flooding on- or off-site; 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 impede or redirect flood flows. **(Less than Significant Impact)**

d) Would the project risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones?

The Plan area is not located within a 100-year flood hazard zone. Additionally, the Plan area would not be subject to inundation by seiche, tsunami, or mudflow.

As discussed in Section 3.9 Hazards and Hazardous Materials, past and current uses of properties in the Plan have resulted in contamination due to activities that involve the handling and storing of hazardous substances. Consistent with General Plan polices SN-4.11 and SN-4.12, future development would be required to mitigate any significant hazard to the public or the environment through the disturbance of contaminated soil, soil vapor, and groundwater. The use, storage, transport, and disposal of hazardous materials by future residents and commercial tenants/owners would be required to comply with existing regulations that apply to the uses that involve transporting, using, or disposing of hazardous materials include RCRA, CERCLA, and CCR Title 22 (refer to Section 3.9.1.1 Regulatory Framework). For these reasons, the Plan would not substantially increase the risk of release of pollutants due to inundation in the 100-year flood zone.

Buildout under the Plan would not involve the routine use, storage, or disposal of hazardous materials during its operation other than limited materials for typical maintenance of residential and commercial properties. Construction of the project could involve the use of potentially hazardous materials, including vehicle fuels, oils, and fluids. However, the risk of flooding for the Plan area is not significant. For these reasons, the project would result in a less than significant risk for releasing pollutants due to inundation. **(Less than Significant Impact)**

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Water Quality Control

As discussed under checklist question a), future development under the Plan would comply with the statewide NPDES Municipal General Permit to reduce runoff and pollution in runoff from construction activities, including preparation of a NOI and SWPPP, and implementation of stormwater control BMPs.

Groundwater Management Plan

As discussed under checklist question b), the WSA (see Appendix E) completed for the Plan confirms that the SVWD, which relies entirely on the SMGB for potable water supply, has adequate supplies to serve buildout under the Plan. As described under checklist question b), future development

under the Plan would not substantially decrease groundwater supplies or substantially interfere with groundwater recharge. The Santa Margarita Groundwater Agency's Groundwater Sustainability Plan developed sustainable management criteria to ensure that groundwater levels are sustainably monitored.[101] As described under checklist question b), SMGB groundwater levels are monitored via a network of 40 wells and all SVWD extraction and monitoring wells are equipped with pressure transducers to continuously record groundwater levels. Buildout of the Plan would not interfere with the Santa Margarita Groundwater Agency's Groundwater Sustainability Plan.

With adherence to the requirements of the Central Coast RWQCB, future development under the Plan would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. **(Less than Significant Impact)**

3.10.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant hydrology and water quality impact?

Water Quality Standards and Discharge Requirements

All cumulative projects would be required to adhere to state and local regulations to comply with water quality standards and waste discharge requirements, thereby resulting in less than significant impacts to surface or ground water quality. These regulations are in place to ensure individual projects do not result in a significant cumulative impact.

Groundwater Supplies and Recharge

As discussed under checklist question b), future development under the Plan would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

SMGB groundwater levels are monitored via a network of 40 wells. Further, all SVWD extraction and monitoring wells are equipped with pressure transducers to continuously record groundwater levels. The WSA confirms that the SVWD, which relies entirely on groundwater from the SMGB for potable water supply, has adequate supplies to serve buildout under the Plan, as well as cumulative demand through 2045. Any future development within the City that meets the SB 610 criteria, such as residential projects with more than 500 dwelling units, and that was not covered by a previous WSA, such as the WSA prepared for the 2025 Plan, would be required to be evaluated in WSAs prepared by the respective water retailer. The City and the water purveyors would review such projects for adequacy of water supply and the water purveyors would update the UWMP every five years to ensure that there are adequate water supplies and contingency plans for future residents

[101] Santa Margarita Groundwater Agency. Santa Margarita Groundwater Agency's Groundwater Sustainability Plan. November 2021.

and customers. For these reasons, future cumulative development would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge.

Alteration of Existing Drainage Patterns

Cumulative projects would be required to adhere to existing regulations (including the Municipal General Permit) to manage stormwater runoff and erosion and reduce impacts to a less than significant level. These regulations are in place to ensure individual projects do not result in a significant cumulative impact.

Project Inundation

The Plan area is not subject to inundation due to floods, tsunamis, or seiches, therefore the potential for the release of pollutants due to inundation is insignificant. Therefore, the buildout of the Plan would not contribute to cumulative impacts due to pollutant release due to inundation.

Conflicts with Water Quality Control and Sustainable Groundwater Management Plans

All cumulative projects would be required to adhere to existing regulations to ensure compliance with water quality control plans. The plans are in place to ensure individual projects do not result in a cumulative impact to water quality or groundwater management. As described above under impact discussion b), the WSA completed for the Plan (Appendix E) confirms that the SVWD, which relies entirely on groundwater from the SMGB for potable supply, has adequate supplies to serve buildout under the Plan. For these reasons, the Plan would not contribute to a cumulatively significant impact related to a water quality control plan or sustainable groundwater management plan.

With adherence to standard permit conditions and existing regulations, the Plan would have a less than significant cumulative impact on hydrology and water quality. **(Less than Significant Cumulative Impact)**

3.11 Land Use and Planning

3.11.1 Environmental Setting

3.11.1.1 *Regulatory Framework*

Local

Scotts Valley General Plan

The General Plan contains the following policies which are specific to land use and are applicable to the project:

Policy	Description
LU-1.3	**Inclusiveness.** Provide for a mixture of land uses that cater to the needs of people of all ages, backgrounds, and abilities.
LU-1.4	**Economic Viability.** Encourage land use patterns and new development that enhances Scotts Valley's long-term economic viability and promotes sustainable (green) business.
LU-1.5	**Public facilities.** Maintain and enhance the City's public facilities to the highest and best use for the benefit of the entire community.
LU-1.6	**Neighborhood Parks.** Maintain and improve neighborhood parks with a variety of facilities that cater to the needs and interest of city residents including youth, seniors, and persons with physical disabilities.
LU-1.9	**Design Quality.** Encourage new development and redevelopment to incorporate high quality design that enhances the visual character of the community.
LU-1.10	**Compatible Development.** Encourage new commercial and residential development that is compatible with neighboring land uses and development patterns, through the incorporation of design guidelines and, where appropriate, mitigation measures.
LU-1.12	**Commercial Development – Landscaping.** Commercial and industrial developments shall be designed and landscaped in an attractive manner and thereafter maintained to visually integrate the development with its surrounding context.
LU-1.13	**Commercial Development – Lighting.** Lighting of commercial and industrial areas shall be controlled to the extent necessary for security, safety, and identification without interfering with adjoining land uses. Lighting shall be directed away from public rights-of-way and adjacent residential land uses.
LU-1.14	**Public and Quasi-Public Facilities.** Designate areas for new public and quasi-public facilities and accessory facilities commensurate with the identified need.
LU-1.15	**Coordination with Utility Providers.** Work with utility providers to identify future utility expansion needs. Obtain easements from property owners to extend private utilities and/or promote cooperation between utility providers and property owners for acquiring easements or rights-of-way for utility expansions.
LU-2.6	**Natural Features.** Protect and enhance natural features, including trees, hillsides, natural habitat, and riparian areas, which contribute to the unique identity of individual neighborhoods.

LU-3.1	**Jobs/Housing Incentives.** Work with representatives from regional, state, and federal agencies to include Scotts Valley incentives programs that link housing to transportation and jobs.
LU-3.2	**Jobs/Housing Balance.** Work with the County and other agencies to develop strategies for improving the region's jobs/housing balance and matching employment opportunities with housing costs.
LU-3.3	**Balanced Land Use Patterns.** Foster land use patterns that balance economic, housing, community, and environmental needs, and promote social diversity.
LU-3.4	**Zoning Densities.** Zone highest densities along transportation corridors.
LU-3.8	**Regional Commercial Services.** Promote availability of commercial sites to accommodate a mix of professional office, service commercial, and retail center developments consistent with the environmental, service, and economic goals of the City.
LU-3.9	**Neighborhood Commercial Services.** Develop, maintain, and encourage economically viable neighborhood-serving commercial districts.
LU-3.11	**Infill Development.** Support well-designed infill development on vacant and underutilized sites that enhances Scotts Valley's quality of life.
LU-3.12	**Infrastructure Costs.** Require new development to pay its proportional share of the costs of expanded infrastructure needed to serve new development.
LU-3.13	**Mass and Scale.** Encourage that the mass, scale and height of new development is compatible with existing homes within residential neighborhoods.
LU-3.14	**Multi-Family Transition.** Encourage new multi-family housing located adjacent to single-family homes respects the size, scale, massing, and appearance of neighboring properties.
LU-4.1	**Commercial Development.** Provide for attractive commercial development (including more intensive and higher quality ground floor retail) along commercial corridors, provided the uses are compatible with or transition easily to adjacent residential areas.
LU-4.2	**Public Amenities.** Encourage new development to provide amenities that enhance the vitality of the corridor, such as outdoor dining and courtyards, publicly accessible or semi-public gathering places, and bicycle and pedestrian facilities.
LU-4.3	**Streetscape Improvements.** Improve the physical appearance along arterial corridors through the installation of additional landscaping in the public right-of-way and improved bicycle and pedestrian facilities.
LU-4.6	**Neighborhood Connections.** Provide pedestrian and bicycle improvements along Mount Hermon Road and Scotts Valley Drive that complement and connect with adjacent residential neighborhoods.

3.11.1.2 *Existing Conditions*

General Plan Designations and Zoning

Land uses west of Kings Village Road have a current General Plan land use designation of Service (corresponding zoning designation of C-S), Public/Quasi Public (corresponding zoning designation of P), and Shopping Center (corresponding zoning designation of C-SC). Land uses east of Kings Village Road have a current General Plan land use designation of Public/Quasi Public, Shopping Center, and Very High Residential (corresponding zoning designation of R-VH) (15.1 – 20 dwelling units/acre).

Permitted densities for the land uses described above are summarized in Table 3.11-1 below.

Table 3.11-1: Permitted Densities

General Plan Land Use Designation	Zoning	Permitted Density
Very High Residential	R-VH	2,100 square feet/dwelling unit (zoning), 15.1 – 20 dwelling units/acre (General Plan)
Service	C-S	45% maximum building coverage, 35 feet height limit
Public/Quasi Public	P	N/A
Shopping Center	C-SC	35% maximum building coverage, 35 feet height limit

Surrounding Land Uses

The surrounding area predominantly consists of residential land uses, landscaping, and trees. The Plan area is bordered by the following land uses: residential to the north and east, commercial to the south, and parkland and residential to the west.

3.11.2 Impact Discussion

For the purpose of determining the significance of the project's impact on land use and planning, would the project:

a) Physically divide an established community?
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

3.11.2.1 *Project Impacts*

a) Would the project physically divide an established community?

A physical division of an established community typically refers to the construction of a physical feature (such as a wall, roadway, or railroad tracks) or the removal of a means of access (such as a local roadway or bridge) that would impair mobility within an existing community or between communities.

The implementation of the Plan would allow for the addition of 657 residential units and the overall intensification of non-residential development within the Plan area. The total amount of non-residential development would increase by 205,663 square feet. While the Plan would allow for growth and development in the Plan area, the area is separated from the majority of the adjacent communities by roadways and parkland. For example, the Plan area is separated from the existing residential community to the north by Bluebonnet Lane. Mt. Hermon Road, a four-lane roadway, separates the Plan area from the commercial land uses to the south. The residential community east of the Plan would not be separated from the Plan by a roadway. Skypark, a portion of which is located within the Plan area, separates the Plan area from the commercial and residential land uses located west of the Plan area.

One of the objectives of the Plan is to improve mobility throughout the Plan through the creation and enhancement of connections to transit, pedestrian, and bicycle facilities. As described in Section 2.3.2 Circulation Improvements and shown on Figure 2.3-2, buildout under the Plan would introduce four new roadways to facilitate connectivity within the Plan area. Additionally, the Plan would include pedestrian and bicycle improvements to create opportunities for a variety of travel options, as described in Section 2.3.2 Circulation Improvements.

Furthermore, the Plan does not include the provision of dividing infrastructure such as highways or railways that could be expected to physically divide existing adjacent communities. For these reasons, the Plan would improve connectivity between the Plan area and adjacent communities and would not physically divide an existing community. **(Less than Significant Impact)**

b) Would the project 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?

As discussed in Section 2.3.1, the project will include adoption of amendments to the City's General Plan and Zoning Ordinance, changing certain existing land use designations in the Plan Area, creating new zoning districts, and updating existing or establishing new development standards to replace some of the current zoning provisions applicable to the Plan Area. These amendments must be completed to ensure consistency between the Plan, General Plan, and Zoning Ordinance.

Compared to the existing conditions within the Plan area, buildout under the Plan would increase development intensity. However, compared to the conditions analyzed for the Plan area within the 2008 Plan EIR and the General Plan, the Plan would decrease the amount of commercial development allowed within the Plan area and decrease the maximum building height permitted, while increasing the permitted residential development. Refer to Section 7 Alternatives for discussion of the impacts of implementing the 2008 Plan. The boundaries of the Plan would also be expanded/amended to include the Scotts Valley Community Center and the Scotts Valley Senior Center compared to the 2008 Plan boundaries. Compared to existing conditions, buildout of the Plan would increase residential, mixed-use, and commercial land uses within the Plan area, create new public spaces, including plazas and an amphitheater, and increase parking.

The Plan would largely maintain the existing zoning and General Plan land use designations for parcels with P and R-VH land use designations. Two new land use designations/zones would be created to allow mixed-use development: MU-TC for properties in the core of the Plan area, MU-N for the existing shopping centers and for properties situated along Skypark Drive. Properties currently zoned as C-SC would be rezoned primarily as MU-N (or MU-TC in a few cases), while properties currently zoned as C-S would be rezoned as MU-TC. Figure 2.3-1 shows the proposed land use districts for the parcels within the Plan area, and allowable land uses within these proposed zones are summarized in Section 2.3.1. As a result, Plan buildout would allow for a net increase of 657 residential units and 205,663 square feet of non-residential uses (82,000 square

feet of which would be commercial). The 2008 Plan allows for 254 residential units, 275,000 square feet of commercial uses, and 35,000 square feet of public/civic facilities.

Development within the Plan area would be subject to the design review process required by Section 17 of the Zoning Code. This review process ensures that all future redevelopment projects under the Plan would be evaluated for their compatibility with their surroundings, harmonious transitions in scale and character between different land uses, safety, integration of natural features, appropriate construction materials, and other aspects. Additionally, development under the Plan would be subject to Chapter 6.3 Development Review and Permitting Process of the Plan, which describes when design review is required, along with the appropriate review bodies for different types of potential future development projects. Procedures are distinguished between those occurring within the City-owned Town Center Core parcels, and those outside.

For these reasons, the Plan would not result in a significant impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **(Less than Significant Impact)**

3.11.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant land use and planning impact?

The geographic area for cumulative land use impacts is the City of Scotts Valley, and the planned cumulative growth for the City is reflected in the adopted General Plan.

Established Community

As discussed under checklist question a), the Plan would improve mobility through the creation and enhancement of connections to transit, pedestrian, and bicycle facilities. Furthermore, the Plan does not include the provision of dividing infrastructure such as highways or railways that could be expected to physically divide existing adjacent communities. Further, the General Plan does not include any infrastructure improvements that would physically divide the community. For these reasons, the Plan would not result in a cumulatively considerable contribution to the division of an established community.

Land Use Plan

Implementation of the Plan, in accordance with General Plan policies and programs, along with changes to existing land use designations in the Plan Area and the creation of new zoning districts, would not result in a cumulatively significant land use and planning impact. Future development under the Plan, in combination with cumulative projects implementing the General Plan, would continue to be subject to the policies and programs of the General Plan. For these reasons, the project would not result in a significant cumulative land use impact. **(Less than Significant Cumulative Impact)**

3.12 Mineral Resources

3.12.1 Environmental Setting

3.12.1.1 *Regulatory Framework*

State

Surface Mining and Reclamation Act

The Surface Mining and Reclamation Act (SMARA) was enacted by the California legislature in 1975 to address the need for a continuing supply of mineral resources, and to prevent or minimize the negative impacts of surface mining to public health, property, and the environment. As mandated under SMARA, the State Geologist has designated mineral land classifications in order to help identify and protect mineral resources in areas within the state subject to urban expansion or other irreversible land uses which would preclude mineral extraction. SMARA also allowed the State Mining and Geology Board (SMGB), after receiving classification information from the State Geologist, to designate lands containing mineral deposits of regional or statewide significance.

3.12.1.2 *Existing Conditions*

There are no identified mineral resource zones within the City as per the City's General Plan. However, an area of significant mineral depositions was identified outside the City limits, within the southwest portion of the General Plan planning area. Known as the Hanson or Kaiser Quarry, Santa Margarita Sandstone was extracted to produce sand for construction. The 200 acre quarry ceased operation in 2003 and no mineral extraction activities presently occur within the City limits or General Plan planning area. Further, the California Department of Conservation maps portions of the City within a mineral lands classification of MRZ-3, which are areas known or inferred construction aggregate resources of undetermined mineral resource significance. The Plan area is located on land with a mineral lands classification of MRZ-1.[102] Lands classified as MRZ-1 are areas where available geologic information indicates that little likelihood exists for the presence of significant construction aggregate resources.

3.12.2 Impact Discussion

For the purpose of determining the significance of the project's impact on mineral resources, would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state?

[102] California Department of Conservation. "Mineral Resource Zone Map for Construction Aggregate in the Monterey Bay Production-Consumption Region." 2021. Accessed May 30, 2025. https://www.conservation.ca.gov/cgs/documents/publications/special-reports/SR_251-MLC-MontereyBayPCR-2021-Plate01-MRZs-a11y.pdf

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

3.12.2.1 *Project Impacts*

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state?

As discussed in Section 3.12.1.2 Existing Conditions, the Plan area is located within MRZ-1 and there are no known mineral resources onsite. The project would not result in the loss of a known mineral resource. **(No Impact)**

b) Would the project 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?

As described above in Section 3.12.1.2 Existing Conditions, the California Department of Conservation maps portions of the City within a mineral lands classification of MRZ-3, which are areas known or inferred construction aggregate resources of undetermined mineral resource significance. However, the Plan area is located on land with a mineral lands classification of MRZ-1,[103] which are areas where available geologic information indicates that little likelihood exists for the presence of significant construction aggregate resources. Therefore, there are no known mineral resources onsite. The Plan would not result in the loss of an important mineral resource recovery site. **(No Impact)**

[103] California Department of Conservation. "Mineral Resource Zone Map for Construction Aggregate in the Monterey Bay Production-Consumption Region." 2021. Accessed May 30, 2025. https://www.conservation.ca.gov/cgs/documents/publications/special-reports/SR_251-MLC-MontereyBayPCR-2021-Plate01-MRZs-a11y.pdf

3.12.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant mineral resources impact?

As described above in Section 3.12.1.2 Existing Conditions, the California Department of Conservation maps portions of the City within a mineral lands classification of MRZ-3, which are areas known or inferred construction aggregate resources of undetermined mineral resource significance. However, the Plan area is located on land with a mineral lands classification of MRZ-1,[104] which are areas where available geologic information indicates that little likelihood exists for the presence of significant construction aggregate resources.. For these reasons, the Plan would not contribute to a cumulative impact on mineral resources. **(Less than Significant Cumulative Impact)**

[104] California Department of Conservation. "Mineral Resource Zone Map for Construction Aggregate in the Monterey Bay Production-Consumption Region." 2021. Accessed May 30, 2025. https://www.conservation.ca.gov/cgs/documents/publications/special-reports/SR_251-MLC-MontereyBayPCR-2021-Plate01-MRZs-a11y.pdf

3.13 Noise

The following discussion is based in part upon a Noise and Vibration Assessment completed July 2025, by Illingworth & Rodkin, Inc. The report is included as Appendix C of this Environmental Impact Report.

3.13.1 Environmental Setting

3.13.1.1 *Background Information*

Noise

Factors that influence sound as it is perceived by the human ear, include the actual level of sound, period of exposure, frequencies involved, and fluctuation in the noise level during exposure. Noise is measured on a decibel scale, which serves as an index of loudness. The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Each 10 decibel increase in sound level is perceived as approximately a doubling of loudness. Because the human ear cannot hear all pitches or frequencies, sound levels are frequently adjusted or weighted to correspond to human hearing. This adjusted unit is known as the A-weighted decibel, or dBA.

Since excessive noise levels can adversely affect human activities and human health, federal, state, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects. Noise guidelines are generally expressed using one of several noise averaging methods, including L_{eq}, DNL, or CNEL.[105] These descriptors are used to measure a location's overall noise exposure, given that there are times when noise levels are higher (e.g., when a jet is taking off from an airport or when a leaf blower is operating) and times when noise levels are lower (e.g., during lulls in traffic flows on freeways or in the middle of the night). L_{max} is the maximum A-weighted noise level during a measurement period.

Vibration

Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Vibration amplitude can be quantified using Peak Particle Velocity (PPV), which is defined as the maximum instantaneous positive or negative peak of the vibration wave. PPV has been routinely used to measure and assess ground-borne construction vibration. Studies have shown that the threshold of perception for average persons is in the range of 0.008 to 0.012 inches/second (in/sec) PPV.

[105] L_{eq} is a measurement of average energy level intensity of noise over a given period of time. Day-Night Level (DNL) is a 24-hour average of noise levels, with a 10 dB penalty applied to noise occurring between 10:00 PM and 7:00 AM. Community Noise Equivalent Level (CNEL) includes an additional five dB applied to noise occurring between 7:00 PM and 10:00 PM. Where traffic noise predominates, the CNEL and DNL are typically within two dBA of the peak-hour L_{eq}.

3.13.1.2 *Regulatory Framework*

Federal

Federal Transit Administration Vibration Limits

The Federal Transit Administration (FTA) has developed vibration impact assessment criteria for evaluating vibration impacts associated with transit projects. The FTA has proposed vibration impact criteria based on maximum overall levels for a single event. The impact criteria for groundborne vibration are shown in Table 3.13-1 below. These criteria can be applied to development projects in jurisdictions that lack vibration impact standards.

Table 3.13-1: Groundborne Vibration Impact Criteria

Land Use Category	Groundborne Vibration Impact Levels (VdB inch/sec)		
	Frequent Event	Occasional Events	Infrequent Events
Category 1: Buildings where vibration would interfere with interior operations	65	65	65
Category 2: Residences and buildings where people normally sleep	72	75	80
Category 3: Institutional land uses with primarily daytime use	75	78	83

Source: Federal Transit Administration. *Transit Noise and Vibration Assessment Manual.* September 2018.

State

California Building Standards Code

The CBC establishes uniform minimum noise insulation performance standards to protect persons within new buildings housing people, including hotels, motels, dormitories, apartments, and dwellings other than single-family residences. Title 24 mandates that interior noise levels attributable to exterior sources do not exceed 45 L_{dn}/CNEL in any habitable room. Exterior windows must have a minimum Sound Transmission Class (STC) of 40 or Outdoor-Indoor Transmission Class (OITC) of 30 when the property falls within the 65 dBA DNL noise contour for a freeway or expressway, railroad, or industrial source.

For commercial uses, CALGreen (Section 5.507.4.1 and 5.507.4.2) requires that wall and roof-ceiling assemblies exposed to the adjacent roadways have a composite sound transmission class (STC) rating of at least 50 or a composite outdoor/indoor transmission class (OITC) rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 when the commercial property falls within the 65 dBA L_{dn} or greater noise contour for a freeway or expressway, railroad, or industrial or stationary noise source. The state requires interior noise levels to be maintained at 50 dBA $L_{eq(1\text{-}hr)}$ or less during hours of operation at a proposed commercial use.

Local

Scotts Valley General Plan

The City of Scotts Valley establishes Noise and Land Use Compatibility Guidelines to provide the community with a means of judging the noise environment that it deems to be generally acceptable and to minimize noise-related complaints from residents. The compatibility guidelines shown in Table 3.13-2 should be used in conjunction with the future noise intensity levels in General Plan Figure SN-7: Noise Contours to identify locations that may require special treatment to minimize noise exposure.

The City of Scotts Valley establishes noise increase thresholds as follows: If ambient noise levels in the area of a proposed project would exceed 'normally acceptable' thresholds for the proposed land use category as shown in Table 3.13-3, the City will require a detailed analysis of feasible noise reduction requirements. As needed, noise insulation features must be included in the design of such projects to reduce exterior noise levels to meet the acceptable thresholds, or, for uses with no active outdoor use areas, to ensure maintenance of acceptable interior noise levels for the proposed land use.

Table 3.13-2: CA State Land Use Compatibility Guidelines for Community Noise Environments

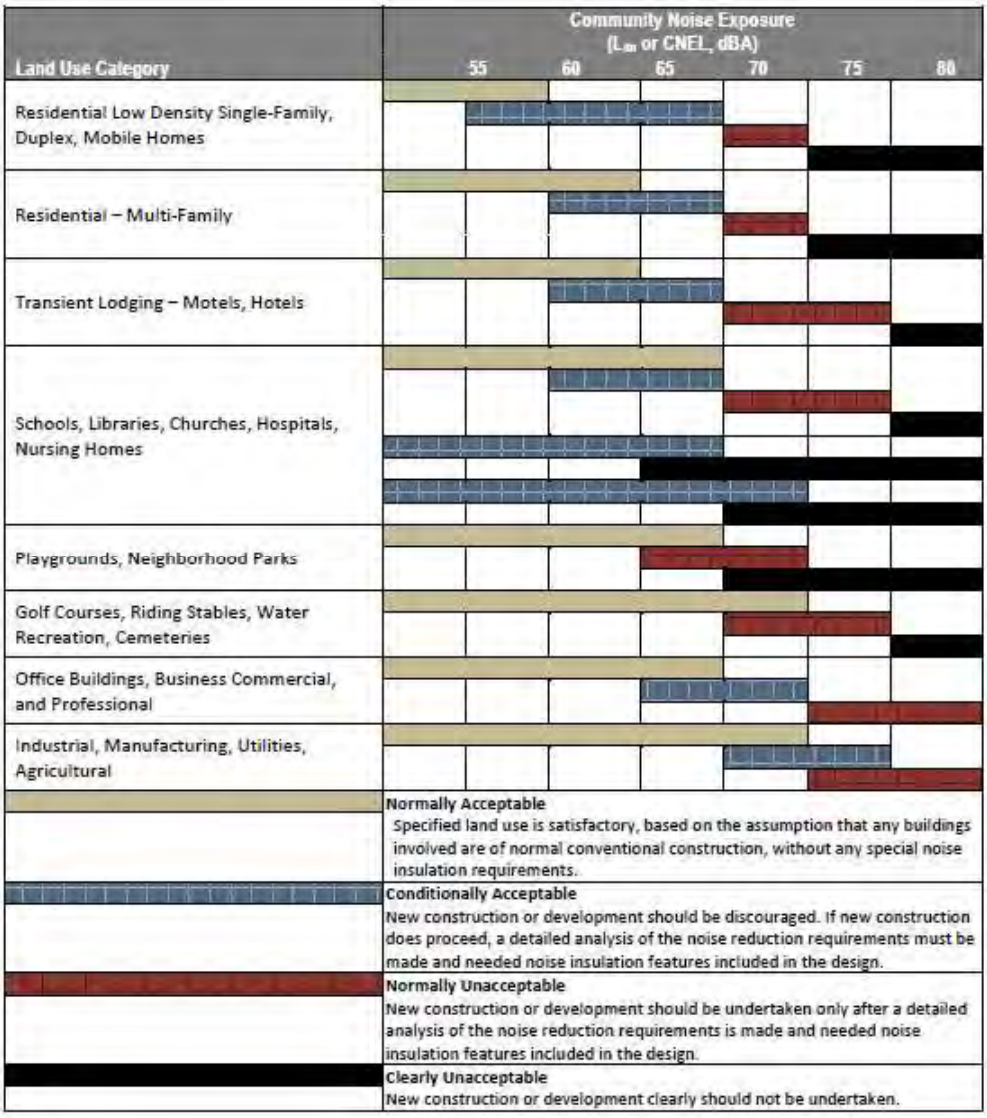


Table 3.13-3: Noise Increase Standards

Proposed Land Use	**Maximum Noise Increase in dBA Adjacent to Existing**			
	Sensitive	**Residential**	**Commercial**	**Industrial**
Sensitive				
At Property Line	3	5	5	5
50 ft. from Property Line	3	3	---	---
Residential				
At Property Line	3	5	5	5
50 ft. from Property Line	3	3	---	---
Commercial				
At Property Line	3	5	5	5

50 ft. from Property Line	3	3	---	---
Industrial				
At Property Line	3	5	5	7
50 ft. from Property Line	3	3	---	---

The Scotts Valley General Plan contains the following policies which are specific to noise and vibration and are applicable to the project:

Policy	Description
SN-6.1	**Support State Legislation.** Support State legislation for noise abatement design measures in all State highway projects within the Planning Area and support State legislation governing noise emissions from vehicles.
SN-6.2	**Mitigate Highway Noise.** The City should work with Caltrans to mitigate the effects of existing and future highway noise.
SN-6.3	**Reduce Commercial Vehicle Noise.** The City shall attempt to reduce the noise levels generated by commercial vehicles along Mt. Hermon Road and Scotts Valley Drive, including using State and local legislation, as necessary.
SN-6.4	**Enforce Roadway Speed Limits.** The City shall enforce existing speed limits, lowering them to reduce the noise levels where such benefits can be realized and remain consistent with other City goals and policies.
SN-6.5	**Enforce State Standards.** The City shall continue to enforce noise emission standards imposed by the State of California vehicle code.
SN-6.6	**Roadway Improvement Plans.** The City Public Works Department shall review all street and roadway improvement plans within the City limits to ensure incorporation of noise abatement measures. New street layout and redesigned street projects should be assessed for noise impacts, especially on neighboring noise sensitive land uses.
SN-7.1	**Commercial and Industrial Noise Standards.** Commercial and industrial noise level performance standards shall be retained in the zoning ordinance to restrict noise level increase and hours of operation.
SN-7.2	**Identify Noise Pollution Sources.** The City shall identify and minimize or eliminate existing noise pollution sources.
SN-7.3	**Outdoor Recreation Areas.** Outdoor recreation areas, especially in residential neighborhoods, should incorporate noise attenuation barriers, such as multiple rows of dense conifers, if the day-night noise levels exceed 60 dBA.
SN-7.4	**Noise Sensitive Land Uses.** Seek to avoid placing noise sensitive land uses (e.g., residential, hospitals, assisted living facilities, group homes, schools, day care centers, etc.) within the high noise impact areas (over 65 dB CNEL).
SN-7.5	**New Development Noise Attenuation.** New developments that are conditionally acceptable or increase the day-night noise level by more than the levels shown in Table SN-2: Noise Increase Standards, shall conduct a noise study to determine that the appropriate noise attenuation design measures have been incorporated to the City's satisfaction.
SN-7.6	**Incompatible Noise Levels.** New developments that are considered noise sensitive shall not be located in proximity to existing noise generating uses, unless the existing noise level can be made compatible, through mitigations, with the proposed new sensitive use.

SN-7.7	**Noise Attenuation Techniques.** The City Planning and Building departments shall ensure noise attenuation techniques are constructed in new development projects. The City building inspector will ensure that all design specifications relevant to a project's acoustical design for noise level reduction are completed as approved prior to final approval of any project.
SN-7.8	**Commercial and Industrial Noise Increases.** The City shall strive to meet the local noise levels by careful permit review for noise increases in the case of new commercial or industrial development.
SN-7.9	**Acoustical Engineering Analysis.** The City may require an acoustical engineering analysis to show that new commercial or industrial planned use will not increase the local ambient noise levels by more than the values set forth in the noise element of the General Plan.
SN-7.10	**Noise Level Exceeding 60 dBA.** In areas where the annual day-night noise level exceeds 60 dBA, the City shall require an acoustical engineering study for proposed new construction or renovation of structure(s). Each acoustical analysis should recommend methods to reduce the interior day-night annual average noise levels to below 45 dBA for private dwellings, motels, hotels, office, and noise sensitive uses.
SN-7.11	**Mitigation for Noise Sensitive Land Uses.** Seek to protect schools, hospitals, libraries, churches, convalescent homes, and other noise sensitive uses from excessive noise levels by incorporating site planning and project design techniques to minimize noise impacts. The use of noise barriers should be considered after all practical design-related noise measures have been integrated into the project. In cases where sound walls are necessary, they should help create an attractive setting with features such as setbacks, changes in alignment, detail and texture, murals, pedestrian access (if appropriate), and landscaping.
SN-7.12	**Exterior Noise Measurements.** Exterior noise levels measured at the property line of proposed new residential developments shall be limited at or below an average annual day-night level of 60 dBA.
SN-7.13	**Noise Levels Exceeding 75 dBA.** New residential development should not be allowed in regions where the annual day-night noise levels exceed 75 dBA.
SN-7.14	**Hotel, Motel, Office Rooms.** Hotel, motel, and professional office construction or renovation plans must include design techniques to ensure that noise is attenuated to 45 decibels or better between adjacent private rooms.
SN-7.15	**Construction Noise Management.** Ensure that construction activities are managed to minimize overall noise impacts on surrounding land uses.
SN-7.16	**Construction Noise Reduction Plan.** Where appropriate, particularly when located adjacent to sensitive land uses, the City may require construction noise reduction measures as part of project development plans to reduce the effects of construction noise.
SN-7.17	**Use of Truck Routes.** Limit truck traffic in residential and commercial areas to designated truck routes.

Scotts Valley Municipal Code

Noise produced by commercial and industrial land uses is regulated through the City of Scotts Valley Municipal Code Section 17.44.020.C.3:

> *Noise. At the lot line of all uses specified in Chapters 17.20, 17.22, 17.24, 17.26 and 17.28 of this title, the maximum sound generated by any user shall not exceed seventy-five dbA when adjacent users are industrial or wholesale users. When adjacent to offices or retail, the sound level shall be limited to seventy dbA. When users are adjacent or contiguous to*

residential, park or institutional uses, the maximum sound level shall not exceed sixty dbA. Excluded from these standards are occasional noises which are specifically exempted under Section 5.17.030.

The noises exempted under Section 5.17.030 include the proper use of a siren or other alarm by a police, fire, or other authorized emergency vehicle, a stationary fire alarm operated by the Fire District of the City, the use of emergency generators by privately owned service facilities (up to a maximum of 75 dBA at the property line), and noise generated by City-permitted construction activities during authorized construction hours. Section 17.46.160 states that, "All construction activity shall be limited to the hours between eight a.m. and six p.m., Monday through Friday, and nine a.m. through five p.m. on Saturday. No construction activity is allowed on Sunday."

3.13.1.3 *Existing Conditions*

The existing noise environment within and around the Plan area results primarily from traffic along Mt. Hermon Road, Skypark Drive, Kings Village Road, Bluebonnet Lane, Bean Creek Road, and Scotts Valley Drive. Operational noise from existing commercial land uses, including mechanical equipment and truck loading/unloading, also contributes to the noise environment in localized areas.

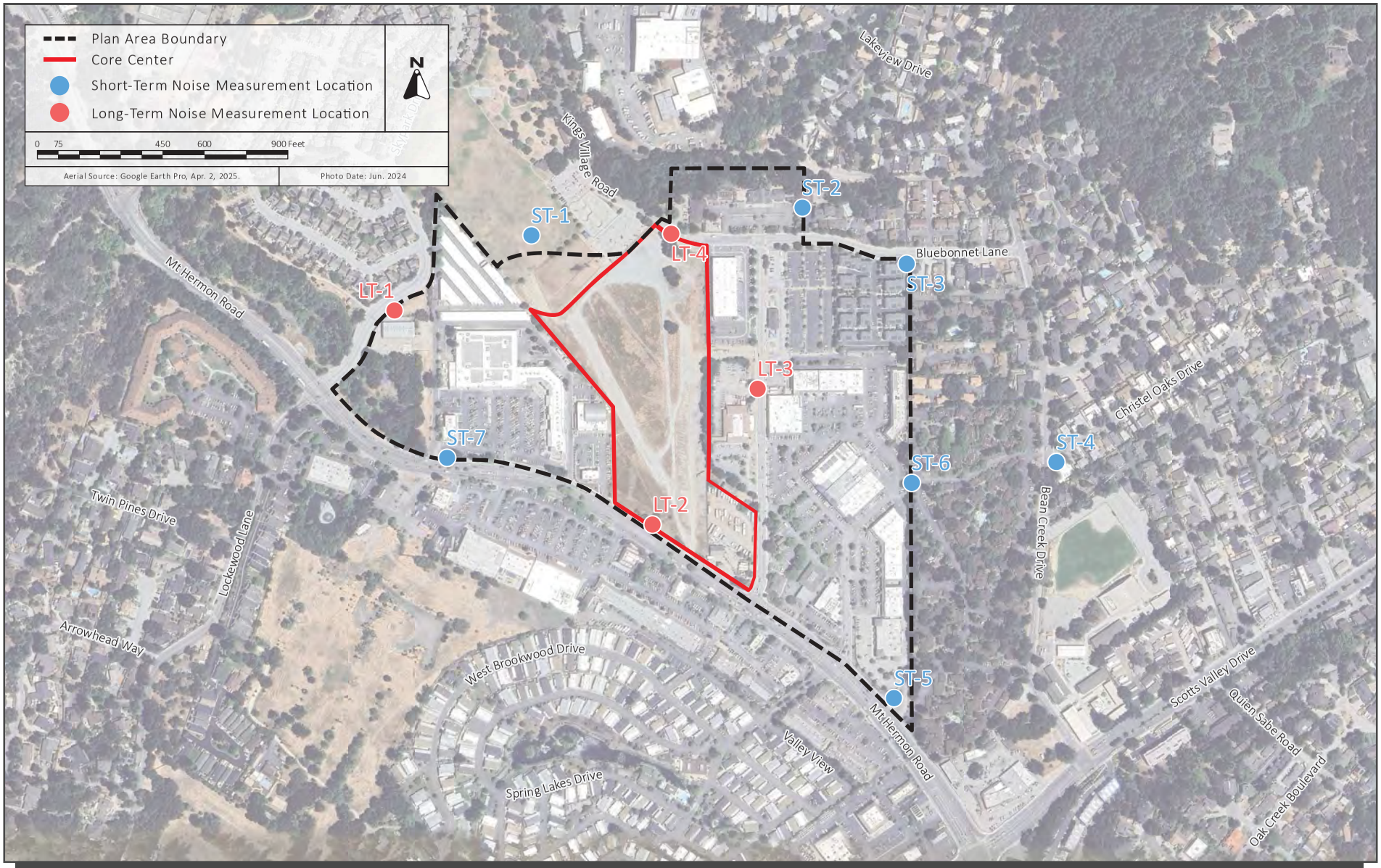
A noise monitoring survey consisting of four long-term (LT-1 through LT-4) and seven short-term (ST-1 through ST-7) noise measurements was conducted within the Plan area and vicinity between Tuesday, July 8, 2025, and Wednesday, July 9, 2025. All noise measurement locations are shown in Figure 3.13-1 and short-term measurements are summarized in Table 3.13-4 below. The locations of noise measurements were chosen to fully represent existing noise levels at sites within the study area.

Table 3.13-4: Summary of Short-Term Noise Measurements (dBA)

Noise Measurement Location	Time	Measured Noise Level, dBA					
		L_{max}	$L_{(1)}$	$L_{(10)}$	$L_{(50)}$	$L_{(90)}$	L_{eq}
ST-1: Scotts Valley Recreation Fields	8:00-8:10	54	49	46	43	41	44
ST-2: Scotts Valley Community Center, 130 feet from the center of Bluebonnet Lane.	8:20-8:30	58	55	49	44	40	46
ST-3: 104 Bluebonnet Lane, 27 feet from the centerline.	8:40-8:50	74	71	67	52	37	62
ST-4: 100 Christel Oaks Drive, 40 feet from the centerline of Bean Creek Road.	9:00-9:10	77	70	65	51	41	61
ST-5: 210 Mt. Hermon Road, 80 feet from the centerline.	9:20-9:30	73	72	68	63	55	65

Noise Measurement Location	Time	Measured Noise Level, dBA					
		L_{max}	$L_{(1)}$	$L_{(10)}$	$L_{(50)}$	$L_{(90)}$	L_{eq}
ST-6: 230 Mt. Hermon Road, commercial/residential property interface.	9:40-9:50	61	59	52	48	46	50
ST-7: 274 Mt. Hermon Road, 65 feet from the centerline.	10:40-10:50	79	77	71	64	56	67

The Bonny Doon Airport CL77, Santa Cruz Airport, and the SDSF Lower and Upper Helipads are located 5.4 to 8.5 miles from the Plan area. While occasional aircraft from these airports would be audible at project sites within the Plan area, the Plan area would not be located within the impact zone boundaries of these airports. Residential and nonresidential land uses proposed in the Plan area would be compatible with the future operations of these airports and helipads.



MAP OF LONG AND SHORT TERM NOISE MEASUREMENT LOCATIONS | FIGURE 3.13-1

3.13.2 Impact Discussion

For the purpose of determining the significance of the project's impact on noise, would the project result in:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
b) Generation of excessive groundborne vibration or groundborne noise levels?
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

3.13.2.1 *Threshold of Significance*

Construction Noise

Section 17.46.160 of the City's Municipal Code limits construction activities to between 8:00 a.m. and 6:00 p.m. on weekdays and to between 9:00 a.m. and 5:00 p.m. on Saturdays. No construction is allowed on Sundays. The City of Scotts Valley does not establish noise level thresholds for construction activities occurring within the allowable hours. Therefore, this analysis uses the noise limits established by the Federal Transit Administration (FTA) to identify the potential for impacts due to substantial temporary construction noise. The FTA has an exterior threshold of 80 dBA L_{eq} at residential land uses, 85 dBA L_{eq} at commercial and office uses, and 90 dBA L_{eq} at industrial land uses.

Permanent Operational Noise

Table SN-2 of the City's General Plan (Table 3.13-3 of this Section) includes maximum noise level increases for specific receptors and new developments. New residential, commercial, and industrial developments shall not result in a noise level increase exceeding three dBA Ldn at existing residential and sensitive uses adjoining the site, as measured at a distance of 50 feet from the property line, or five dBA Ldn at the property line of residential uses. For existing commercial and industrial uses, an increase of five dBA Ldn would be considered a significant increase at the property line.

3.13.2.2 *Project Impacts*

a) Would the project result in 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?

Temporary Construction Noise

Noise impacts resulting from construction depend upon the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive areas. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (e.g., early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction lasts over extended periods of time.

Section 17.46.160 of the City's Municipal Code limits construction activities to between 8:00 a.m. and 6:00 p.m. on weekdays and to between 9:00 a.m. and 5:00 p.m. on Saturdays. No construction is allowed on Sundays.

Major noise-generating construction activities associated with the Plan would typically include the removal of existing structures, site grading and excavation, installation of utilities, the construction of building foundations, cores, and shells, paving, and landscaping. Construction activities generate considerable amounts of noise, especially during earth-moving activities when heavy equipment is used. As stated in the Project Description, building heights would be limited to 50 feet. While specific project construction information is unknown at this time, the construction of building foundations for buildings that would not exceed 50 feet would be unlikely to require impact or vibratory pile driving activities to support the structure, which would generate high noise levels. While pile driving is not anticipated to be necessary to construct proposed buildings under the Plan, any future project that proposes impact or vibratory pile driving would require supplemental environmental review. Site grading, excavation activities, the operation of heavy construction equipment, and the arrival/departure of heavy-duty trucks would also generate high noise levels, as these phases often require the simultaneous use of multiple pieces of heavy equipment such as dozers, excavators, scrapers, and loaders.

Impact NOI-1: Future construction associated with development under the Plan could result in temporary construction noise impacts.

General Plan Polices that Reduce Impacts

The incorporation of the following General Plan policies would minimize potential construction noise of future development under the Plan.

- Policy SN-7.15 Construction Noise Management. Ensure that construction activities are managed to minimize overall noise impacts on surrounding land uses.
- Policy SN-7.16 Construction Noise Reduction Plan. Where appropriate, particularly when located adjacent to sensitive land uses, the City may require construction noise reduction measures as part of project development plans to reduce the effects of construction noise.

Per Policies SN-7.15 and SN-7.16, reasonable noise reduction measures shall be incorporated into all projects within the Plan area. Future development under the Plan shall incorporate the following mitigation measure.

MM NOI-1.1: **Noise Reduction Measures.** To reduce the effects of construction noise, the project applicant shall ensure that the following noise reduction measures are included as part of all relevant grading and building construction plans:

- Limit construction activity to weekdays between 8:00 a.m. and 5:00 p.m. and Saturdays between 9:00 a.m. and 5:00 p.m., with no construction on Sundays;
- Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment;
- Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses;
- Locate staging areas and construction material areas as far away as possible from adjacent land uses;
- Prohibit all unnecessary idling of internal combustion engines;
- If impact pile driving is proposed, multiple-pile drivers shall be considered to expedite construction. Although noise levels generated by multiple pile drivers would be higher than the noise generated by a single pile driver, the total duration of pile driving activities would be reduced;
- If impact pile driving is proposed, temporary noise control blanket barriers shall shroud pile drivers or be erected in a manner to shield the adjacent land uses. Such noise control blanket barriers can be rented and quickly erected;
- If impact pile driving is proposed, foundation pile holes shall be pre-drilled to minimize the number of impacts required to seat the pile. Pre-drilling foundation pile holes is a standard construction noise control technique. Pre-drilling reduces the number of blows required to seat the pile. Notify all adjacent land uses of the construction schedule in writing;
- Designate a “disturbance coordinator” who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that

reasonable measures warranted to correct the problem are implemented.

- Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction.

With adherence to General Plan policies SN-7.15 and SN-7.16 and the implementation of Mitigation Measure MM NOI-1.1 to control noise during construction activities, temporary construction noise impacts of future development under the Plan would be reduced to a less than significant level.

Permanent Operational Noise

Table SN-2 of the City's General Plan (Table 3.13-3 of this Section) includes maximum noise level increases for specific receptors and new developments. New residential, commercial, and industrial developments shall not result in a noise level increase exceeding three dBA Ldn at existing residential and sensitive uses adjoining the site, as measured at a distance of 50 feet from the property line, or five dBA Ldn at the property line of residential uses. For existing commercial and industrial uses, an increase of five dBA Ldn would be considered a significant increase at the property line. Policy SN-7.1 requires operational noise levels generated at new commercial and industrial uses to be limited to standards presented in the Municipal Code. Further, Policy SN-7.8 limits noise level increases due to operational noise at new commercial and industrial uses.

Section 17.44.020 of the City's Municipal Code limits noise generated at new developments to 75 dBA at adjacent existing industrial uses, to 70 dBA at adjacent existing commercial and office uses, and to 60 dBA at adjacent residential, park, and institutional uses. Sirens and other emergency vehicle alarms, stationary fire alarms, and the use of emergency generators (up to 75 dBA) are exempt from these noise limits.

Project Traffic Increase

Traffic noise increases were calculated for the Existing Plus Plan, Cumulative Without Plan (No Build), and Cumulative With Plan (Build) scenarios for the Plan, as reflected in Table 3.13-5. As indicated in the table, noise level increases would be 1 dBA Ldn or less for the Existing Plus Plan scenario when compared to the Existing traffic volumes. When the Cumulative Plus Plan scenario is compared to the Existing scenario, a noise level increase of 2 dBA Ldn or less was calculated, which would not be considered a significant increase according to Table SN-2 of the City's General Plan (Table 3.13-3 of this Section). Therefore, the proposed Plan would not result in a noise level increase of 3 dBA Ldn or more.

Table 3.13-5: Existing and Future Modeled Noise Levels Along Surrounding Roadways

Roadway	Segment	L_{dn} at 75 feet from the Roadway Centerline, dBA				Increase Over Existing, dBA L_{dn}			Increase of Cumulative Build Scenario Over Cumulative No Build Scenarios, dBA
		Existing (2025)	Existing (2025) with Plan (Build)	Cumulative (2045) without Plan (No Build)	Cumulative (2045) with Plan (Build)	Existing (2025) with Plan (Build)	Cumulative (2045) without Plan (No Build)	Cumulative (2045) with Plan (Build)	
Skypark Drive/ Lockewood Lane	North of Mt. Hermon Rd.	58	58	58	58	0	0	0	0
	South of Mt. Hermon Rd.	58	58	58	59	0	0	1	1
Mt. Hermon Road	West of Lockewood Lane	68	68	68	69	0	0	1	1
	Lockewood Lane to Scotts Valley Dwy./ Target Dwy.	67	67	67	67	0	0	0	0
	Scotts Valley Dwy./Target Dwy. to Project Dwy.	67	67	67	67	0	0	0	0
	Project Dwy. To Kings Village Rd.	67	68	68	68	1	1	1	0
	Kings Village Rd. to Spring Lakes Dr.	67	68	67	68	1	0	1	1
	Spring Lakes Dr. to Scotts Valley Dr.	68	68	68	69	0	0	1	1
	Scotts Valley Dr. to Highway 17	68	68	68	68	0	0	0	0

Roadway	Segment	L_{dn} at 75 feet from the Roadway Centerline, dBA				Increase Over Existing, dBA L_{dn}			Increase of Cumulative Build Scenario Over Cumulative No Build Scenarios, dBA
		Existing (2025)	Existing (2025) with Plan (Build)	Cumulative (2045) without Plan (No Build)	Cumulative (2045) with Plan (Build)	Existing (2025) with Plan (Build)	Cumulative (2045) without Plan (No Build)	Cumulative (2045) with Plan (Build)	
	ramps/La Madrona Dr.								
Kings Village Road	West of Bluebonnet Ln.	64	64	64	64	0	0	0	0
	Bluebonnet Ln. to Mt. Hermon Rd.	64	66	65	66	2	1	2	1
Spring Lakes Drive	North of Mt. Hermon Rd.	58	58	58	58	0	0	0	0
	South of Mt. Hermon Rd.	50	51	51	51	1	1	1	0
La Madrona Drive	South of Mt. Hermon Rd.	58	58	59	59	0	1	1	0
Scotts Valley Drive	North of Bean Creek Rd.	66	66	66	66	0	0	0	0
	Bean Creek Rd. to Mt. Hermon Rd.	66	66	66	67	0	0	1	1
	South of Mt. Hermon Rd.	63	63	63	63	0	0	0	0
Bluebonnet Lane	Kings Village Dr. to Bluebonnet Ln.	55	55	55	55	0	0	0	0

Roadway	Segment	L_{dn} at 75 feet from the Roadway Centerline, dBA				Increase Over Existing, dBA L_{dn}			Increase of Cumulative Build Scenario Over Cumulative No Build Scenarios, dBA
		Existing (2025)	Existing (2025) with Plan (Build)	Cumulative (2045) without Plan (No Build)	Cumulative (2045) with Plan (Build)	Existing (2025) with Plan (Build)	Cumulative (2045) without Plan (No Build)	Cumulative (2045) with Plan (Build)	
Bean Creek Road	North of Bluebonnet Ln.	57	57	57	57	0	0	0	0
	Scotts Valley Dr. to Bluebonnet Ln.	50	51	50	51	1	0	1	1

Source: Illingworth & Rodkin. Scotts Valley Town Center Plan Noise and Vibration Assessment. July 2025

Operational Noise

Future development under the Plan could require various mechanical equipment for heating, ventilation, and cooling purposes, exhaust fans, emergency generators, and other similar equipment and could produce noise levels exceeding the maximum noise limits when located near existing or proposed residential land uses. Additionally, potential noise-generating sources, such as truck deliveries or other project-specific operational noise sources, may also be proposed at the project level. The number of variables inherent in the mechanical equipment needs of an individual project (number and types of units, locations, size, housing, specs, etc.), as well as details about project-specific noise sources, are unavailable at this time. Given that the Plan does not propose or approve any specific development, noise generated by future mechanical equipment at the property plane of existing land uses cannot be quantified at this time, since it is dependent on the distance between the noise source and receptor, attenuation provided by project design, and other project-specific factors.

In addition, as noted in the Project Description, the portion of Skypark included within the Plan area would be remodeled to include an amphitheater with a stage and canopy, as well as a flexible lawn area. The amphitheater would accommodate both small and large weekend events, with the option for entertainers to face two different directions, depending on the program. The programming could include amplified music. Details of the design and operation of the amphitheater are not yet available, including the hours of the day it would be in use. The amphitheater would undergo project-level environmental review once operational details were available, including the preparation of a noise study to confirm the noise from entertainment events complied with City standards.

Impact NOI-2: Future development under the Plan could result in a significant permanent noise level increase.

General Plan Polices that Reduce Impacts

For new development projects within the Plan area that would result in a significant permanent noise level increase, the incorporation of the following General Plan policies would minimize potential operational noise.

- Policy SN-7.5 New Development Noise Attenuation. New developments that are conditionally acceptable or increase the day-night noise level by more than the levels shown in Table SN-2: Noise Increase Standards of the City's General Plan, shall conduct a noise study to determine that the appropriate noise attenuation design measures have been incorporated to the City's satisfaction.
- Policy SN-7.17 Use of Truck Routes. Limit truck traffic in residential and commercial areas to designated truck routes.
- Policy SN-7.7 Noise Attenuation Techniques. The City Planning and Building departments shall ensure noise attenuation techniques are constructed in new development projects.

The City building inspector will ensure that all design specifications relevant to a project's acoustical design for noise level reduction are completed as approved prior to final approval of any project.

- Policy SN-7.9 Acoustical Engineering Analysis. The City would require an acoustical engineering analysis to show that new commercial or industrial planned use will not increase the local ambient noise levels by more than the values outlined in the noise element of the General Plan. This would also apply to the proposed amphitheater.

Per the Policies SN-7.7 and SN-7.9, a qualified acoustical consultant would be retained to review mechanical equipment systems and project-specific operations during final design of all proposed development under the Plan, including the proposed amphitheater. The consultant shall review selected equipment and operations to determine specific noise-reduction measures necessary to reduce noise to comply with the City's noise level requirements. Noise reduction measures could include, but are not limited to, the selection of equipment that emits low noise levels and/or the installation of noise barriers, such as enclosures and parapet walls, to block the line-of-sight between the noise source and the nearest receptors. Additionally, enclosures and interior wall treatments shall be considered to reduce noise exposure within the on-site units. Alternate measures may include locating equipment in less noise-sensitive areas, where feasible. The incorporation of the measures recommended by the acoustical consultant to ensure compliance with the City's requirements would reduce impacts to a less than significant level. **(Less than Significant Impact)**

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

The Plan does not include new permanent sources of vibration. The following discussion pertains to construction vibration.

The California Department of Transportation recommends a vibration limit of 0.5 in/sec PPV for buildings structurally sound and designed to modern engineering standards, which typically consist of buildings constructed since the 1990s. A conservative vibration limit of 0.3 in/sec PPV has been used for buildings that are found to be structurally sound but where structural damage is a major concern. For historical buildings, a conservative limit of 0.25 in/sec PPV is recommended. According to the City's website, two nearby sites are identified as historical: 101 Mt. Hermon Road and 3105 Scotts Valley Drive. Both of the buildings located on these sites would be more than 400 feet from the nearest boundary of the Plan area and would be exposed to construction vibration levels below 0.01 in/sec PPV.

Table 3.13-6 presents typical vibration levels that could be expected from construction equipment at a distance of 25 feet, as well as distances to the 0.3 in/sec PPV thresholds. Project construction activities, such as drilling, the use of jackhammers, rock drills, and other high-power or vibratory tools, and rolling stock equipment (tracked vehicles, compactors, etc.), may generate substantial vibration in the immediate vicinity. Jackhammers typically generate vibration levels of 0.035 in/sec

PPV, and drilling typically generates vibration levels of 0.09 in/sec PPV at a distance of 25 feet. Vibration levels would vary depending on soil conditions, construction methods, and equipment used. As stated in the Project Description, building heights would be limited to 50 feet. While specific project construction information is unknown at this time, the construction of building foundations for buildings that would not exceed 50 feet would be unlikely to require impact or vibratory pile driving activities to support the structure, which would generate high vibration levels. While pile driving is not anticipated to be necessary to construct proposed buildings under the Plan, any future project that proposes impact or vibratory pile driving would require supplemental environmental review.

Table 3.13-6: Vibration Source Levels for Construction Equipment

Equipment		PPV at 25 ft. (in/sec)	Minimum Distance to Meet 0.3 in/sec PPV (feet)
Pile Driver (Impact)	upper range	1.158	86
	typical	0.644	51
Pile Driver (Sonic)	upper range	0.734	57
	typical	0.170	15
Clam shovel drop		0.202	18
Hydromill (slurry wall)	in soil	0.008	1
	in rock	0.017	2
Vibratory Roller		0.210	19
Hoe Ram		0.089	9
Large bulldozer		0.089	9
Caisson drilling		0.089	9
Loaded trucks		0.076	8
Jackhammer		0.035	4
Small bulldozer		0.003	<1

Source: Transit Noise and Vibration Impact Assessment Manual, Federal Transit Administration, Office of Planning and Environment, U.S. Department of Transportation, September 2018, modified by Illingworth & Rodkin, Inc., July 2025.

Pile driving has the potential of generating the highest ground vibration levels and is of primary concern to architectural damage, particularly when it occurs within 100 to 200 feet of structures. Vibration levels generated by pile driving activities would vary depending on project conditions, such as soil conditions, construction methods, and equipment used, but could exceed the recommended PPV thresholds to avoid architectural damage. As noted above, pile driving is unlikely to be employed to construct buildings that do not exceed 50 feet (as building heights are limited to 50 feet by the Plan), and any project proposing pile driving would require supplemental environmental review. Other project construction activities, such as caisson drilling, the use of

jackhammers, rock drills, and other high-power or vibratory tools, and rolling stock equipment (tracked vehicles, compactors, etc.), may also potentially generate substantial vibration in the immediate vicinity.

Depending on the proximity of existing structures to each construction site, the structural soundness of the existing buildings, and the methods of construction used, vibration levels may be high enough to damage existing structures. Given the scope of the project and the location of the Plan area with respect to existing structures in the immediate vicinity (i.e., within 200 feet), groundborne vibration impacts would be potentially significant.

As with any type of construction, vibration levels may at times be perceptible. However, construction phases that have the highest potential of producing vibration (use of jackhammers and other high-power tools) would be intermittent and would only occur for short periods of time for any individual project site. By use of administrative controls, such as notifying neighbors of scheduled construction activities and scheduling construction activities with the highest potential to produce perceptible vibration to hours with the least potential to affect nearby businesses, perceptible vibration can be kept to a minimum and, as such, would not result in a significant impact with respect to perception.

Impact NOI-3: Groundborne vibration levels generated by construction activities for development under the Plan exceeding the conservative 0.3 in/sec PPV limit for conventional offsite buildings would have the potential to result in a significant vibration impact

To further reduce construction vibration, the Plan would require that the following measures are implemented by future development projects proposing construction equipment within the screening distances of vibration-sensitive receptors[106] (refer to Table 3.13-6), to reduce construction-related vibration.

MM NOI-3.1: **Vibration Control Requirements.** For projects using construction equipment that could potentially create ground-borne vibration greater than 0.3 in/sec peak particle velocity (PPV) (e.g., pile driving), a construction vibration control plan shall be prepared by a qualified professional in accordance with industry-accepted methodology. The plan shall identify necessary construction vibration controls to reduce the potential of cosmetic damage to buildings and to minimize annoyance. Controls may include, but would not be limited to, the following measures:

[106] Per Illingworth & Rodkin's Noise and Vibration Assessment completed for the project (see Appendix C), vibration-sensitive receptors include: "Older residential structures with plastered walls, buildings with foundation walls and floors in concrete, walls in concrete or masonry, stone masonry retaining walls, underground chambers and tunnels with masonry alignments, and conduits in loose material."

- Comply with the construction noise ordinance to limit hours of exposure. The City's Municipal Code allows construction activities between the hours of 8:00 a.m. and 6:00 p.m. on weekdays and between 9:00 a.m. and 5:00 p.m. on Saturdays. No construction is permitted on Sunday.
- A list of all heavy construction equipment to be used for the project known to produce high vibration levels (tracked vehicles, vibratory compaction, jackhammers, hoe rams, etc.) shall be submitted to the City by the contractor. This list shall be used to identify equipment and activities that would potentially generate substantial vibration and to define the level of effort for reducing vibration levels below the thresholds.
- Place operating equipment on the construction site as far as possible from vibration-sensitive receptors, including older residential structures with plastered walls, buildings with foundation walls and floors in concrete, walls in concrete or masonry, stone masonry retaining walls, underground chambers and tunnels with masonry alignments, and conduits in loose material
- Use smaller equipment along project boundaries to minimize vibration levels below the limits.
- Avoid using vibratory rollers and tampers near sensitive areas.
- Select demolition methods not involving impact tools.
- Modify/design or identify alternative construction methods to reduce vibration levels below the limits.
- Avoid dropping heavy objects or materials near sensitive areas.
- For projects requiring impact or vibratory pile driving, supplemental environmental review would be required. At a minimum, such projects would develop a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies shall be identified for when vibration levels approach the limits. Conduct a post-construction survey on structures where either monitoring has indicated high vibration levels or complaints of damage has been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.

Implementation of the above Plan-specific vibration control Mitigation Measure MM-NOI -3.1 would reduce construction vibration generated by future development projects to a less than significant level. **(Less than Significant Impact)**

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The Bonny Doon Airport CL77, Santa Cruz Airport, and the SDSF Lower and Upper Helipads are located 5.4 to 8.5 miles from the Plan area. The Plan area lies outside the areas of influence for each of the airports and helipads. Exterior and interior noise levels resulting from aircraft would be compatible with the project, and the noise environment at the site would not substantially increase due to aircraft noise from these airports. **(Less than Significant Impact)**

3.13.2.3 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant noise impact?

The geographic area for cumulative noise impacts is the Plan area and adjacent parcels and roadways, where build-out of future development could contribute traffic or noise at a perceptible level.

Temporary and Permanent Increases in Ambient Noise Levels

As discussed under checklist question a), the Plan does not propose any specific development or construction and, therefore temporary and permanent increases in ambient noise levels associated with specific development proposals cannot be quantified. Future cumulative projects would, however, be required to implement construction noise control strategies and construction best management practices pursuant to General Plan policies SN-7.15 and SN-7.16, and limit construction hours to those specified in Section 17.46.160 of the City's Municipal Code. Further, future cumulative development would be required to comply with City noise standards set forth in the General Plan and Municipal Code, including General Plan Policy SN-7.5 , which requires a noise study. Therefore, implementation of the proposed Plan would not result in a cumulatively considerable contribution to a significant cumulative noise impact.

As discussed under checklist question a), the Plan would not result in a significant cumulative permanent noise level increase on roadway segments when compared to existing conditions.

Groundborne Vibration

Future development projects under the Plan would be required to comply with the Municipal Code and would implement vibration control measures, as outlined above under checklist question c), ensuring that the Plan would not result in a cumulatively considerable groundborne vibration or noise impact.

Airport Noise

The Plan area lies outside the areas of influence for airports within the region.

As discussed above, buildout of the Plan would have a less than significant cumulative noise impact. **(Less than Significant Cumulative Impact)**

3.13.3 Non-CEQA Effects

Per *California Building Industry Association v. Bay Area Air Quality Management District,* 62 Cal. 4th 369 *(BIA v. BAAQMD)*, effects of the environment on the project are not considered CEQA impacts. The following discussion is included for informational purposes only because the City of Scotts Valley has policies that address existing noise conditions affecting a project.

3.13.3.1 *Future Exterior and Interior Noise Environment*

Exterior Noise

Noise produced by vehicular traffic along roadways in the vicinity of Plan area could potentially expose the proposed land uses to levels exceeding the exterior compatibility thresholds. Future exterior noise levels at a distance of 75 feet from the centerline of the primary roadways within the Plan area would typically range from below 60 dBA Ldn along Lockewood Lane and Bean Creek Road to 69 dBA Ldn along segments of Mt. Hermon Road. Table 8 of Appendix C summarizes the distances to the 60, 65, and 70 dBA Ldn noise contours along the roadways within the Plan area.

Interior Noise

<u>Residential</u>

Standard residential construction provides approximately 15 dBA of exterior-to-interior noise reduction, assuming the windows are partially open for ventilation. Where exterior noise levels range from 60 to 65 dBA Ldn, the inclusion of adequate forced-air mechanical ventilation is often the method selected to reduce interior noise levels to acceptable levels by closing the windows to control noise. Where noise levels exceed 65 dBA Ldn, forced-air mechanical ventilation systems and sound-rated construction methods are normally required. Such methods or materials may include a combination of smaller window and door sizes as a percentage of the total building façade facing the noise source, sound-rated windows and doors, sound-rated exterior wall assemblies, and mechanical ventilation so windows may be kept closed at the occupant's discretion.

<u>Commercial, Office, and Industrial Uses</u>

Standard construction materials for commercial, office, and industrial uses would provide about 25 dBA of noise reduction in interior spaces. The inclusion of adequate forced-air mechanical ventilation systems is normally required so that windows may be kept closed at the occupant's discretion and would provide an additional 5 dBA reduction. The standard construction materials in

combination with forced-air mechanical ventilation would satisfy the daytime threshold of 50 dBA $L_{eq(1\text{-}hr}$ at most commercial, office, and industrial uses.

Spaces where lower noise levels would be desired, such as private offices and conference rooms, may benefit from additional noise control in order to meet a lower, more desirable interior noise level. Additional noise control could be accomplished by selecting higher sound-rated windows (STC 34 or greater along exterior façades).

General Plan Policies SN-7.5, SN-7.7, SN-7.10, and SN-7.11 require project-level acoustical studies and the incorporation of noise control features in the design of projects to reduce noise levels at new noise-sensitive developments. The policies state the following:

- **Policy SN-7.5 New Development Noise Attenuation.** New developments that are conditionally acceptable or increase the day-night noise level by more than the levels shown in Table SN-2: Noise Increase Standards of the City's General Plan, shall conduct a noise study to determine that the appropriate noise attenuation design measures have been incorporated to the City's satisfaction.

- **Policy SN-7.7 Noise Attenuation Techniques.** The City Planning and Building departments shall ensure noise attenuation techniques are constructed in new development projects. The City building inspector will ensure that all design specifications relevant to a project's acoustical design for noise level reduction are completed as approved prior to final approval of any project.

- **Policy SN-7.10 Noise Level Exceeding 60 dBA.** In areas where the annual day-night noise level exceeds 60 dBA, the City shall require an acoustical engineering study for proposed new construction or renovation of structure(s). Each acoustical analysis should recommend methods to reduce the interior day-night annual average noise levels to below 45 dBA for private dwellings, motels, hotels, office, and noise sensitive uses.

- **Policy SN-7.11 Mitigation for Noise Sensitive Land Uses.** Seek to protect schools, hospitals, libraries, churches, convalescent homes, and other noise sensitive uses from excessive noise levels by incorporating site planning and project design techniques to minimize noise impacts. The use of noise barriers should be considered after all practical design-related noise measures have been integrated into the project. In cases where sound walls are necessary, they should help create an attractive setting with features such as setbacks, changes in alignment, detail and texture, murals, pedestrian access (if appropriate), and landscaping.

When project-level development information, such as site plans, building elevations, floor plans, and the position of buildings and outdoor use areas within the Plan area are known, project-level noise studies would be conducted to confirm the recommendations for exterior and interior noise reduction methods. An acoustical study shall be conducted when an application is received for a development project that could be exposed to noise greater than that deemed acceptable by the

maximum noise levels specified by the City. The study shall determine compliance with the noise and land use compatibility standards, identify potential noise impacts, and propose site-specific measures to reduce exposure to exterior and interior noise levels that exceed maximum permissible levels.

The project applicant shall conform to any special building construction techniques requested by the City's Building Department, which may include sound-rated windows and doors, sound-rated wall constructions, and acoustical caulking.

The following general recommendations shall be considered to reduce exterior noise levels to meet the normally acceptable thresholds of 60 dBA Ldn at single-family residences and 65 dBA Ldn at multi-family residences and hotels/motels:

- When developing project site plans, locate noise-sensitive outdoor use areas away from major roadways or other significant sources of noise. Shield noise-sensitive spaces with buildings or noise barriers to reduce exterior noise levels. The final detailed design of the heights and limits of proposed noise barriers shall be completed at the time that the final site and grading plans are submitted.
- If the interior noise thresholds would not be met, other site-specific measures, such as increasing setbacks of the buildings from the adjacent roadways, using shielding by other buildings or noise barriers to reduce noise levels, implementing additional sound treatments to the building design, etc. shall be considered to reduce interior noise levels to meet the State and City thresholds.

3.14 Population and Housing

3.14.1 Environmental Setting

3.14.1.1 *Regulatory Framework*

State

Housing-Element Law

The state requirement mandating that housing be included as an element of each jurisdiction's general plan is known as housing-element law. The Regional Housing Need Allocation (RHNA) is the state-mandated process to identify the total number of housing units (by affordability level) that each jurisdiction must accommodate in its housing element. California housing-element law requires cities to: 1) zone adequate lands to accommodate its RHNA; 2) produce an inventory of sites that can accommodate its share of the RHNA; 3) identify governmental and non-governmental constraints to residential development; 4) develop strategies and a work plan to mitigate or eliminate those constraints; and 5) adopt a housing element and update it on a regular basis.[107] The City of Scotts Valley Housing Element was last updated in 2024.

Regional and Local

Association of Monterey Bay Area Governments

AMBAG assigns regional housing shares to the cities and counties within their region on a five-year schedule. At the beginning of each cycle, the state Department of Housing and Community Development provides population projections to the councils of governments, who then allocate shares to their cities and counties. The shares of regional need are allocated before the end of the cycle so that the cities and counties can amend their Housing Elements ahead of the upcoming housing cycle.

Scotts Valley General Plan

Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating population and housing impacts resulting from planned development within the City including the following:

Policy	Description
H-1.2	**Appropriate Infrastructure.** Ensure that new residential sites have appropriate community services and public facilities, including streets and roadways, water, sewer, and other needed infrastructure.

[107] California Department of Housing and Community Development. "Regional Housing Needs Allocation and Housing Elements" Accessed January 10, 2025. http://hcd.ca.gov/community-development/housing-element/index.shtml.

H-1.5	**Town Center Specific Plan.** Continue to support the development of Town Center to provide a range of housing types, retail, commercial uses, public facilities, and open space that serve as the focal point for the community.
H-4.2	**New Development Impacts.** Ensure that new development proposals are adequately evaluated for their impact upon cultural resources, sensitive habitats and species, environmental features, and other such factors.
H-4.3	**Development Integration into Natural Landscape.** Require that all residential developments be thoughtfully integrated into the nature environment, including woodlands, hillsides, viewsheds, wetlands, and other features of the natural terrain.

3.14.1.2 *Existing Conditions*

The City of Scotts Valley had between 4,779[108] to 4,934 housing units[109] as of 2020 and a total population of 11,831 as of 2025[110]. The 2045 population forecast for the City of Scotts Valley by AMBAG is 12,010 persons.[111]

The currently adopted Housing Element for the 2023 – 2031 cycle RHNA for the City is 1,220 units. The Housing Element discloses that 657 of the total 1,220 units will be built within the Plan area.

3.14.2 Impact Discussion

For the purpose of determining the significance of the project's impact on population and housing, would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

[108] City of Scotts Valley. Scotts Valley 6th Cycle Housing Element 2023-2031. Table B-9 Appendix B. Adopted December 20, 2023.
[109] AMBAG. 2022 Regional Growth Forecast. June 2022. https://ambag.org/sites/default/files/2022-12/REVISED_PDFAAppendix%20A_2022%20RGF.pdf
[110] California Department of Finance. E-5 Population and Housing Estimates for Cities, Counties and the State. May 2025.
[111] AMBAG. 2022 Regional Growth Forecast. June 2022. https://ambag.org/sites/default/files/2022-12/REVISED_PDFAAppendix%20A_2022%20RGF.pdf

3.14.2.1 *Project Impacts*

a) Would the project 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)?

Implementation of the Plan would result in an overall intensification of development within the Plan area and would introduce new employment and residential uses over an approximately 20-year period but does not include specific development proposals.

The Plan Area is currently developed with 46 residential units, which equates to approximately 115 residents, all located in the northeast portion of the Plan area on Bluebonnet Lane, 396,000 square feet of commercial land uses, which equates to approximately 792 employees[112], and 52,000 square feet of public/quasi-public land uses. As described in Section 2.3.1.1 of this EIR, the Plan would allow for an increase of 403 residential units (a total of 657 units proposed under buildout) above the 254 units planned for the Plan area in the General Plan. The Plan would allow for development of 205,663 square feet of non-residential uses (82,000 square feet of which would be commercial). The 82,000 square feet of commercial land uses would result in approximately 164 new employees and the 657 residential units would result in approximately 1,643[113] new residents, or a net increase of 1,008 residents compared to what was planned for the Plan area in the General Plan. The 657 units proposed in the Plan were included as part of the City's adopted 2023-2031 Housing Element. The Plan would facilitate the buildout of these units. Table 3.14-1 below provides a summary of the number of residents, employment square footage, and jobs/employees estimated under existing conditions and the proposed Plan.

Table 3.14-1: Estimated Residents and Employees as Compared to the General Plan

	Residential Units	Residents	Employment Square Footage	Employees
Existing Conditions	46	115	396,000	792
Growth Allowed under General Plan	254	635[114]	300,000	---
Growth Proposed under Town Center Specific Plan Update	657	1,643	82,000	164---
Net Change from what was Analyzed in General Plan	403	1,008	-218,000	---

[112] Assumes two employees per every 1,000 square feet of commercial use. Source: Personnel Communication. Hexagon Transportation Consultants. July 8, 2025.
[113] Assumes 2.5 persons per household. Source: City of Scotts Valley Housing Element. Appendix B, Table B-11.
[114] The General Plan EIR did not disclose an assumption for how many additional residents would result from buildout of the Town Center Update. This number was calculated for the purpose of this EIR by multiplying the total number of residential units assumed within the General Plan EIR for the Town Center Update by 2.5 persons per household.

The associated housing growth resulting from buildout of the Plan was not analyzed in the buildout projections for the General Plan, as the General Plan EIR assumed 254 residential units, while the Plan would include 657 residential units, which is the planned housing assumed for the Plan area in the Housing Element. The General Plan EIR concluded that buildout under the General Plan would not introduce a substantial amount of unplanned population. Buildout of the Plan would result in a net increase of 403 residential units, or 1,008 residents compared to what was allowed in the General Plan.

The General Plan Economic Development Chapter identified a recommendation to update the 2008 Plan to reflect current City goals, market realities, site-specific factors, and emerging opportunities. The additional commercial and residential uses proposed within the Plan are in response to current market realities and infrastructure needs within the City. The net increase of residential units was anticipated within the most recent Housing Element (2023 – 2031 Housing Element) based on housing and population projections adopted by AMBAG within the 6th Cycle RHNA Plan. Therefore, the project would not directly induce substantial unplanned population growth by proposing new homes and businesses, rather the Plan would facilitate housing that is consistent with regional projections.

The Plan includes infrastructure improvements, including a new multi-modal street network (see Figure 2.3-2) and planned utility improvements (refer to Section 3.19). These infrastructure improvements would serve the existing and future development that would occur under the proposed Plan. The Plan does not include extension of roads or other infrastructure that would serve additional growth beyond what is proposed by the Plan. For these reasons, the proposed Plan would not indirectly result in unplanned population growth in an area. **(Less than Significant Impact)**

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

As described in Section 3.14.1.2, the Plan currently has 46 residential units. The Plan would retain these housing units. Therefore, implementation of the Plan would not displace substantial numbers of existing people or housing, necessitate the construction of replacement housing elsewhere. **(No Impact)**

3.14.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant population and housing impact?

The General Plan projected that the 2008 Plan would develop a maximum of 254 housing units, whereas the Plan would allow for a maximum of 657 residential units. This larger total was not

studied as part of General Plan growth projections (the associated General Plan EIR did not account for a greater buildout of the Town Center Specific Plan with 657 units as it is now proposed in the Plan) and therefore the environmental analysis within this document is necessary to inform the City Council and the general public of the environmental impacts that would result from adoption and implementation of the Plan.

The geographic area for cumulative population and housing impacts is the City boundaries. The General Plan EIR concluded that buildout under the General Plan would not induce a substantial amount of unplanned population growth or growth for which inadequate planning has occurred, or displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. The effects of full implementation of the Plan with 657 units, including the additional 403 housing units (657 proposed minus 254 housing units allowed under current General Plan), are analyzed within this EIR. Therefore, the project would not result in a cumulatively considerable impact to population and housing. **(Less than Significant Cumulative Impact)**

3.15 Public Services

3.15.1 Environmental Setting

3.15.1.1 *Regulatory Framework*

State

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

Government Code Section 65995 through 65998

California Government Code Section 65996 specifies that an acceptable method of offsetting a project's effect on the adequacy of school facilities is the payment of a school impact fee prior to the issuance of a building permit. Government Code Sections 65995 through 65998 set forth provisions for the payment of school impact fees by new development by "mitigating impacts on school facilities that occur (as a result of the planning, use, or development of real property" (Section 65996[a]). The legislation states that the payment of school impact fees "are hereby deemed to provide full and complete school facilities mitigation" under CEQA (Section 65996[b]).

Developers are required to pay a school impact fee to the school district to offset the increased demands on school facilities caused by the proposed residential development project. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Regional and Local

Scotts Valley General Plan

The General Plan contains the following policies which are specific to public services and are applicable to the project:

Policy	Description
CSF-2.4	**Police Service.** Ensure appropriate police staff, stations, equipment, and training to meet the demands of city residents, employees and visitors.
CSF-2.5	**Fire Service.** Support the Scotts Valley Fire District's efforts to maintain staffing, facilities, and training activities to effectively respond to emergency and public service calls.

CSF-2.7	**Police Response Time.** The Police Department will strive to maintain a maximum three-minute response time to emergency calls within the City, 24 hours a day.
CSF-2.11	**Policy CSF-2.11 Plan Review.** All new development shall be referred to the Police Department for law and Scotts Valley Fire District for plan review evaluation of crime reduction, fire, and life safety issues.
CSF-2.12	**Safety and Crime Prevention Through Design.** Seek ways to reduce police service demands through land use planning and project design.
CSF-3.23	**Land Use Compatibility.** Park and recreation areas should be planned, developed, and used in a manner which is compatible with adjacent land uses.
CSF-3.24	**Recreation for New Development.** Ensure that adequate park land is provided in conjunction with new residential development, concurrent with the City's parks, recreation and open space, land and facilities development fee schedule.
SN-1.9	**Roadway Standards – Clearance.** Roadway standards shall require that roads have an overhead vertical clearance of 15 feet. Horizontally, roadways are to maintain an unobstructed width for the entire length, including turnouts, and driveways, per requirements of the Scotts Valley Fire Protection District.
SN-1.10	**Roadway Standards –** Access Roads. Roadway standards shall require that an access road not end farther than 150 feet from any portion of a building. A turnaround which meets the requirements of the fire district shall be provided at the end of the road where the road exceeds 150 feet and dead ends.
SN-1.17	**Fire District Review.** Encourage early review of proposed development project plans by the Scotts Valley Fire District.
SN-1.21	**Fire Impact or Mitigation Fees.** Consider additional impact or mitigation fees, or a benefit assessment, to offset the impact of new development on fire services.

3.15.1.2 *Existing Conditions*

Fire Protection

Fire protection within Santa Cruz County is provided by 13 entities, including nine fire protection districts, two community service areas, and two city fire departments. Most fire protection agencies are supported by mutual aid agreements with other jurisdictions.

The Scotts Valley Fire District (SVFD) provides all risk emergency response for both the City and the surrounding unincorporated areas.[115] The SVFD provides service within a 22 square mile area. The City comprises 4.5 miles of the area served and is 60 percent of the SVFD's service area population.[116] The SVFD has two fire stations within the City, with the headquarters located at 7 Erba Lane (Station One) and the additional fire station located at 251 Glenwood Drive (Station Two). The Plan area is closest to Station One, which is approximately 0.40 miles east of the Plan area. SVFD responds to approximately 2,100 district wide calls annually. Between 2015 and 2022, the majority (approximately 59 percent) of calls were medical emergency calls. The SVFD's response time goal is five minutes or less of notification. Between 2015 and 2022 the average response time

[115] City of Scotts Valley. *Scotts Valley General Plan*. August 2023. Page CFS-7.
[116] Ibid.

was approximately five minutes. Response time is measured from the time a call is received in the Fire Dispatch Center until the time the first unit arrives on the scene of an emergency.[117]

Police Protection

The Scotts Valley Police Department (SVPD) serves the Plan area and has 20 sworn officers and eight non-sworn employees. In 2024, the SVPD's Dispatch Center handled 3,576 calls on their 911 line and 5,342 calls for police service.[118] Additionally, in 2024 the average response time to emergency calls was approximately two minutes and 41 seconds[119]

Schools

The Plan area is served by Scotts Valley Unified School District (SVUSD). SVUSD has two elementary schools, Brook Knoll Elementary and Vine Hill Elementary, one middle school, Scotts Valley Middle School, and one high school, Scotts Valley High.[120] In 2024/2025, SVUSD had 2,566 students enrolled. Table 3.15-1 provides a breakdown of enrollment by school below:

Table 3.15-1: SVUSD 2024/2025 Enrollment by Grade

School	**2024/2025Enrollment[121]**
Brook Knoll Elementary	498
Vine Hill Elementary	549
Scotts Valley Middle	463
Scotts Valley High	611
California Online Public Schools Monterey Bay	440
Nonpublic, Nonsectarian Schools	5
Total Enrollment	**2,566**

Source: California Department of Education. Data Quest. 2024 – 2025 Enrollment by Ethnicity and Grade. Accessed June 11, 2025.

Parks

The City's current park system consists of 253.75 park acres, with 44.75 acres of developed parkland and 209 acres of undeveloped parkland. There are currently ten parks, undeveloped and

[117] Local Agency Formation Commission (LAFCo) of Santa Cruz County. Countywide Fire Protection Service and Sphere Review. 2021. Accessed September 23, 2025.
[118] City of Scotts Valley Police Department. *Scotts Valley Police Department Annual Activity Report – 2024.* 2024
[119] Ibid.
[120] Santa Cruz County Office of Education. "Scotts Valley Unified School District. Accessed June 11, 2025. https://santacruzcoe.org/schools/santa-cruz-county-school-districts/scotts-valley-unified-school-district/.
[121] California Department of Education. "*2024-25 Enrollment by Ethnicity and Grade.*" Accessed June 11, 2025. https://dq.cde.ca.gov/dataquest/dqcensus/EnrEthGrd.aspx?cds=44754324430211&agglevel=School&year=2024-25&ro=y.

developed, within the City.[122] A developed park meets the need for active recreation by allowing for a variety of recreation amenities and uses (i.e., athletic fields, playgrounds, etc.). Undeveloped parks provide areas for passive recreation and have low level park development or no park development. The park typologies adopted by the City include community parks, neighborhood parks, mini parks, open space, trails, undeveloped parks, and facilities. Open space, trails, and undeveloped parks consist of over 80 percent of the City's total park land acreage. The nearest park to the Plan area is Skypark, a portion of which is included within the northwestern Plan area. The next closest park is MacDorsa Park, located approximately one mile east of the Plan area.

Additionally, the City owns two community centers, one community pool, and one community garden. The existing community facilities total nine acres. The Scotts Valley Community Center and Scotts Valley Senior Center are located within the Plan area on Kings Village Road.

Libraries

The Scotts Valley Branch Library is located within the Plan area and is a public library. It is located at 251 Kings Village Road.

3.15.2 Impact Discussion

For the purpose of determining the significance of the project's impact on public services, 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?

[122] City of Scotts Valley. *Parks & Recreation Master Plan*. August 2024.

3.15.2.1 *Project Impacts*

a) 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 fire protection services?

The increase in development and population in the Plan area would result in a gradual increase in demand for fire protection services. As aforementioned, implementation of the Plan would result in a net increase of 1,643 residents and 164 employees over an extended period of time (i.e. 20 years), compared to existing conditions. Future development would include new housing and non-residential development, with associated increases to the resident and employee population served by the SVFD. Future development under the Plan would be required to comply with the California Fire Code, which regulates, among other topics, hazardous material handling, emergency access, and fire protection systems, including automatic sprinkler system, fire extinguishers, and fire alarms. The City would review plans to ensure that new development complies with existing building and fire code requirements.

The General Plan EIR did not identify the need for any new or expanded fire protection facilities. The additional development under Plan buildout would not require the need for expanded fire facilities. Per communication with the Chief of the Scotts Valley Fire District (Mark Corriera, September 2025), the District is implementing development impact fees that will contribute to funding for additional equipment. While no additional fire protection facilities are planned at this time, funding for any future fire facilities or equipment would be provided through fair share contributions collected through Development Impact Fees to be updated upon adoption of the Plan.[123] Should additional fire facilities need to be constructed in the future, their development would be required to comply with CEQA-review requirements , taking into account the nature and location of the facilities.

Compliance with existing regulations, General Plan goals, policies, and actions, and future project-level environmental review would need to consider impacts on reliability and response times to ensure that impacts on fire protection facilities would be less than significant. **(Less than Significant Impact)**

[123] Personal communication. Mark Corriera. Chief of Fire District. September 5, 2025.

b) 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 police protection services?

The increase in development and population in the Plan area would result in a gradual increase in demand for police protection services. As aforementioned, implementation of the Plan would result in a net increase of 1,643 residents and 164 employees over an extended period of time, compared to existing conditions. Future development would include new housing and non-residential development, with associated increases to the resident and employee population served by the SVPD.

The General Plan EIR did not identify the need for any new or expanded police protection facilities. However, development impact fees would be collected from future developers by the City to cover any necessary expansion of police staffing and/or facilities. The City is currently updating their Development Impact Fee Nexus Study to account for growth anticipated in the Plan. Should additional police facilities need to be constructed in the future, their development would be required to comply with CEQA-review requirements, taking into account the nature and location of the facilities.

Compliance with existing regulations, General Plan goals, policies, and actions, and future project-level environmental review would need to consider impacts on reliability and response times to ensure that impacts on police protection facilities would be less than significant. **(Less than Significant Impact)**

c) 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 schools?

Future development within the buildout horizon of the Plan would cause an increase in student population. The projected increase in students would be gradual as housing units are added to the Plan area. The public school district that serves the Plan area would continue to collect development impact fees throughout the horizon of the Plan. Therefore, future development would incrementally contribute toward facility upgrades and expansions, which, pursuant to California Government Code Section 65995, has been deemed sufficient to provide full and complete school facilities mitigation for the impacts from the proposed project, regardless of whether the fees are adequate to fully fund the expansion or construction of needed facilities.

The construction of new schools or renovated school facilities to accommodate growth under the proposed Plan is not expected.

The Scotts Valley Unified School District (SVUSD) does not anticipate a need for additional school facilities as a result of the Plan per communication with the Superintendent of Schools (Tanya Krause, September 2025). The District has been experiencing a slight decline in enrollment in recent years, and the development impact fees that the District collects from new developments in the Plan area would be adequate to fund any needed additional facilities, should the need arise. SVUSD does not maintain a formula or ratio for projecting new students that may result from future development, and therefore, no student projection estimates have been provided in this EIR.[124]

Additionally, under SB 50 and current California Government and Education Codes, the payment of statutory fees is "deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization…on the provision of adequate school facilities." Therefore, the project would not require construction of new or expanded educational facilities and impacts to schools would be less than significant with no mitigation beyond payment of statutory fees required.

With the required payment of development impact fees for new development pursuant to California Government Code Section 65995, General Plan goals, policies, and actions, impacts to the public-school districts that serve the Plan area would be less than significant. **(Less than Significant Impact)**

d) 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 parks?

The development of the Plan area would result in a slight increase in the use of parks due to an increase in residences. The Plan would include 88,000 square feet of public park improvements, which are analyzed as part of this EIR. As noted in the Project Description, the portion of Skypark included within the Plan area would be remodeled to include an amphitheater with a stage and canopy, as well as a flexible lawn area. The amphitheater would accommodate both small and large weekend events, with the option for entertainers to face two different directions, depending on the program. The programming could include amplified music. Details of the design and operation of the amphitheater are not yet available. The amphitheater would undergo project-level environmental review once operational details were available.

The Plan would include two new public plazas: Tower Point and Hangar Square. The Tower Point Plaza would be located on Park Street, across from Main Street and adjacent to the proposed pedestrian and bicycle paseo, and would consist of a smaller public plaza. Hangar Square would be

[124] Personal communication. Tanya Krause, Superintendent of Scotts Valley Unified School District. September 19, 2025.

located along Park Street across from Theater Walk and would consist of a large public plaza. The impacts of the construction and ongoing public use of these plazas are accounted for within this PLan EIR's analysis.

As discussed in Section 3.16 Recreation, future development under the Plan would comply with Municipal Code Section 16.35, which specifies the amount of parkland dedication required by residential dwelling type and in-lieu fee options. **(Less than Significant Impact)**

e) 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 other public facilities?

New residential and non-residential development would increase the resident and daytime population of Scotts Valley, incrementally increasing utilization of library services over the coming years. The increase would not create a need for new or expanded governmental facilities, such as a library, the construction of which could cause significant environmental impacts. The existing library services provided by the Scotts Valley Branch Library within the Plan area would be adequate to serve the proposed growth.**(Less than Significant Impact)**

3.15.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant public services impact?

The General Plan EIR did not forecast a need for new or expanded public facilities (i.e., fire stations, police services, schools, parks, or libraries) from the cumulative buildout of the General Plan. As discussed above in questions a) through e), the additional growth associated with buildout of the Plan area is not expected to result in the development of new or expanded public facilities (i.e., fire stations, police services, schools, parks, or libraries). Therefore, the project would not result in a cumulatively considerable contribution to a cumulatively significant public services impact. **(Less than Significant Cumulative Impact)**

3.16 Recreation

3.16.1 Environmental Setting

3.16.1.1 *Regulatory Framework*

State

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

Local

Scotts Valley General Plan

The General Plan contains the following policies which are specific to recreation and are applicable to the project:

Policy	Description
CSF-3.24	**Recreation for New Development.** Ensure that adequate park land is provided in conjunction with new residential development, concurrent with the City's parks, recreation and open space, land and facilities development fee schedule.
CSF-3.25	**Commercial and Industrial Development.** All commercial and industrial developments shall provide recreational facilities on-site or contribute money to enhance the City's park and recreation system**.**
LU-1.14	**Public and Quasi-Public Facilities.** Designate areas for new public and quasi-public facilities and accessory facilities commensurate with the identified need.
LU-1.16	**Dedication of Park Land.** Require new residential development to dedicate park land and/or to contribute park in-lieu fees to the City that enable the purchase of additional park land, or to provide recreational facilities, or to maintain existing parks consistent with the Parks Master Plan.

2024 Parks Master Plan

The 2024 Parks Master Plan is a guiding document for how the City of Scotts Valley can anticipate, as well as plan and prepare for, the growing and diverse needs of the community regarding parks and recreation. The 2024 Parks Master Plan provides general recommendations of park improvements, along with a prioritization of park improvements based on community feedback and analysis using a park score total.

Scotts Valley Municipal Code Chapter 16.35

Chapter 16.35 – Dedication of Land for Parks and Recreation Purposes, requires future development projects to dedicate land, pay a fee in lieu thereof, or both, at the option of the city, for park or recreational purposes.

3.16.1.2 *Existing Conditions*

As discussed in Section 3.15 Public Services, the City's current park system consists of 253.75 park acres, with 44.75 acres of developed parkland and 209 acres of undeveloped parkland. There are currently 10 parks, undeveloped and developed, within the City.[125] A developed park meets the need for active recreation by allowing for a variety of recreation amenities and uses (i.e., athletic fields, playgrounds, etc.). Undeveloped parks provide areas for passive recreation and have low level park development or no park development. The park typologies adopted by the City include Community Parks, Neighborhood Parks, Mini Parks, Open Space, Trails, and Undeveloped Parks, and Facilities. Open space, trails, and undeveloped parks consist of over 80 percent of the City's total park land acreage.

Skypark is the nearest park to the Plan area. It is adjacent to the northern boundary of the project area and is 22.5 acres. The Plan area encompasses a portion of Skypark, including the informal Scotts Valley Pump Track and the temporary Skypark Dog Park.

The City uses the level of service standard of five acres of developed park land per 1,000 residents.[126] In order to meet the City's 2033 level of service goals, based on a population growth estimate of 0.5 percent annually, the City will need a total of 65.54 developed park acres, which is an increase of 20.79 park acres above existing conditions at the time the 2024 Parks Master Plan was drafted .[127]

3.16.2 Impact Discussion

For the purpose of determining the significance of the project's impact on recreation:

a) 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?
b) 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?

[125] City of Scotts Valley. *Parks & Recreation Master Plan*. August 2024.
[126] Ibid.
[127] Ibid.

3.16.2.1 *Project Impacts*

a) 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?

As discussed previously in Section 3.15 Public Services under checklist question d), buildout of the Plan would increase the public's demand on parks. Residential development under the Plan buildout would be expected to comply with General Plan policy LU-1.16, which requires new residential development to dedicate park land and/or to contribute park in-lieu fees. This would result in an incremental addition of parkland.

Since future residential development would be required to comply with payment of in-lieu fees pursuant to LU-1.16, and the Plan includes park facilities to serve future residents, employees, and visitors to the Plan, implementation of the Plan would not substantially deteriorate existing park facilities. **(Less than Significant Impact)**

b) 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?

As discussed above under checklist question a) residential development under the Plan would be required to dedicate park land and/or to contribute park in-lieu fees. Additionally, the Plan would include approximately two acres of park improvements. Specifically, the portion of Skypark included within the Plan area would be remodeled to include an amphitheater with a stage and canopy, as well as a flexible lawn area. The amphitheater would accommodate both small and large weekend events, with the option for entertainers to face two different directions, depending on the program. The programming could include amplified music. Following Plan adoption, once specific details regarding the amphitheater construction and operation are known, the City would complete project-level review of the Skypark amphitheater. This would include evaluating the potential noise impacts from events prior to a commitment to develop and operate the amphitheater in order to assess the impacts on the environment and identify appropriate operational controls and mitigation so that the facility complies with applicable City policies, Codes, and regulations. As discussed in the Plan Implementation Chapter, the City intends to develop a Skypark Master Plan in 2026 that will implement a long term vision for that park, potentially including improvements described above.

The Plan would include two new public plazas: Tower Point and Hangar Square. The Tower Point Plaza would be located on Park Street, across from Main Street and adjacent to the proposed pedestrian and bicycle paseo, and would consist of a smaller public plaza. Hangar Square would be located along Park Street, across from Theater Walk and would consist of a larger public plaza.

Per the 2024 Parks Master Plan, the City uses a level of service standard of five acres of developed park land per 1,000 residents. Based on the 2020 population of 12,224 disclosed within the 2024

Parks Master Plan, resulting in a need for approximately 60 acres of developed parkland, at a rate of five acres per 1,000 population, while the City owns 44.75 acres of developed park land, and therefore an additional 16.37 acres of developed parkland is needed to meet the level of service standard currently. The 2024 Parks Master Plan anticipated a 2033 population of 13,107, and declared that the City will need an additional 20.79 acres of developed parkland to meet 2033 LOS Goals, assuming a 0.5 percent annual population growth for the next ten years. However, AMBAG's 2045 population forecast for the City of Scotts Valley is 12,010 persons.[128] Therefore, this analysis assumes the City would need an additional 15.3 acres to meet their level of service standard for the whole City by 2045.

As described in Section 3.14 Population and Housing, the Plan would result in approximately 1,643 new residents under buildout, or a net increase of 1,008 residents compared to what was planned for the Plan area in the General Plan. The 2024 Parks Master Plan was updated alongside the City's General Plan; therefore, it is assumed that the 2024 Parks Master Plan accounted for 254 residential units (or 635 residents) for the Plan area, consistent with the assumptions used for the Plan area within the General Plan EIR.

Due to the limitations of zoning, limited development space, and steep topography, the 2024 Parks Master Plan recommends the City pursues joint-use agreements with school districts and partnerships with State parks, Santa Cruz County, and local Districts in order to meet the City's level of service goal. The development or expansion of any park land facilities would be subject to separate project-level environmental review pursuant to CEQA, as required, to identify potential environmental impacts and mitigation measures as needed to reduce potential environmental impacts.

Future development under the Plan would be required to comply with Municipal Code Section 16.35, which specifies the amount of parkland dedication required by residential dwelling type and in-lieu fee options. **(Less than Significant Impact)**

3.16.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant recreation impact?

Due to the limitations of zoning, limited development space, and steep topography, the 2024 Parks Master Plan recommends the City pursue joint-use agreements with school districts and partnerships with State parks, Santa Cruz County, and local Districts. State law allows jurisdictions to require development to fund park improvements. Future cumulative residential development would be required to comply with LU -1.16, which requires new residential development to dedicate park land and/or to contribute park in-lieu fees to the City that enable the purchase of additional park land, or to provide recreational facilities, or to maintain existing parks consistent

[128]AMBAG. 2022 Regional Growth Forecast. June 2022. https://ambag.org/sites/default/files/2022-12/REVISED_PDFAAppendix%20A_2022%20RGF.pdf

with the Parks Master Plan. For these reasons, implementation of the project would not result in a cumulatively considerable impact to parks and recreational facilities. **(Less than Significant Cumulative Impact)**

3.17 Transportation

This section evaluates the potential effects of the Plan on the circulation system including vehicle miles traveled (VMT), transit, safety, bicycle and pedestrian facilities, and emergency access. The following discussion is based in part upon a Vehicle Miles Traveled Analysis completed September 23, 2025, by Hexagon Transportation Consultants, Inc. The report is included as Appendix D of this EIR. The City's Analyzing Vehicle Miles Traveled for CEQA Compliance SB 743 Implementation Guidelines was referenced to draft this section.

3.17.1 Environmental Setting

3.17.1.1 *Regulatory Framework*

State

Senate Bill 743

Adopted in 2013, Senate Bill 743 (SB 743) changes how transportation impacts are evaluated under CEQA. Previously, CEQA analysis was conducted using an LOS measurement that evaluated traffic delay. As specified under SB 743 and implemented under Section 15064.3 of the State CEQA Guidelines, VMT is the required metric to be used for identifying CEQA impacts and mitigation. In December 2018, the Governor's Office of Planning and Research (OPR) published a Technical Advisory on Evaluating Transportation Impacts, including guidance for VMT analysis. The Office of Administrative Law approved the updated CEQA Guidelines and lead agencies were given until July 1, 2020, to implement the updated guidelines for VMT analysis.

VMT was chosen as the primary metric to better integrate land use and multimodal transportation choices, to encourage alternative transportation, promote greater efficiency, and reduce GHG emissions. The most recent technical guidance on analyzing the transportation impacts under CEQA, released by OPR in December 2018, provides recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures. OPR offered a generalized recommendation of a 15-percent reduction below existing VMT as a threshold of CEQA significance.

For the VMT analysis, OPR recommends using a trip-based assessment of VMT that captures the full extent of the vehicle trip length- even the portion that extends beyond the jurisdictional boundary (trips that extend into another county). This differs from the traditional boundary-based assessment of VMT impacts that quantifies only the length of the vehicle trips that occur within the boundaries of a jurisdiction.

California Complete Streets Act of 2008

The California Complete Streets Act of 2008 requires that the circulation elements of local general plans accommodate a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways in a manner that is suitable to the rural, suburban, or urban

context of the jurisdiction. Users are defined to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and riders of public transportation.

Measure D

Measure D was a proposed ½ cent local sales tax increase included on the November 2016 ballot in Santa Cruz County. The Measure, which will focus on transportation safety upgrades, roadway repairs, traffic relief, and transit augmentation, was approved by voters.

The improvement plan will provide steady and direct funding to Santa Cruz County and all Cities within the County to improve the transportation network, including Highway 17. Transportation improvements will include improvements of local streets, road maintenance, bicycle and pedestrian projects, transit, and paratransit service upgrades, as well as implementation of many other projects and programs. These improvements are voter-approved and by default law, must be implemented.

Regional and Local

Metropolitan Transportation Plan/ Sustainable Communities Strategy

AMBAG is required to produce certain documents that maintain the region's eligibility for federal transportation assistance, which include the Metropolitan Transportation Plan (MTP). AMBAG coordinates the development of the MTP with regional transportation planning agencies (San Benito County Council of Governments, Santa Cruz County Regional Transportation Commission [SCCRTC], and the Transportation Agency for Monterey County), transit providers (San Benito County Local Transit Authority, Monterey Salinas Transit, and METRO), MBARD, state and federal governments, and organizations having interest in or responsibility for transportation planning and programming. The Sustainable Communities Strategy is part of the MTP and demonstrates land use and transportation measures that will be used to meet the region's GHG emission reduction targets as established by CARB.

Regional Transportation Plan

As the regional transportation planning agency (RPTA) for Santa Cruz County, the SCCRTC is responsible for developing, implementing and regularly updating the Regional Transportation Plan (RTP) for Santa Cruz County. The RTP is a state-mandated plan that identifies transportation needs in Santa Cruz County over the next 20 or more years. It estimates the amount of funding that will be available over this time frame and identifies a financially constrained priority list of projects. Projects identified in the 2040 RTP include maintenance of and improvements to local roadways, highways, bicycle and pedestrian facilities, transit service, rail, specialized transportation for seniors and people with disabilities, and transportation demand management programs.

The Santa Cruz County RTP is also incorporated into AMBAG's tri-county MTP/SCS, which covers the counties of Santa Cruz, Monterey and San Benito. The Santa Cruz County RTP must be consistent

with and plan for a transportation system that supports the SB 375-mandated SCS for reducing GHG emissions, which is included in the AMBAG MTP/SCS.

Scotts Valley General Plan

The Scotts Valley General Plan contains the following policies which are specific to transportation and are applicable to the proposed Plan:

Policy	Description
M-1.4	**Transportation and Economic Development.** Transportation access, accommodations, and circulation should contribute to creating a supportive environment for economic development for both residents and visitors.
M-1.5	**Transportation and Land Use.** Encourage higher intensity residential, commercial, and mixed-use development near existing activity and transit centers and along corridors well served by non-motorized transportation infrastructure and public transportation.
M-1.10	**Electric Vehicle Facilities.** Encourage new commercial development to provide facilities that support alternative mobility options, such as electric vehicle stations, rideshare zones, and bike and scooter parking, etc.
M-1.11	**Residential Vehicle Charging Facilities.** Encourage new residential development to provide facilities for electric vehicle charging.
M-2.1	**Complete Street Initiatives.** Support projects, programs, policies, and regulations to maintain a balanced multi-modal transportation network that meets the needs of all local roadway users in a manner that is suitable to the scale and character of Scotts Valley.
M-2.2	**Design Standards.** Follow accepted and adopted design standards when implementing improvements intended to fulfil "complete street" characteristics. Consider innovative or non-traditional design options, particularly where it can be demonstrated to improve the level of safety for users.
M-2.4	**Community Context.** Support opportunities to repurpose existing rights-of-way or create new rights-of-way to enhance connectivity for pedestrians and bicyclists.
M-2.5	**Non-Motorized Connectivity.** Focus complete street improvements on primary connections from residential areas to schools, parks and recreation uses, civic uses, and community-serving commercial areas.
M-3.1	**Reduce Vehicle Miles Traveled (VMT).** Work in cooperation with the Santa Cruz County Regional Transportation Commission, the Association of Monterey Bay Area Governments, and Santa Cruz County to reduce VMT.
M-3.3	**Mt. Hermon Road Maintenance.** Seek funding and/or shared maintenance expense agreements with the County and Caltrans for Mt. Hermon Road corridor which serve as a primary access for the San Lorenzo Valley.
M-3.9	**Level of Service (LOS) Standard.** To help ensure a safe and efficient roadway network, maintain the established level of service C or better at intersections throughout Scotts Valley; except for Scotts Valley Drive at Mt. Hermon Road and Granite Creek Road at Scotts Valley Drive, which shall be required to maintain a level of service D or better. Utilize these standards as the basis for

	maintaining a nexus between the City's transportation impact fees and proposed development projects.
M-3.10	**Lower Level of Service.** Consistent with the concept of Complete Streets and Goal 2 and its associated policies, consider accepting a lower level of service and greater congestion at major arterial intersections. Factors that should be considered include, but are not limited to; right-of-way constraints, the economic feasibility of roadway infrastructure improvements, environmental impacts, or other factors as deemed inconsistent with the General Plan, as determined by the City Council.
M-3.16	**Traffic Impact Mitigation Fees.** Collect traffic impact mitigation fees from developers of new projects. Use these fees to construct various transportation and mobility improvements including bikeways, pedestrian pathways, and transit facilities.
M-3.18	**Vehicle Miles Traveled Standards and CEQA Evaluation.** The City shall require evaluation of General Plan land use designation changes, zone changes, and discretionary development for their individual (i.e., project-specific) and cumulative transportation impacts based on Vehicle Miles Traveled (VMT) under the California Environmental Quality Act (CEQA) pursuant to the methodology and thresholds of significance criteria as set forth in the City of Scotts Valley SB 743 Implementation Guidelines.
M-4.1	**General Design.** Ensure that new and reconfigured roadways and roadway improvements are safe, functional, and aesthetically appropriate.
M-4.11	**Scotts Valley Drive and Mt. Hermon Road Corridors.** Employ a cooperative planning effort among public and private interests to implement appropriate land use controls and architectural techniques for improving and enhancing the scenic beauty and aesthetic qualities of Scotts Valley Drive and Mt. Hermon Road.
M-6.3	**Accessibility for All Bicyclists.** Provide bikeways in Scotts Valley that are safe and convenient for bicyclists of all ages and abilities.
M-6.6	**Bicycle Lane Construction (1).** Include bicycle lane construction enhancements in all road improvement and expansion projects on designated bikeways and construct them in conformance with established safety standards. Encourage the construction of bikeways on private property, particularly where they provide an important link to the City's bikeway network.
M-6.7	**Bikeways Construction (2).** Where available, require new developments located along designated bikeways to provide an appropriate bike way (path or lane) including rights-of-way and construction.
M-7.5	**Development Projects.** Require all development to provide pedestrian pathways and associated pedestrian amenities (e.g., benches, signage, etc.) particularly along arterial roadways and within one quarter mile of the Cavallaro Transit Center.
M-7.6	**Sidewalks.** As part of capital improvement programs and new public or private roadway improvement projects, require the installation of sidewalks and pedestrian crossings in appropriate areas.

Scotts Valley Active Transportation Plan

The City of Scotts Valley Active Transportation Plan, adopted in 2021, identifies potential pedestrian improvements along Mt. Hermon Road, including curb extensions, median refuge islands, and updating pedestrian facilities to current ADA standards at its intersections with Kings Village Road and Spring Lakes Drive. Some improvements, such as the median expansion, were identified in the previously adopted 2008 Plan.

The City of Scotts Valley Active Transportation Plan identifies future bikeway facilities in the City of Scotts Valley. The proposed facilities in the project vicinity are as follows:

- Class IV separated (or buffered) bike lanes along Mt. Hermon Road, from SR-17 to Lockewood Lane
- Class IV separated (or buffered) bike lane along Scotts Valley Drive between Mt. Hermon Road and Vine Hill School Road
- Class IV separated bikeway along Bluebonnet Lane, between Kings Village Drive and Bean Creek Road
- Class I shared use path along Lockewood Lane, between Mt. Hermon Road and the southern city limits
- Class I share use path along Bean Creek Road, between Scotts Valley Drive and Bluebonnet Lane

3.17.1.2 *Existing Conditions*

Existing Roadway Network

Regional roadway access to the project site is provided by Highway 17. Major roadway access to the site is provided via Mt. Hermon Road and Kings Village Road. Other major roadways in the project vicinity include Scotts Valley Drive. These facilities are described below.

SR-17 is a four-lane divided highway in the vicinity that runs in a north-south direction. The closest interchange to the project site is at Mt. Hermon Road.

Mt. Hermon Road is a four-lane arterial that runs roughly in the east-west direction. Mt. Hermon Road extends from SR-17 in the east to the unincorporated area of Felton in the west. A landscaped median with left-turn lanes into nearby shopping plazas is present along Mt. Hermon Road in the project vicinity. The posted speed limit is 35 miles per hour (mph). Sidewalks and bike lanes are present along both sides of Mt. Hermon Road. Parking is not permitted along either side of Mt. Hermon Road.

Kings Village Road is a two-lane collector that runs in the north-south direction, from Mt. Hermon Road in the south to Bluebonnet Lane in the north. Kings Village Road then makes a 90-degree turn at its intersection with Bluebonnet Lane and continues north to warehousing/industrial uses.

Sidewalks and bike lanes are present along both sides of King Village Road. Parking is not permitted along either side of Kings Village Road.

Whispering Pines Drive (West of Mt. Hermon Road, Scotts Valley Drive and signed as Whispering Pines Drive) is a two-lane undivided local road with a 30-mph posted speed limit. Whispering Pines Drive connects local residential neighborhoods to Mt. Hermon Road and Scotts Valley Drive arterials.

Scotts Valley Drive is a four-lane arterial that runs in a north-south direction. Scotts Valley Drive extends from Mt. Hermon Road in the south, where it transitions from Whispering Pines Drive, to its terminus in the north. Sidewalks and bike lanes are present along both sides of Scotts Valley Drive.

Bluebonnet Lane is a two-lane local street that runs in the east-west direction, from Kings Village Road in the west to Bean Creek Road in the east. Sidewalks and bike lanes are present along both sides of Bluebonnet Lane. Parking is not permitted along either side of Bluebonnet Lane.

Bean Creek Road is a two-lane collection that runs in the north-south direction, from Scotts Valley Drive in the south to Glenwood Drive in the north. Bike lanes are present along both sides of Bean Creek Road. A sidewalk is present along the west side of Bean Creek Road between Scotts Village Drive to 100 feet north of Bluebonnet Lane. Parking is not permitted along either side of Bean Creek Road.

Existing Pedestrian Facilities

Pedestrian facilities consist of sidewalks, crosswalks, and pedestrian signals at signalized intersections. In the vicinity of the Plan area, sidewalks are present along most portions of Mt. Hermon Road and Kings Village Road. Sidewalks are lacking along the project frontages along portions of Mt. Hermon Road and Kings Village Road. Crosswalks with pedestrian signal heads and push buttons are provided at all approaches of the Kings Village Road/Mt. Hermon Road intersection and along the northern, southern, and western legs of the Scotts Valley Shopping Plaza Driveway/Mt. Hermon Road intersection. Existing pedestrian crossings across Mt. Hermon Road at the Scotts Valley Shopping Plaza Driveway, Kings Village Road, and Spring Lakes Drive have an exclusive pedestrian crossing phase.

Existing Bicycle Facilities

The existing and proposed bike facilities within the vicinity of the Plan area include Class II striped bike lanes and Class III bike routes, as shown in Figure 2.3-4.

Class II bike lanes are striped preferential lanes on the roadway for one-way bicycle travel. Existing bike lanes are present along:

- Mt. Hermon Road, between the western City limits and the SR-17 ramps

- Kings Village Road, between Mt. Hermon Road and Bluebonnet Lane
- Bluebonnet Lane, between Kings Village Road and Bean Creek Road
- Scotts Valley Drive, between Mt. Hermon Road and Vine Hill School Road
- Whispering Pines Drive, between Mt. Hermon Road and Estrella Drive
- Bean Creek Road, between Scotts Valley Drive and Bluebonnet Lane

Class III bike routes are vehicular roadways designated to be shared with bicyclists. Bike routes are typically designated only with signage or with painted shared lane markings (sharrows) on a road that indicate to motorists that bicyclists may use the full travel lane. Bicycle routes are present along:

- Bean Creek Road, between Bluebonnet Lane and Redwood Way
- Whispering Pines Drive, between Estrella Drive and Lockewood Lane
- Lockewood Lane, within city limits

As discussed in Section 3.17.1.1., the City of Scotts Valley Active Transportation Plan identifies future bikeway facilities in the City of Scotts Valley that could be incorporated within the Plan area vicinity. As explained in Chapter 5 of the City of Scotts Valley Active Transportation Plan, the proposed transportation improvements will be implemented over time as funding becomes available, based on the priority system outlined within the chapter. Therefore, additional bike facilities could be implemented throughout the planning horizon for the Plan.

Existing Transit Services

Existing transit service to the study area is provided by Santa Cruz METRO bus routes. Bus services are available at the Cavallaro Transit Center, which serves as the main transit hub in the City of Scotts Valley. The Cavallaro Transit Center is located at the southeast corner of the Kings Village Road/Bluebonnet Lane intersection. Route 35 provides service between Scotts Valley and the City of Santa Cruz. Route 35 operates on a 30-minute headway at the Cavallaro Transit Center. The Highway 17 Express provides service between Santa Cruz and San Jose. The Highway 17 Express operates on an approximate one-hour headway for the stop at the Cavallaro Transit Center.

3.17.2 Impact Discussion

For the purpose of determining the significance of the project's impact on transportation, would the project:

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities?
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
d) Result in inadequate emergency access?

For purposes of VMT, implementation of the Plan would have a significant transportation impact if it would result in VMT exceeding the thresholds as shown in Exhibit 5 of the City's Analyzing Vehicle Miles Traveled for CEQA Compliance SB 743 Implementation Guidelines "City VMT Guidelines", which is included below as Table 3.17-1 for reference.

Table 3.17-1 Scotts Valley VMT Thresholds of Significance for Land Use Projects

Land Use	VMT Threshold	Basis
Residential	10.0 VMT/capita*	15% below the existing City's average VMT per capita
Office	7.4 Work VMT/Employee**	15% below existing Santa Cruz County-wide average Work VMT per employee
Retail	Net Regional Change	Using Santa Cruz County as the basis
Industrial	11.0 Work VMT/Employee**	15% below existing county-wide average Work VMT per employee
Other Employment	Work VMT/Employee**	15% below existing county-wide average Work VMT per employee for similar land uses
Other Customer	Net regional change	Using Santa Cruz County as the basis
Transportation Projects	Net increase to countywide VMT	Using Santa Cruz County as the basis
*Residential VMT specifically applies to all Home-Based trips residential trips as represented in the Travel Demand Model. Appendix A of the City's VMT Implementation Guidelines has additional information. **Work VMT specifically applies to commute trips as represented in the Travel Demand Model. Refer to Appendix A of the City's VMT Implementation Guidelines for additional information. Source: City of Scotts Valley Analyzing Vehicle Miles Traveled for CEQA Compliance (Kinley-Horn & Associates, November 2023).		

3.17.2.1 *Project Impacts*

a) Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities?

Roadway Network

General Plan Policy M-3.9

Although a project's effects on LOS are no longer considered an impact on the environment, General Plan Policy M-3.9 (refer to Section 3.17.1.1) addresses LOS as a planning or growth management matter, outside the CEQA process. In the event a project causes an LOS deficiency, the City has discretion whether to require a project to address the deficiency by implementing roadway or other transportation improvements to restore or improve the LOS, and the relevant question under CEQA is whether those improvements would result in adverse physical changes to the environment, not whether LOS has degraded below the condition considered acceptable.

As discussed in Section 3.17.3 Non-CEQA Effects below and detailed in Appendix D, certain intersection operations would degrade under the Plan. The Transportation Analysis (TA) prepared for the Plan identified transportation improvements to avoid LOS degradation. At the time of the first development within the Town Center Core, the Plan requires three of the improvements identified in the TA:

- The left-turn pocket of Mt Hermon Road left turn to Kings Village Road would be lengthened to 275 feet.
- The new intersection of Main Street with Mt. Hermon Road/Safeway Plaza would be signalized (a new traffic signal would be added).
- At the Mt Hermon/Main Street intersection, the westbound left-hand turn pocket would be lengthened to at least 100 feet and the eastbound left-hand turn pocket would be lengthened at least 175 feet.

The remainder of the improvements identified in the TA are considered optional under the proposed draft Plan and the decision whether and when to implement the improvements will be made by the City Council as part of the Town Center Core Development Agreement and Planned Development process. Details of the required and optional roadway improvements, and the resulting environmental implications, are described in full in Section 3.17-3 Non-CEQA Effects below.

New Roadways and Roadway Improvements – General Plan Policies M-2.1, M-2.2, and M-4.1

The General Plan outlines policies for the enhancement of existing roadways and the creation of new roadways, including policies M-2.1, M-2.2, and M-4.1 described in Section 3.17.1 above. The Plan area currently includes four roadways: Kings Village Road, Blue Bonnet Lane, Skypark Drive, and Mt. Hermon Road. As described in Section 2.3.2 Circulation Improvements and shown in Figure 2.3-2, buildout under the Plan would introduce four new roadways: Main Street, Park Street,

Theater Walk, and Aero Lane. Theater Walk would be a "woonerf" style street, meaning that it would provide a throughway for vehicles, pedestrians, and bicyclists but would be designed to be closed off for special temporary events, such as farmers markets.

The additional roadways would facilitate connectivity within the Plan area. As described in the Plan's Circulation Standards and Guidelines, the intent of the new streets and block pattern under the Plan is to:

- Ensure that new development occurs in manner that is consistent with the circulation concept in the Town Plan;
- Support a circulation system that enhances connectivity and supports a range of transportation options; and
- Maintain and enhance the visual character and aesthetic qualities of public streets and rights-of way.

The Plan's Circulation standards, design guidelines and related requirements would ensure that the new roadways and any additional roadway improvements are safe, functional, and aesthetically appropriate. Therefore, buildout of the new roadways would comply with all relevant General Plan policies, including policies M-2.1, M-2.2, and M-4.1.

Bicycle and Pedestrian Facilities

As described in the Plan's Site Design Standards and Guidelines, the intent of the pedestrian and bicycle circulation standards under the Plan is to:

- Ensure that new development provides pedestrian and bicycle improvements consistent with Plan policies and standards;
- Increase opportunities for residents to walk, bike, and take transit to destinations; and
- Ensure that pedestrian and bicycle facilities are safe, convenient, and enjoyable to use.

As described in Section 2.3.2 Circulation Improvements and shown in Figure 2.3-2, the Plan would include pedestrian and bicycle improvements to create opportunities for a variety of travel options. Main Street and Theatre Walk would have Class III bike routes, providing a route for bike travel that is shared with motor vehicles. Park Street would have Class IV bike lanes on both sides of the street, providing bikeways separated from the vehicle lanes. Aero Lane would not include bike facilities. All four of the new roadways would provide sidewalks on both sides of the street. The inclusion of the new roadways would directly support General Plan Policy M-2.4 and M-2.5 by enhancing connectivity for pedestrians and bicyclists, specifically connecting residential areas to parks and recreating uses, civic uses, and community-serving commercial areas. Additionally, the new roadways would include sidewalk on both sides of the street, complying with General Plan policy M-7.6.

The project would not interfere with the creation of bikeway and pedestrian facilities outlined in the City of Scotts Valley Active Transportation Plan. Further, collection of development fees under

buildout of the Plan could contribute financially to bikeway and pedestrian improvement projects outlined in the City of Scotts Valley Active Transportation Plan.

Transit Facilities

The Cavallaro Transit Center is located at the southeast corner of the Kings Village Road/Bluebonnet Lane intersection. Additionally, the Plan would facilitate improvements to the bicycle and pedestrian network, as described above. These improvements would encourage connections to nearby bus transit.

Implementation of the Plan would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities. **(Less than Significant Impact)**

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b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Section 15064.3, subdivision (b) of the CEQA Guidelines, which requires that transportation impact analysis be based on VMT instead of a congestion metric (such as LOS), states that a project's effect on automobile delay shall not constitute a significant environmental impact, and describes specific considerations for evaluating a project's transportation impacts. Developed in coordination with Santa Cruz County and the cities of Santa Cruz, Capitola, and Watsonville, the City's *Analyzing Vehicle Miles Traveled for CEQA Compliance* guidelines document, which is consistent with and implements SB 743, describes the methodology and performance mitigation measures for analyzing VMT impacts. The Plan would include a mix of land uses, as shown in Figure 2.3-1. According to the screening criteria within the *Analyzing Vehicle Miles Traveled for CEQA Compliance* guidelines, mixed-use developments should analyze each component separately. Specifically, the Plan would allow for residential uses, commercial/retail uses, and public uses. Buildout of the Plan would meet the City's VMT screening criteria and can therefore be expected to cause a less than significant impact, as further described below.

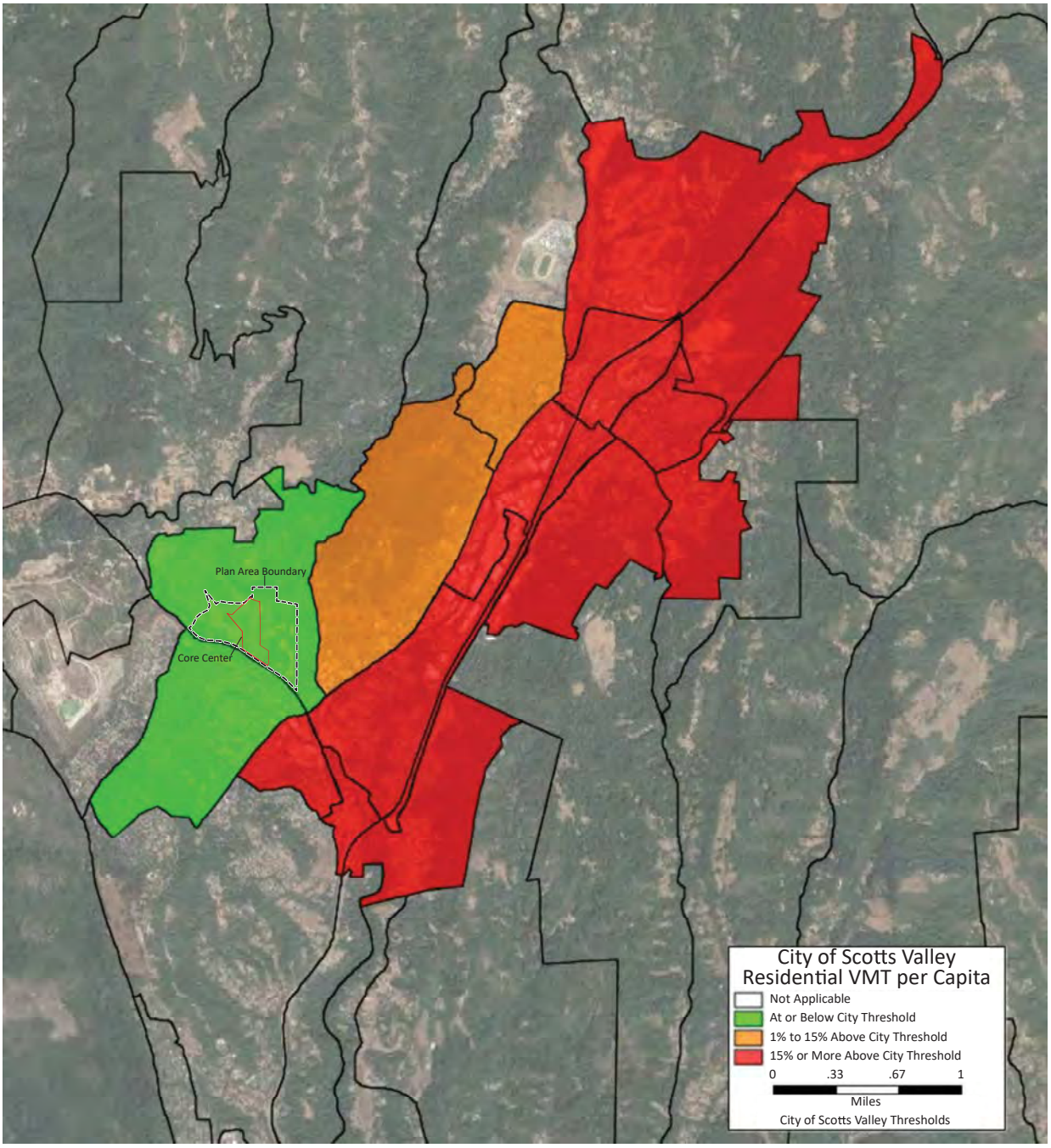
Residential

The residential portion of Plan buildout would meet the City's screening criteria as follows:

- Affordable, Supportive, and Transitional Housing: The buildout of the proposed residential units will range from 15 to 100% deed-restricted affordable units, depending on individual projects.
- Map-Based Screening: The project is located in an area that is under the screening threshold for residential uses, as shown in Figure 2 of the VMT CEQA Compliance Guidelines and included as Figure 3.17-1 within this EIR below.[129] The baseline condition for VMT per

[129] City of Scotts Valley. Analyzing Vehicle Miles Traveled for CEQA Compliance. SB 743 Implementation Guidelines for the City of Scotts Valley. December 2023.

capita for the residential threshold is 11.7, and the VMT compliance threshold of 15 percent below the City's VMT per capita is 10.0.



City of Scotts Valley. Analyzing Vehicle Miles Traveled for CEQA Compliance. SB 743 Implementation Guidelines for the City of Scotts Valley. Figure 2. December 2023.

BASELINE RESIDENTIAL VMT PER CAPITA IN SCOTTS VALLEY | FIGURE 3.17-1

Commercial/Retail

The commercial/retail portion of Plan buildout would meet the City's screening criteria as follows:

- Local-Serving Retail: Buildout under the Plan would allow for 82,000 square feet of commercial/retail services. No single store is expected to exceed 50,000 square feet. The retail uses are meant to serve local residents/customers, including from passby trips from motorists already traveling on local streets, and not consist of retail uses that would be a regional draw, attracting customers from elsewhere in Santa Cruz County.

Public

The public portion of Plan buildout would meet the City's screening criteria as follows:

- Local Essential Service: Buildout under the Plan would allow for 35,000 square feet of public/civic uses for City government and/or public uses, including public parks and plazas. The proposed amphitheater is intended to serve Plan residents, customers, and employees, and is not intended to host events that would attract people from outside the City who would not otherwise already have reason to frequent the Plan area land uses.

Each component of the Plan would meet the City's screening criteria; therefore, the project can be assumed to have a less than significant impact on VMT. **(Less than Significant Impact)**

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c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The Plan is a long-range planning document that would guide future development within the Plan area but would not introduce any physical features that would create an obvious safety hazard. As previously discussed, the Plan includes four new roadways. Any future improvements would be designed and constructed to local, regional, and federal standards, and as such, would not be expected to introduce any hazardous design features. Projects that would include the development of new streets, circulation improvements and access points would be reviewed for compliance with safety guidelines and standards as part of the development review process, including General Plan Policy M-4.1. Safety considerations include maintenance of a substantially clear line of sight at driveways between the driver of a vehicle waiting to enter the through street and the driver of an approaching vehicle.

Based on the above analysis, the project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). **(Less than Significant Impact)**

d) Would the project result in inadequate emergency access?

Future development under the Plan would be required to comply with City and County standards and requirements and would undergo review by public safety officials as part of the approval process. The Plan proposes four new roadways that would enhance emergency access within the Plan area. **(Less than Significant Impact)**

3.17.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant transportation impact?

Consistency with Circulation System Programs, Plans, Ordinances, or Policies

The geographic area for consistency with local programs, plans, ordinances, or policies is citywide. Future cumulative projects implementing the General Plan would be required to evaluate regional and local traffic impacts pursuant to General Plan Policy M-3.9 to ensure that acceptable levels of service are maintained. With adherence to General Plan policies, future development would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

VMT

The General Plan EIR determined that implementation of the General Plan would meet the VMT threshold for Residential and exceed the VMT threshold for Office and Industrial uses. While the General Plan includes policies and programs designed to reduce VMT to a reasonable extent, such as Policy M-3.1, M-3.18, and M-3.19, impacts associated with implementation of the General Plan would not be reduced to less than significant due to the increased development, new roadways, and increased use of the City's and regional transportation system and therefore the General Plan EIR concluded a significant and unavoidable impact.

All land use components under Plan buildout would meet the City's screening criteria, and therefore, future development projects implementing the Plan would result in a less than significant VMT impact on an individual project level. However, the Plan as a whole when considered within the cumulative environment of buildout within the City would contribute to the VMT impact disclosed in the General Plan EIR due to its incorporation of commercial land uses. Therefore, the buildout of the Plan would contribute to a significant cumulative VMT impact.

Design Hazards, Incompatible Uses, and Emergency Access

The geographic area for cumulative design hazards, incompatible uses, and emergency access is the general vicinity near the Plan. Future cumulative development would be subject to the City's development review process to ensure design standards are met, that there are no design hazards,

or incompatible uses, and that there is adequate emergency access. Thus, cumulative projects would not result in a significant cumulative impact due to design hazards, incompatible uses, or emergency access.

As discussed above, implementation of the Plan would result in less than significant cumulative transportation impacts for all aspects except for cumulative VMT. **(Significant and Unavoidable Cumulative Impact)**

3.17.3 Non-CEQA Effects

While the evaluation of the Plan's CEQA impacts on the transportation system is based on VMT, in accordance with City practice and General Plan Policy M-3.9, a Transportation Analysis (as an Appendix to the Plan) was prepared for Level of Service (LOS) and congestion management. The following discussion is included for informational purposes to analyze non-CEQA transportation issues including vehicle delay resulting from planned growth on roads serving the Plan area, as well as to identify environmental effects of any roadway improvements. The study intersections analyzed, traffic analysis methodology, and trip generation are described in Appendix D.

Traffic conditions at the study intersections were evaluated using LOS, which is a qualitative description of operating conditions ranging from LOS A, or free-flow conditions with little or no delay, to LOS F, or jammed conditions with excessive delays. Intersection operations were evaluated against the LOS standards set for by the City. While the City does not have an adopted LOS standard, the City endeavors, consistent with General Plan Policy 3.9, to maintain a target LOS of LOS C for most intersections, except for Scotts Valley Drive at Mt. Hermon Road and Granite Creek Road at Scotts Valley Drive, which shall be required to maintain a level of service D or better. The Transportation Analysis calculated trip generation for the various Plan land uses and assigned the trips to roadways serving the Plan area. The Transportation Analysis evaluated the additional vehicle delay that would result from Plan trips at buildout in 2045, and also evaluated future conditions with growth in traffic volumes from cumulative growth through 2045.

The Transportation Analysis identifies the following intersections as currently operating below the City's LOS standard or as intersections that would operate below the City's LOS standard with the addition of Plan trips:

- Main Street/Safeway Shopping Plaza/Mt. Hermon Road intersection
    - Currently operates at LOS E during the PM peak hour for traffic exiting Safeway
    - Would experience LOS E under existing plus approved project conditions
    - Would experience LOS F under cumulative conditions
- Scotts Valley Drive/Mt. Hermon Road intersection
    - Currently operates at LOS D under existing conditions during the AM peak hour
    - Would operate at LOS D under existing plus approved projects during the PM peak hour.
    - Would experience LOS D under all scenarios with the Plan, including under cumulative conditions.

- Kings Village Road/Mt. Hermon Road Intersection
    - Would degrade from LOS C to LOS D during the PM peak hour under existing plus approved project conditions (and cumulative conditions)

The Plan includes the following required roadway improvements at the time of the first development within the Town Center Core to address future vehicle delay or other operational issues resulting from Plan trips as well as under cumulative conditions:

- Per Chapter 6 of the Plan, the left-turn pocket of Mt Hermon Road left turn to Kings Village Road would be lengthened to 275 feet. This improvement would be accomplished within the existing right-of-way. One tree in the roadway median would be removed to implement this improvement. Per Section 3.4 of this EIR, all future development would be required to adhere to Section 17.44.080 of the Zoning Ordinance, which regulates the removal of protected trees. Further, removal of the tree would be subject to MM BIO-2.1 to protect nesting birds. Should the tree be determined to support roosting bats prior to its removal, then it would also be subject to MM BIO-3.1 through MM BIO-3.4. No transit infrastructure, pedestrian or bicycle facilities, or structures would be affected when implementing this improvement.
- Main Street/Safeway Plaza/Mt. Hermon Road – The Plan requires signalization of this intersection. Refer to Figure 14 in the Transportation Analysis Appendix of the Plan for a conceptual illustration of this improvement. This improvement would be accomplished within the existing right-of-way. Depending on the final roadway design, tree removal may be required. Tree removal would be subject to the tree removal mitigation measures and policies described under the “Kings Village Road left-turn to Mt. Hermon Road” discussion above.
- Main Street/Safeway Plaza/Mt. Hermon Road. The Plan requires the extension of the westbound left-hand turn pocket to at least 100 feet and the eastbound left-hand turn pocket at least 175 feet One tree in the roadway median would be removed to implement this improvement, which would be subject to the tree removal mitigation measures and policies described under the “Kings Village Road left-turn to Mt. Hermon Road” discussion directly above.

The Plan also includes the following optional roadway improvements, and the decision whether and when to implement these improvements will be made by the City Council during the City Council’s consideration of a Development Agreement for the Core or during the review/approval of the Planned Development permit process:

- Kings Village Road southbound left-turn to Mt. Hermon Road – The Transportation Analysis recommended the Plan incorporate a left-turn lane, a shared left-through lane, and a right-turn lane along southbound Kings Village Road to Mt. Hermon Road. This improvement would likely necessitate widening a segment of Kings Village Road north from the Mt. Hermon Road intersection, which would require right-of-way dedication from adjacent landowner(s) at the northwest corner of Kings Village/Mt Hermon and from the parcel

immediately fronting the west side of Kings Village Road. Trees near the intersection would need to be removed, including, depending on the final roadway design, a tree on the west side 300' north of the intersection. Refer to Figure 15 in the Transportation Analysis Appendix to the Plan for a conceptual illustration of the optional improvement at Kings Village Road/Mt. Hermon Road. As discussed above, per Section 3.4 of this EIR, all future development would be required to adhere to Section 17.44.080 of the Zoning Ordinance, which regulates the removal of protected trees. Further, removal of the tree would be subject to MM BIO-2.1 to protect nesting birds. Should the tree be determined to support roosting bats prior to its removal, then it would also be subject to MM BIO-3.1 through MM BIO-3.4. Additionally, this improvement would affect bike lane and sidewalks near the northwest corner that would need to be incorporated into the new design. The new bike lanes and sidewalk would be subject to the General Plan policies and mitigation measures relevant to construction within this EIR, such as those discussed under Impact NOI-1 of Section 3.13 Noise and Vibration.

- This improvement would also be accompanied by reconfiguration of the western leg crosswalk and installation of bicycle turn boxes on southbound Kings Village Road.
- As part of the above optional improvement, the Transportation Analysis recommends split phasing be required in the north/south direction. The exclusive pedestrian crossing phase would be removed and the pedestrian crossing phase would be assigned with the exclusive split phase movements. Protected left-turn phasing would remain in the east/west direction along Mt. Hermon Road.

Pursuant to General Plan Policy M-3.10, the City Council has discretion with regard to its decision regarding the optional improvements identified above, as follows:

> **General Plan Policy M-3.10:** Consistent with the concept of Complete Streets and Goal 2 and its associated policies, consider accepting a lower level of service and greater congestion at major arterial intersections. Factors that should be considered include, but are not limited to, right-of-way constraints, the economic feasibility of roadway infrastructure improvements, environmental impacts, or other factors as deemed inconsistent with the General Plan, as determined by the City Council.

3.18 Tribal Cultural Resources

The following discussion is based upon a Cultural Resource Assessment prepared by Chronicle Heritage in June 2025. A copy of the Literature Search, which is a confidential report containing sensitive information about the location of cultural resources, is on file at the City of Scotts Valley Planning Department and is available upon request with appropriate credentials.

3.18.1 Environmental Setting

3.18.1.1 *Regulatory Framework*

State

Assembly Bill 52

AB 52, effective July 2015, established a new category of resources for consideration by public agencies called Tribal Cultural Resources (TCRs). AB 52 requires lead agencies to provide notice of projects to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified. Where a project may have a significant impact on a TCR, consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a TCR or until it is concluded that mutual agreement cannot be reached.

Under AB 52, TCRs are defined as follows:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either:
    - Included or determined to be eligible for inclusion in the California Register of Historic Resources, or
    - Included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).
- A resource determined by the lead agency to be a TCR.

California Native American Historical, Cultural, and Sacred Sites Act

The California Native American Historical, Cultural, and Sacred Sites Act applies to both state and private lands. The act requires that upon discovery of human remains, construction or excavation activity must cease and the county coroner be notified.

Public Resources Code Sections 5097 and 5097.98

Section 15064.5 of the CEQA Guidelines specifies procedures to be used in the event of an unexpected discovery of Native American human remains on non-federal land. These procedures are outlined in Public Resources Code Sections 5097 and 5097.98. These codes protect such remains from disturbance, vandalism, and inadvertent destruction, establish procedures to be

implemented if Native American skeletal remains are discovered during construction of a project, and establish the NAHC as the authority to resolve disputes regarding disposition of such remains.

Pursuant to Public Resources Code Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the county coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are of a Native American, the county coroner must notify the NAHC. The NAHC then notifies those persons most likely to be related to the Native American remains. The code section also stipulates the procedures that the descendants may follow for treating or disposing of the remains and associated grave goods

Local

Scotts Valley General Plan

The Scotts Valley General Plan contains the following policies which are specific to cultural resources and are applicable to the project:

Policy	Description
OSC-4.5	**Protect Archaeological Resources.** Use the City's environmental review process to determine potential impacts to archaeological resources of project proposals. The City's archaeological sensitivity zone map shall be used, along with other appropriate data, to evaluate whether archaeological resources are threatened by new development.
OSC-4.6	**Development on Known Archeological Resources.** All new development located on a parcel(s) containing an existing or former historic structure shall require an archaeological field reconnaissance report prior to project consideration by the decision-making body.

Scotts Valley Cultural Preservation Ordinance

Section 17.44.130 – Cultural Resource Protection requires the City to protect the interest of the public by providing for the identification, protection, enhancement, perpetuation and use of archaeological resources and sites within the City that reflect special elements of the City's prehistoric and historic archaeological heritage. The ordinance requires the City to:

- Integrate the preservation of archaeological resources and the extraction of relevant data from such resources into public and private land-management and development processes;
- Develop and maintain a cultural resource conservation and protection environment now and in the future and take all actions necessary to protect and enhance the cultural resource heritage of the City;
- Ensure that the long-term protection of the cultural resource heritage shall guide public decision;
- Require consideration of protection of cultural resources as well as economic and technical factors and long-term benefits and costs in addition to short-term benefits and costs; and consider alternatives to proposed actions affecting the cultural resource heritage of the City in land-use management and development activities.

A Cultural Resource Alteration Permit shall be required for relocation, removal, alteration or demolition of any recorded cultural resource, designated cultural resource site or area which has been identified in any preliminary or comprehensive cultural resource report as containing a potentially significant cultural resource.

The ordinance also describes specific procedures that must be followed in the event cultural resources (e.g., bones or other human remains, or artifacts clearly associated with a human interment) are discovered.

3.18.1.2 *Existing Conditions*

Santa Cruz County lies within the territory traditionally occupied by people called "Costanoan." Many modern descendants are referred to as "Ohlone," or by their specific tribal band. The Ohlone spoke eight separate dialects of the Penutian language family and lived between what is now Richmond in the north and Big Sur in the south. They were organized under approximately fifty autonomous polities or tribelets. The Awaswas Ohlone dialect was reportedly spoken within the northern portion of Santa Cruz County and the Mutsun dialect was spoken in the southern portion of Santa Cruz County at the time of European contact.

As described in Section 3.5 Cultural Resources, the Plan area has moderate to high archaeological sensitivity.[130] A records search was completed for the Plan area and a one-mile surrounding buffer, which found that one previously recorded cultural resource is located within the Plan area.[131] The resource consists of a precontact lithics scatter (stone tools). Resources from this discovery were excavated and preserved in 2000. The significance of the find was not evaluated at the time of excavation, and it is unclear from the records if all resources were removed from the find. Within one mile of the Plan area, 11 cultural resources and 11 informal resources have been recorded.

On June 17, 2025, the City sent letters to tribes listed by the NAHC as having a potential affiliation to the Plan area. The City did not receive any requests from the tribes to consult pursuant to SB 18 or AB 52. The Sacred Lands File results were also negative.

3.18.2 Impact Discussion

For the purpose of determining the significance of the project's impact on tribal cultural resources, would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

[130] City of Scotts Valley. *Scotts Valley General Plan*. August 2023. Figure OSC-6: Cultural Resource Areas.
[131] Ibid.

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

3.18.2.1 *Project Impacts*

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

There are no known TCRs listed or determined eligible for listing in the California Register of Historical Resources within the Plan area. As described in Section 3.18.1.1, a TCR is defined under AB 52 as a site, feature, place, or cultural landscape that is geographically defined in terms of size and scope, sacred place, or object with cultural value to a California Native American tribe that is either included or eligible for inclusion in the California Register or included in a local register of historical resources, or if the City of Scotts Valley, acting as the lead agency, supported by substantial evidence, chooses at its discretion to treat the resource as a TCR. There is one previously recorded cultural resource located within the Plan area consisting of a precontact lithics scatter (stone tools).[132] The resource was excavated and removed in 2000, and therefore, the resource is not part of the baseline condition, and not at risk from development under the Plan. Within one mile of the Plan area, 11 cultural resources and 11 informal resources have been recorded. Buildout under the Plan would not have the potential to impact these resources, as these resources are located outside of the Plan boundaries.

Pursuant to SB 18 and AB 52, the City of Scotts Valley sent letters to tribes listed by the NAHC as having a potential affiliation to the Plan area. The City did not receive any requests from the tribes to consult pursuant to SB 18 or AB 52 and the Sacred Lands File results were also negative. While one previously recorded cultural resource was recorded in the Plan area, as noted above, this resource was removed and does not appear within the Sacred Lands File search.[133] The Sacred Lands Inventory is a catalog of Native American sacred and cultural sites on public and private lands that identifies and catalogs places of special religious or social significance to Native Americans.[134]

[132] Ibid.

[133] The locations of Sacred Lands are submitted by Tribes, and may or may not coincide with the location of an archaeological site. If the area is not submitted by a Tribe as a Sacred Land, then it won't show up on the Sacred Land File request, despite the resource existing, as recorded within CHRIS. Source: Personal communication. Max van Rensselaer, Chronicle Heritage. August 18, 2025.

[134] State of California Native American Heritage Commission. Environmental and Cultural Department. Accessed July 30, 2025. https://nahc.ca.gov/environmental-and-cultural-department/.

As yet unrecorded TCRs may be present within the Plan boundaries and encountered during construction activities throughout the Plan buildout. Compliance with Mitigation Measures CUL-2.1 through CUL-2.3 (refer to Section 3.5 Cultural Resources), adherence with General Plan policies OSC-4.5 and OSC 4.6 listed in Section 3.18.1.1, and adherence to existing federal and state law would protect unrecorded TCRs in the Plan area by providing for the early detection of potential conflicts between development and resource protection, and by preventing or minimizing the material impairment of the ability of archaeological deposits to convey their significance through excavation or preservation. **(Less than Significant Impact)**

b) Would the project cause a substantial adverse change in the significance of a tribal cultural resource that is 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?

As discussed under checklist question a), there is one previously recorded cultural resource located within the Plan area consisting of a precontact lithics scatter (stone tools).[135] Resources from this discovery were excavated and preserved in 2000. There are no known tribal cultural resources present within the Plan area that have been determined to be significant. All development under the Plan would be required to comply with existing regulations and General Plan policies to protect TCR that may be discovered during future construction activities. **(Less than Significant Impact)**

3.18.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant tribal cultural resources impact?

The geographic area for cumulative TCR impacts is the Plan area and the one-mile surrounding buffer used within the records search. As described in Section 3.18.1 Existing Conditions, 11 cultural resources and 11 informal resources have been recorded within one-mile of the Plan area. Future development projects that would occur during the 20-year timeframe for buildout of the Plan (inside or outside the Plan boundary) would comply with all applicable regulations, including Mitigation Measures CUL-2.1 through CUL-2.3 (refer to Section 3.5 Cultural Resources), AB 52 and General Plan polices OSC-4.5 and OSC-4.6 and existing federal and state law to protect unrecorded TCRs. For these reasons, cumulative projects would not result in a significant cumulative TCR impact. **(Less than Significant Cumulative Impact)**

[135] Ibid.

3.19 Utilities and Service Systems

The following discussion is based, in part, on a Water Supply Assessment (WSA) adopted by the Scotts Valley Water District (SVWD), a Potable Water System Utility Impact Analysis, a Storm Drain System Utility Impact Analysis, and a Dry Utility Impact Analysis all completed by BKF Engineers in September 2025, as well as a Sanitary Sewer Analysis completed by Carollo Engineers dated September 2025. These reports are included as Appendices E, F, G, H, and I, respectively.

3.19.1 Environmental Setting

3.19.1.1 *Regulatory Framework*

State Water Code

Pursuant to the State Water Code, water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (approximately 980 million gallons) of water annually must prepare and adopt an urban water management plan (UWMP) and update it every five years. As part of an UWMP, water agencies are required to evaluate and describe their water resource supplies and projected needs over a 20-year planning horizon, water conservation, water service reliability, water recycling, opportunities for water transfers, and contingency plans for drought events. The SVWD adopted its most recent UWMP in June 2021.

Assembly Bill 939

The California Integrated Waste Management Act of 1989, or AB 939, established the California Integrated Waste Management Board (CIWMB), required the implementation of integrated waste management plans, and mandated that local jurisdictions divert at least 50 percent of solid waste generated (from 1990 levels) by 2000 and thereafter. Projects that would have an adverse effect on waste diversion goals are required to include waste diversion mitigation measures.

Assembly Bill 341

AB 341 sets forth the requirements of the statewide mandatory commercial recycling program. Businesses that generate four or more cubic yards of garbage per week and multi-family dwellings with five or more units in California are required to recycle.

Senate Bill 610

SB 610 amended state law, effective January 1, 2002, to improve the link between information on water supply availability and certain land use decisions made by cities and counties. SB 610 requires preparation of a Water Supply Assessment (WSA) containing detailed information regarding water availability to be provided to the decision-makers prior to approval of specified large development projects that also require a General Plan Amendment. This WSA must be included in the administrative record that serves as the evidentiary basis for an approval action by the city or county on such projects. Under SB 610, WSAs must be furnished to local governments for inclusion

in any environmental documentation for certain projects subject to CEQA. Pursuant to the California Water Code (Section 10912[a]), projects that require a WSA include any of the following:

- A proposed residential development of more than 500 dwelling units;
- A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space;
- A proposed hotel or motel, or both, having more than 500 rooms;
- A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area;
- A mixed-use project that includes one or more of the projects identified in this list; or
- A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project.

Senate Bill 1383

SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that at least 20 percent of currently disposed edible food is recovered for human consumption by 2025. CalRecycle released an analysis titled "Analysis of the Progress Toward the SB 1383 Organic Wase Reduction Goals" in August 2020 (revised November 2020), which recommended maintaining the disposal reduction targets set forth in SB 1383.[136]

California Green Building Standards Code

CALGreen establishes mandatory green building standards for all buildings in California. The code is updated every three years.[137] CALGreen covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and indoor environmental quality. These standards include the following mandatory set of measures, as well as more rigorous voluntary guidelines, for new construction projects to achieve specific green building performance levels:

- Reducing indoor water use by 20 percent;
- Reducing wastewater by 20 percent;

[136] CalRecycle. "Analysis of the Progress Toward the SB 1383 Organic Wase Reduction Goals (DRRR-2020-1693)." Accessed September 10, 2025. https://www2.calrecycle.ca.gov/Publications/Details/1693.
[137] California Building Standards Commission. "California Building Standards Code." Accessed September 10, 2025. https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo.

- Recycling and/or salvaging 65 percent of nonhazardous construction and demolition debris; and
- Providing readily accessible areas for recycling by occupants.

Local

Scotts Valley General Plan

The Scotts Valley General Plan contains the following policies which are specific to utilities and service systems and are applicable to the proposed project:

Policy	Description
LU-1.15	**Coordination with Utility Providers.** Work with utility providers to identify future utility expansion needs. Obtain easements from property owners to extend private utilities and/or promote cooperation between utility providers and property owners for acquiring easements or rights-of-way for utility expansions.
M-4.7	**Utility Undergrounding.** As part of capital improvement projects or new development, require the undergrounding of utilities along roadways.
CSF-1.9	**New Development.** The City shall not allow existing or new private wells to service new development that requires discretionary review.
CSF-1.10	**Regulatory Compliance.** Monitor the development review process to support compliance with the water efficiency related regulations.
CSF-1.12	**Development-funded Facilities.** Where practical and appropriate, require new development to construct on-site or off-site facilities that benefit larger group of constituents than just the ones served by the new development. In such instances, establish a process by which a future development is to reimburse the original development a proportionate share of the original cost of the facilities to the degree of the benefit received by them.
CSF-1.13	**Stormwater Management.** Require new development to maintain predevelopment runoff levels, consistent with State regulations.
CSF-1.14	**Recycled Water.** Support the expansion of recycled water infrastructure throughout Scotts Valley and require new development to connect to recycled water system if appropriate and feasible.

3.19.1.2 *Existing Conditions*

Water Service

The majority of City of Scotts Valley receives water service from the SVWD, which covers six square miles. A small portion of the City south of Mount Hermon Road is served by the San Lorenzo Valley Water District (SLVWD). The entire Plan area is located within the SVWD service area.

Scotts Valley Water District

SVWD's water system consists of seven groundwater wells, eight storage tanks, ten pump stations, and approximately 65 miles of water mains spread throughout 13 pressure zones.[138] The SVWD's service area is shown in Figure 2-1 of the WSA (see Appendix E).

SVWD does not purchase water from wholesale water suppliers and has no future plans to do so. Groundwater is the sole water source relied upon to meet potable water demands for the service area. SVWD pumps groundwater from the Santa Margarita Groundwater Basin (SMGB). The SMGB covers over 21,760 acres and has four principal aquifers. SVWD produces groundwater from five active wells.[139]

SVWD, as the permitted distributor of recycled water produced at the City's tertiary treatment facility, serves non-potable water demands with recycled water, thereby reducing pumping from the groundwater basin. The City's tertiary treatment facility treats up to one million gallons per day of recycled water, which is used mainly for irrigation at local parks, schools, residences, landscape medians, and businesses. An average monthly recycled water demand ranges between 0.8 million gallons in January to 9.4 million gallons in July. Annual demand has been fairly stable at approximately 60 million gallons.[140]

As of September 2025, the total current water demand within SVWD's service area for 2025 is 1,111 acre feet per year (af/yr)[141] and is projected to increase to 1,238 af/yr in 2045. The projected future groundwater available to the SVWD is estimated to be 1,300 af/yr from 2025 through 2045 in normal and dry years.[142] The SVWD total water supply in 2025, including potable water and recycled water, is 1,436 af/yr (1,300 af/yr potable water and 136 af/yr recycled water) and is expected to increase to 1,454 af/yr in 2045 (1,300 af/yr potable water and 154 af/yr recycled water) .[143]

The SVWD is currently drafting the 2025 UWMP, which is due to the California Department of Water Resources by July 1, 2026. The current UWMP does not account for the SMGB, which will be accounted for in the 2025 UWMP.

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[138] BKF. *Town Center Specific Plan Utility Impact Analysis – Potable Water System.* September 5, 2025.
[139] Scotts Valley Water District - BKF Engineers. Town Center Specific Plan Water Supply Assessment. September 2025.
[140] City of Scotts Valley. *Scotts Valley General Plan.* August 2023.
[141] An acre-foot is defined as the volume of water that would cover one acre of land to a depth of one foot (325, 851 gallons). An acre-foot per year is enough to serve approximately one to three houses per year. Source: Water Education Foundation. Acre-Foot. Accessed September 25, 2025. https://www.watereducation.org/aquapedia/acre-foot
[142] Under the Sustainable Groundwater Management Act, one of the key responsibilities of Santa Margarita Groundwater Agency (SMGWA) was the development, adoption, and submittal of a Basin Groundwater Sustainability Plan (GSP) to the California Department of Water Resources (DWR). The Basin GSP was adopted by the SMGWA Board of Directors on November 17, 2021, and submitted to DWR on January 1, 2022. On April 27, 2023, DWR approved the Basin GSP.
[143] Scotts Valley Water District-BKF Engineers. Town Center Specific Plan Water Supply Assessment. September 2025.

Hydraulic Capacity

The City's 2017 Water System Master Plan discloses that water pressures within and around the Plan area range from 80 to 150 pounds per square inch (psi) during peak hour demand conditions and that the system is capable of providing a minimum fire flow of 1,000 gallons per minute (gpm) while maintaining at least 20 pounds per square inch (psi). The City's 2017 Water System Master Plan concludes favorable hydraulic conveyance conditions for the Plan area.

Sanitary Sewer/Wastewater Treatment

The City's sanitary sewer collection system is made up of approximately 45 miles of gravity pipelines, seven lift stations, and eight miles of force main. Wastewater is eventually conveyed to the City's Water Reclamation Facility (WRF) on Lundy Lane. The WRF provides the City with wastewater treatment services and recycled water for landscape irrigation and other potential uses. The WRF has the capacity to treat 1.5 million gallons per day, and currently treats an average of 0.85 million gallons per day during the dry season and one million gallons per day during the rainy season.[144,145]

Storm Drainage

The City of Scotts Valley is comprised of storm drain systems that drain directly to the Carbonera or Camp Evers Creek or tributaries to the creeks. Pipe sizes vary across the network (e.g., minimum diameters of 18 inches are required within County rights-of-way and 12 inches permitted for driveway culverts). The Plan area's storm drainage system outfalls to Camp Evers Creek.

Per the City's Storm Drain Master Plan Update, the majority of the Plan area is within a high priority area for hydraulic concern, whereas the easterly portion of the Plan area is a medium priority.[146] Priority is determined based on land use and hydraulic concern. Onsite storm drainage systems convey storm runoff from each parcel within the existing Plan area to the adjacent public roadways before entering the existing reinforced concrete pipe in Mount Hermon Road.

The City Stormwater Technical Guide requires the 10-year storm runoff from a project to not exceed the runoff from the pre-project conditions.

[144] City of Scotts Valley. *Scotts Valley General Plan.* August 2023.
[145] Personal communication. Jeremy Long, City of Scotts Valley Wastewater Division Manager. September 24, 2025.
[146] Generally, any area or system modeled to exceed 100% capacity will be considered high priority, as this indicates the infrastructure is undersized relative to current hydrologic conditions. Systems with a documented history of flooding or surcharging that has impacted property, public rights-of-way, or critical infrastructure are also treated as high priority. Additionally, infrastructure that may remain under 100% capacity but is located in a high-density or high-impact corridor — where failure would result in significant transportation disruption, property damage, or downstream impacts — is considered high priority. Projects categorized as medium priority typically include those with limited flooding history, systems that approach but do not exceed capacity except under more extreme (e.g., 100-year) events, and locations where potential impacts from failure are relatively minor or localized. These projects remain important for long-term system resilience but do not present the same immediate risks or critical operational concerns as high priority projects. Source: Personal Communication. Dat Nguyen, City Engineer. October 2, 2025.

Solid Waste

GreenWaste Recovery, a private contractor, provides weekly collection of garbage, recyclable materials, and yard trimmings for residents and businesses in the City of Scotts Valley. Solid waste (garbage and yard trimmings) is transported to the Monterey Regional Waste Management District (MRWMD) and eventually disposed of in the Monterey Peninsula Landfill, while recyclables are delivered to the GreenWaste transfer facility in Watsonville and eventually taken to the GreenWaste Materials recovery campus in San José.

The Monterey Peninsula Landfill, located in Monterey County, is permitted until 2107 and has a maximum capacity of 49,700,000 cubic yards of solid waste, with approximately 48,560,000 cubic yards of remaining capacity. The Monterey Peninsula Landfill is permitted to receive 3,500 tons of solid waste per day. The landfill has enough capacity for more than 100 years of waste disposal.[147]

Electricity, Natural Gas, and Telecommunications

Pacific Gas & Electric (PG&E) owns and operates gas and electric service within the City of Scotts Valley, including the Plan area. There are electric and gas distribution facilities along primary roads, including Mount Hermon Road, Kings Village Road, Skypark Drive, and Bluebonnet Lane. PG&E has not reported any gas or electric capacity limitations within the Plan area.

AT&T and Comcast own and operate communication facilities within the Plan area.

3.19.2 Impact Discussion

For the purpose of determining the significance of the project's impact on utilities and service systems, would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
b) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
e) Be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste?

[147] City of Scotts Valley. *Scotts Valley General Plan.* August 2023.

3.19.2.1 *Project Impacts*

a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Water Supply and Hydraulic Capacity

As discussed in impact discussion b) below, a Water Supply Analysis (WSA) was prepared by the SVWD for the Plan (see Appendix E). The WSA determined that the total potable water demand from buildout of the Plan area, in combination with cumulative demand over the next 20 years, under normal, dry, and multiple dry years, would not exceed available water supply. While supplies are forecast to be sufficient to serve future growth, the localized water distribution system to supply the Plan may need improvements over the two-phase, 20-year buildout of the Plan, as discussed below.

Phase 1 of Plan Buildout

Per Chapter 6 of the Plan, as part of Phase 1 of the Plan, potable water improvements would be constructed within the Town Center Core and connections would be made to existing water mains on Mt. Hermon Road and Blue Bonnet Lane. Future development under the Plan would require the construction of distribution mains within new public streets to serve fire and domestic water needs. Additionally, existing water mains within the Plan area may need to be upgraded.

A preliminary analysis of potable water infrastructure necessary for Plan buildout was prepared by BKF (see Appendix F). The analysis estimated that the size of new distribution mains would range from eight-inches to 12-inches in diameter and that approximately 3,350 feet of pipeline would need to be constructed as part of Phase 1. During this phase, the Plan requires a detailed hydraulic modeling analysis be completed to assess system performance under future buildout conditions in order to optimize pipeline sizing. Future development projects would need to construct new or lateral connections for water access, as well as distribution mains within new public streets. These improvements which would involve construction activity and ground disturbance, would be required to incorporate relevant mitigation measures identified within this EIR, such as those related to ground disturbance, to ensure that the environmental effects from the installation of off-site water infrastructure would not result in significant impacts.

Evaluation of the need for pump station improvements (specifically to the Well 10A Pump Station, which serves the Camp Evers Sequoia pressure zone) would be determined as part of the required Hydrology and Hydraulic Study accompanying the approval of the Town Center Core Development Agreement, and construction would be required concurrent with the respective development that triggers the need for the improvements.

Well 10A pump station is located north of Mt. Hermon Road, just east of Lockewood Lane, outside of the Plan area. The pump station is adjacent to the Valley Gardens project, which plans to construct residential and commercial uses. The pump station is within a CMU building that sits atop a buried concrete clear well. Mechanical equipment includes above ground piping and electrical equipment that is within a canopy shade structure.

As the construction and operation details of possible improvements to the pump stations are currently unknown, future pump station improvements would be reviewed in accordance with CEQA at the time the construction and operational details were available and prior to the action committing to their implementation, which would ensure environmental impacts are disclosed and mitigated. Additionally, impacts from the future pump stations improvements would be subject to regulations, including General Plan and Plan policies, and/or mitigation measures identified in Sections 3.3 Air Quality, 3.4 Biological Resources, 3.5 Cultural Resources, 3.7 Geology and Soils, 3.9 Hazards and Hazardous Materials, 3.10 Hydrology and Water Quality, and 3.13 Noise and Vibration of this EIR to ensure the resulting environmental impacts were in keeping with those disclosed in this EIR.

Furthermore, construction-related impacts from future potable water infrastructure would be reduced to less than significant levels based on City policies and regulations, including the Scotts Valley General Plan and the Plan, and mitigation measures identified in Sections 3.3 Air Quality, 3.4 Biological Resources, 3.5 Cultural Resources, 3.7 Geology and Soils, 3.9 Hazards and Hazardous Materials, 3.10 Hydrology and Water Quality, and 3.13 Noise and Vibration of this EIR.

Phase 2 of Plan Buildout

As part of Phase 2 of the Plan, which represents full Plan buildout, existing water mains outside of the Town Center Core but within the Plan area would be upgraded to comply with the SVWD Water System Standards and accommodate additional demand. Phase 2 improvements to existing water mains would be required to incorporate mitigation measures identified within this EIR. The construction-related impacts would be less than significant in conformance with regulations, including General Plan and Plan policies, and/or mitigation measures identified in Sections 3.3 Air Quality, 3.4 Biological Resources, 3.5 Cultural Resources, 3.7 Geology and Soils, 3.9 Hazards and Hazardous Materials, 3.10 Hydrology and Water Quality, and 3.13 Noise and Vibration of this EIR.

Water Storage Capacity

Stored water in a water system plays a critical role in ensuring reliable and consistent service. It helps balance supply and demand throughout the day, especially during peak usage times, and maintains stable pressure in the system. The District owns, operates and maintains eight (8) potable water storage tanks, all of which are located above ground. The storage tanks range in capacity from 0.03 million gallons (mg) to 1.25 mg, providing a total nominal storage capacity of 4.28 mg. California Code of Regulations, title 22, section 64554 (a)(1) requires a large water system (greater than 1,000 service connections) to meet four hours of peak hourly demand (PHD) with a

combination of sources, storage, and emergency interconnections. PHD is hourly maximum day demand (MDD) multiplied by a peaking factor of 1.5.

- Water District storage capacity. Four hours of hourly capacity is: (source + storage + emergency connection) x (4/24 hours) = (2.11 mg + 4.28 mg +1.0 mg) x (4/24 hours) = 1.23 mg
- Plan buildout storage demand. Four hours of PHD is: MDD/24hr x 1.5 (peaking factor) x 4 hours = 2.13 mgd/24hr x 1.5 x 4 = 0.533 mg.

1.23 mg (storage capacity) is greater than 0.533 mg (demand requirement including the Plan buildout). Therefore, SVWD will have adequate source and storage capacity to meet the four hours of PHD in the buildout of the Plan. As further described in Appendix F, this storage capacity would be consistent with the SVWD's storage volume policy and therefore water storage capacity improvements are not expected to be required to support the development within the Plan area.

Sanitary Sewer/Wastewater

The System Evaluation and Capacity Assurance Plan of the Sewer System Management Plan (SSMP) for the City of Scotts Valley provides a plan and schedule to properly manage, operate, and maintain all parts of the City's sanitary sewer system, and is the guiding document that contains relevant monitoring and reporting requirements.[148] The SSMP facilitates proper funding and management of the sanitary sewer system, and helps to reduce and prevent sanitary sewer overflow (SSO)s, as well as mitigate any SSOs that do occur. The Sanitary Sewer Analysis completed for the Plan in September 2025 (see Appendix I), determined that the existing sewer system is adequately sized for existing peak wet weather flow (PWWF).

Wastewater generation for the Plan is estimated to generate 104,530 gallons per day (gpd). The Sanitary Sewer Analysis completed for the Plan (see Appendix I) determined that the existing sanitary sewer system is adequately sized to meet the needs of the future development allowed under the Plan.[149] Therefore, per the Sanitary Sewer Analysis, no off-site wastewater improvement projects are recommended to mitigate the impacts of Plan development.

It is possible that developments under the proposed Plan area will need to construct new or upgraded lateral connections for conveying wastewater from the site to the conveyance system leading to the regional treatment facility, the Scotts Valley Water Reclamation Facility (WRF), but the need for individual projects to construct new or upgraded connections would be individually evaluated under CEQA. The construction-related impacts would be less than significant in conformance with regulations, including General Plan and Plan policies, and/or mitigation measures identified in Sections 3.3 Air Quality, 3.4 Biological Resources, 3.5 Cultural Resources, 3.7 Geology

[148] Sewer System Management Plan, https://www.scottsvalley.gov/DocumentCenter/View/5473/CityOfScottsValleySSMPFinal, 2021.
[149] Carollo. *Town Center Specific Plan Sanitary Sewer Analysis.* September 9,2025.

and Soils, 3.9 Hazards and Hazardous Materials, 3.10 Hydrology and Water Quality, and 3.13 Noise and Vibration of this EIR.

Storm Drain System

While the Plan is expected to increase the overall amount of impervious surface area and the amount of runoff, this existing deficiency would not be exacerbated by development of the Plan area according to the analysis prepared for, and requirements included in, the Plan (see Appendix G). The buildout of the proposed Plan area would match, or result in a net decrease in, peak flows under a 25-year event due to the implementation of on-site detention, retention, and infiltration systems. Per Plan standards contained within Section 6.6.2, the buildout of the Plan area, by requiring that individual projects mitigate within the project site all stormwater flows from a 25-year storm event to not exceed pre-project conditions, would not exacerbate capacity limitations in the downstream storm drain infrastructure under 25-year design storm conditions. This requirement to design to the 25-year storm event is based upon the City's Standard Details, Section III-3, Hydrology Requirements for Multi-family and Commercial (off stream) uses.[150] Flow that exceeds the storm drain capacity would be conveyed in the street to an inlet where the flow would enter the storm drain system. Storm drain trunk extensions, system upsizing, and new outfall connections are not needed to support development within Plan area.

As discussed in Section 3.10 Hydrology and Water Quality, development within the Plan area would incorporate Low Impact Development (LID) measures. The Plan area would also require the implementation of a detention basin, retention basin, or other storm facility so that the 25-year storm runoff would not exceed pre-project conditions (or otherwise as directed by the Director of Public Works). As described in Section 3.10 Hydrology and Water Quality, projects that create or replace 2,500 square feet or more of impervious area are subject to Central Coast RWQCB adopted Order R3-2012-0032, which includes PCRs that mandate development projects use Low Impact Development (LID) features and facilities to detain, retain and treat site runoff. Compliance with this would minimize the amount of stormwater runoff from future development under the Plan and minimize any potential impacts to the City's storm drain system.

Per Chapter 6 of the Plan, as part of Phase 1 of the Plan, storm drain improvements shall be constructed on site within the Town Center Core. As part of the first phase of Plan buildout, a detailed hydrology study and hydraulic modeling will be completed by the Town Center Core developer to assess system performance under future buildout conditions and to determine if offsite improvements to or replacement of the existing storm drain main beneath Mt. Hermon Road is required. Potential improvements to/replacement of the storm drain main in Mt. Hermon Road, as well as future developments under the proposed Plan that would need to construct new or lateral storm drain connections, would be required to incorporate mitigation measures identified within this EIR. While the specific timing and details of the construction of the lateral storm drain connections are not currently known, the construction-related impacts would be consistent with those disclosed throughout this EIR for construction involving ground disturbance and reduced to

[150] https://www.scottsvalley.gov/DocumentCenter/View/2440/Standard-Details-12-06-17

less than significant levels in conformance with regulations, including General Plan and Plan policies, and/or mitigation measures identified in Sections 3.3 Air Quality, 3.4 Biological Resources, 3.5 Cultural Resources, 3.7 Geology and Soils, 3.9 Hazards and Hazardous Materials, 3.10 Hydrology and Water Quality, and 3.13 Noise and Vibration. Therefore, buildout of the Plan would not result in the relocation or expansion of storm drain facilities that would cause significant environmental effects.

Electricity, Natural Gas, Telecommunications

Per Chapter 6 of the Plan, as part of Phase 1 of the Plan, electrical, natural gas, and telecommunications/broadband (dry utilities) will be extended through newly constructed roadways included in the Plan to ensure adequate services to new developments. New electrical transmission lines will be undergrounded according to City Ordinance requirements. Existing utility lines would be utilized by development under the Plan for electric power, natural gas, and telecommunications services, when feasible. Due to the age of the existing gas and electric infrastructure in the Plan area, the electrical and gas service laterals for future development under the Plan will need to be updated to meet current PG&E design standards (see Appendix H). There are no conflicts between existing PG&E infrastructure and the new roadways and developments proposed under the Plan that would require major relocation of existing systems.

The extension of existing dry utilities and the update of existing laterals to meet current design standards would be required to incorporate mitigation measures identified within this EIR. The construction-related impacts, primarily due to ground disturbance, would be less than significant in conformance with regulations, including General Plan and Plan policies, and/or mitigation measures identified in Sections 3.3 Air Quality, 3.4 Biological Resources, 3.5 Cultural Resources, 3.7 Geology and Soils, 3.9 Hazards and Hazardous Materials, 3.10 Hydrology and Water Quality, and 3.13 Noise and Vibration.

In conclusion, the Plan would require or result in the construction of new or expanded utilities. Future development projects would be required to detail the exact locations for all utility connections and utility plans would be subject to review by the City. Conformance with regulations, including General Plan and Plan policies, and/or mitigation measures identified in Sections 3.3 Air Quality, 3.4 Biological Resources, 3.5 Cultural Resources, 3.7 Geology and Soils, 3.9 Hazards and Hazardous Materials, 3.10 Hydrology and Water Quality, and 3.13 Noise and Vibration of this EIR would ensure the construction or replacement of utilities would not cause significant environmental effects. Additionally, future development under the Plan that requires construction or expansion of utilities for which construction details are currently unavailable would be subject to individual environmental review at the time they were sufficiently defined to allow for project-level analysis. Therefore, the utility facilities discussed above to support the Plan would have a less than significant impact. **(Less than Significant Impact)**

b) Would the project have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

As discussed above, the Plan area would be serviced by the SVWD. Pursuant to SB 610, a WSA was prepared and adopted by the SVWD Board of Directors (see Appendix E), the findings of which are summarized below.

The land uses and unit factors for development under the Plan area utilized for the WSA are shown in Table 3.19-1 using gallons per day per dwelling unit (gpd/du), acre feet per year per dwelling unit (af/yr/du), and in acre feet per year per thousand building square feet (af/yr/k-sf) for non-residential uses. Additionally, Table 3.19-2 below accounts for water demand from the existing uses included within the Plan area.

Table 3.19-1: Water Demand Factors for the Project

Land Use Designation	Residential Unit Water Demand Factor		Non-residential Unit Water Demand Factor	
	gpd/du	af/yr/du	gpd/sf	af/yr/k-sf
Residential - High Density [a]	109	0.12	--	--
Commercial	--	--	0.17	0.19
Public/Quasi-Public [b]	--	--	0.17	0.19
Parks [c]	--	--	--	--

[a] The unit water demand factor for this land use designation (38 gallons per capita/day) was developed by SVWD and is based on an audit of billing and usage over the period of January 2020 to July 2025 for high density dwelling units (see Appendix A). SVWD demand factor assumes 2.86 persons per household per the 2023 five-year Estimates U.S. Census American Community Survey.

[b] A unit water demand factor was not available for the Public/Quasi-Public. Accordingly, the unit water demand factor was assumed to match that of the Commercial land use designation.

[c] All parks within the Proposed Project area will be served by recycled water. Accordingly, there will not be any potable water demand associated with the parks.

Table 3.19-2: Plan Buildout Water Demand

Land Use Type	Buildout Development Characteristics [a,b]		Water Use Factor[c]	Units	Water Demand	
	Dwelling Units	Square Footage			gpd	af/yr
Existing						
Residential – High Density	46	--	109	Gpd/du	4,999	5.6
Commercial	--	396,000	0.17	Gpd/sf	67,320	75.4
Public/Quasi-Public	--	52,000	0.17	Gps/sf	8,840	9.9

Land Use Type	Buildout Development Characteristics [a,b]		Water Use Factor[c]	Units	Water Demand	
	Dwelling Units	Square Footage			gpd	af/yr
Parks	--	--	--	--	--	--
Losses[d]					6,109	6.8
Subtotal	**46**	**448,000**	**--**	**--**	**87,268**	**97.8**
2025 Town Center Specific Plan						
Residential – High Density	703	--	109	gpd/du	76,402	85.6
Commercial	--	478,000	0.17	gpd/sf	81,260	91.0
Public/Quasi-Public	--	87,000	0.17	gpd/sf	14,790	16.6
Parks	--	88,663	--	gpd/acre	--	--
Subtotal	**703**	**653,663**	**--**	**--**	**172,452**	**193.2**
Net Increase	**657**	**205,663**	**--**	**--**	**85,184**	**95.4**

Source: BKF Engineers. Scotts Valley Town Center WSA adopted by SVWD. September 2025

Notes:

(a) Refer to City of Scotts Valley Town Center Specific Plan EIR NOP for the Baseline Buildout Development Characteristics.

(b) Refer to Table 2.1 of the Town Center Specific Plan WSA for the 2025 Town Center Specific Plan Buildout Development Characteristics

(c) Refer to Table 3.19-1

(d) Losses are assumed to be seven percent of water consumption per the Scotts Valley Water District and San Lorenzo Valley Water District 2020 Urban Water Management Plan.

As shown in Table 3.19-2, total water demand at buildout would be approximately 193.2 af/yr, an increase of approximately 95.4 af/yr compared to the existing development within the Plan area's water demand of 97.8 af/yr.

The WSA determined that the Plan's buildout potable water demand would be 1,238 af/yr by 2045, whereas the General Plan EIR assumed a total Citywide potable water demand of 1,143 by 2045. Therefore, buildout under the Plan would increase the City's water demand by 95 af/yr compared to the demand accounted for under the General Plan.

The City's total potable water demand is not the same as the SVWD's total demand within its service area, as a portion of the City is serviced by the San Lorenzo Valley Water District.af/yr compared to the demand accounted for under the General Plan. The City's total potable water demand is not the same as the SVWD's total demand within its service area, as a portion of the City is serviced by the San Lorenzo Valley Water District.af/yr compared to the demand accounted for under the General Plan. The City's total potable water demand is not the same as the SVWD's total

demand within its service area, as a portion of the City is serviced by the San Lorenzo Valley Water District.

The WSA evaluated the SVWD water supply during normal, single dry, and multiple dry hydrological conditions during a 20-year period. Per the WSA, SVWD's water supply can accommodate the Plan area's additional water supply demands under all evaluated hydrologic conditions between 2025 and 2045.[151] The SVWD anticipates having 1,300 af/yr of potable water available from the SMGB through 2045, assuming the groundwater basin continues to be sustainably managed and monitored, whereas the District-wide potable water demand under Plan buildout, as described above, would be 1,238 af/yr by 2045.

Future development projects would be required to implement the water-efficient requirements specified in the CALGreen and California Plumbing Codes. Compliance with existing water conservation regulations and implementation of the General Plan goals, policies, and actions would help to ensure that there is adequate water supply through Plan buildout. **(Less than Significant Impact)**

c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

As discussed under checklist question a), the WRF has adequate wastewater treatment capacity to treat 1.5 million gpd, enough to see the City through planned build-out under the General Plan.[152] The existing flows treated at the WRF are estimated to be 0.85 million gpd during the dry season and one million gpd during the rainy season[153], leaving an available treatment capacity of 0.65 million gpd during the dry season and 0.5 million gpd during the rainy season. Wastewater generation for the Plan is estimated to be 104,530 gpd. The Plan's wastewater generation of 104,530 would be 16 percent of the WRF remaining daily treatment capacity under dry season conditions and 21 percent of the WRD remaining daily treatment during rainy season conditions. The WRF would have adequate capacity to accommodate the Plan.[154] Further, the Sanitary Sewer Analysis completed for the Plan (see Appendix I) determined that the existing sanitary sewer conveyance system is adequately sized to meet the needs of Plan buildout.[155] **(Less than Significant Impact)**

[151] BKF Engineers. *Town Center Specific Plan Water Supply Assessment.* August 2025. Table 7-1.
[152] City of Scotts Valley. *Scotts Valley General Plan.* August 2023.
[153] City of Scotts Valley. *Scotts Valley General Plan.* August 2023.
[154] Personal communication. Jeremy Long, City of Scotts Valley Wastewater Division Manager. September 24, 2025.
[155] Carollo. *Town Center Specific Plan Sanitary Sewer Analysis.* September 9,2025.

d) Would the project 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?

Buildout of the Plan is estimated to generate approximately 605 tons of solid waste (462.54 cubic yards) per year, which is a net increase of 107 tons (81.80 cubic yards) compared to existing conditions.[156]

Given the Plan's estimated net increase of 81.80 cubic yards of solid waste generation per year and Monterey Peninsula Landfill's remaining capacity (48,560,000 cubic yards), Monterey Peninsula Landfill has sufficient capacity to accommodate the Plan's solid waste disposal needs. If solid waste from the Plan was conservatively assumed to have the Plan buildout yearly generation of 81.80 cubic yards beginning in 2026 and continuing throughout the planning horizon of 2045, the Plan's net increase of solid waste would represent less than one percent of Monterey Peninsula Landfill's remaining capacity.

Development under the Plan would also generate waste during the construction phase. CalGreen mandates that a minimum of 65 percent of non-hazardous construction (and demolition) debris must be recycled or salvaged. Adherence to the Building Code would reduce total waste generated by demolition and construction. **(Less than Significant Impact)**

e) Would the project be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste?

As discussed under checklist question d), future development under the Plan would comply with state and local regulations related to solid waste reduction. New development and redevelopment would also need to comply with the requirements of AB 341 that mandates recycling for commercial and multifamily residential land uses. Further, all new developments are required to comply with CALGreen Building Code, which requires that at least 65 percent of nonhazardous construction and demolition waste from residential and nonresidential construction operations be recycled and/or salvaged for reuse. Thus, the Plan would comply with federal, state, and local solid waste statutes and regulations. **(Less than Significant Impact)**

[156] Illingworth & Rodkin, Inc. *Scotts Valley Town Center Specific Plan Update Air Quality Analysis.* July 18, 2025. Attachment 1.

3.19.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant utilities and service systems impact?

Storm Drainage

The geographic area for cumulative storm drain system impacts are the areas upstream and downstream of the Plan. Future cumulative development (projects that create or replace 2,500 square feet or more of impervious area are subject to Central Coast RWQCB adopted Order R3-2012-0032, which includes PCRs that mandate development projects use Low Impact Development (LID) features and facilities to detain, retain and treat site runoff. Compliance with this would minimize the amount of stormwater runoff from future development under the Plan and minimize any potential impacts to the City's storm drain system. Further, all projects would be subject to General Plan Policy OSC-3.9, which requires new development to meet or exceed state stormwater requirements and incorporate best management practices to treat, infiltrate, or filter stormwater runoff and reduce pollutants discharged into the storm drain system during construction and post-construction, to the maximum extent practicable.

As noted previously, buildout of the proposed Plan area would match, or result in a net decrease in, peak flows under the 25-year event due to the implementation of on-site detention, retention, and infiltration systems. The buildout of the Plan area would not exacerbate capacity limitations in the downstream storm drain infrastructure under 25-year design storm conditions. Flow that exceeds the storm drain capacity would be conveyed in the street to an inlet where the flow would enter the storm drain system. Therefore, the project would not contribute to a significant cumulative impact to storm drainage facilities.

Electric Power, Natural Gas, and Telecommunications

Future cumulative development would coordinate with the appropriate electric power, natural gas, and telecommunication providers on providing service to the site. Existing utility lines would be utilized by development under the Plan for electric power, natural gas, and telecommunications services. Future development projects would be required to detail the exact locations for all utility connections and utility plans would be subject to review by the City. The proposed project would not contribute to a cumulatively considerable impact on electric power (see Section 3.6 Energy for further details), natural gas, or telecommunications utilities.

Water Supply and Water System

The geographic area for cumulative water supply is the service area of the water supplier for Scotts Valley (SVWD). The WSA adopted by the SVWD for the Plan area also accounts for cumulative demand over the next 20 years, and concluded that SVWD had adequate water supplies to serve cumulative growth through 2045. The City and the water purveyors would review such projects for

consistency with the water supply and demand factors utilized in the WSA, and the water retailer (SVWD) would update the UWMP every five years to ensure that there are adequate water supplies and contingency plans for future residents and customers. All new development under the Plan would require implementing water efficiency and water conservation measures, as per the CALGreen Building Code. The WSA completed for the project determined that the SVWD has adequate supplies to accommodate the project as well as cumulative growth through 2045. Cumulative projects would be required to demonstrate that adequate water quantity, quality and distribution could be provided. Potential environmental impacts could result from construction and operation of improvements; however, such impacts would be project-specific. Any new or expanded local water distribution facilities would be reviewed in accordance with CEQA, which would ensure environmental impacts are disclosed and mitigated to the extent possible. Therefore, the project would not contribute to a significant cumulative impact to water supply.

Wastewater

The geographic area for cumulative wastewater system impacts is the area serviced by the same wastewater lines as the sites in the Plan, as well as the service area for the WRF. The General Plan EIR concluded that upon buildout, treatment capacity exists at the WRF to serve cumulative growth. With the additional wastewater generation from Plan buildout, sufficient treatment capacity exists at the WRF, as discussed above under question a) above. If insufficient capacity exists in the local sewer conveyance system to serve future cumulative development, individual projects (including under the Plan) would need to determine the remaining capacity and may be required to upsize sewer mains as part of the public improvements for their project, which could extend beyond the immediate vicinity of the project frontage. Any sewer infrastructure improvements required to serve specific development sites would require permits from the City and review in accordance with CEQA, which would ensure environmental impacts are disclosed and mitigated to the extent possible utilizing the various measures identified in this EIR. The Sanitary Sewer Analysis completed for the Plan (see Appendix I) concluded that buildout under the General Plan in combination with buildout under the Plan would not result in the need to construct additional wastewater conveyance systems.

As discussed under checklist question c), the WRF has an available treatment capacity of 0.65 million gpd during the dry season and 0.5 million gpd during the rainy season, enough to see the City through planned build-out under the General Plan and accommodate buildout under the Plan.

Solid Waste

As described under impact discussion d) above, Monterey Peninsula Landfill has sufficient capacity to accommodate the Plan's solid waste disposal needs in combination with General Plan buildout disposal needs.

In addition, new development would comply with CALGreen, which requires that a minimum of 50 percent of nonhazardous construction and demolition waste from residential and nonresidential construction operations be recycled and/or salvaged for reuse. This would also reduce the volume

of solid waste transported to the landfills. Continued compliance with the applicable regulations and an increase in recycling and landfill diversion rates would ensure that solid waste cumulative impacts would be less than significant.

As described above, the Plan would not result in a cumulatively considerable contribution to a significant cumulative utilities and service systems impact. **(Less than Significant Cumulative Impact)**

3.20 Wildfire

3.20.1 Environmental Setting

3.20.1.1 *Regulatory Framework*

State

Fire Hazard Severity Zones

CAL FIRE is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. Referred to as Fire Hazard Severity Zones (FHSZs), these maps influence how people construct buildings and protect property to reduce risk associated with wildland fires. FHSZs are divided into areas where the state has financial responsibility for wildland fire protection, known as state responsibility areas (SRAs), and areas where local governments have financial responsibility for wildland fire protection, known as local responsibility areas (LRAs). Homeowners living in an SRA are responsible for ensuring that their property is in compliance with California's building and fire codes. Only lands zoned for very high fire hazard are identified within LRAs.

California Fire Code Chapter 49

Chapter 49 of the California Fire Code sets requirements for wildland-urban interface fire areas that increase the ability of buildings to resist the intrusion of flame or burning embers being projected by a vegetation fire, in addition to systematically reducing conflagration losses through the use of performance and prescriptive requirements.

Scotts Valley Fire Protection District of Santa Cruz County completed local amendments to the Fire Code in 2022.

California Public Resources Code Section 4442 through 4431

The California Public Resources Code includes fire safety regulations that restrict the use of equipment that may produce a spark, flame, or fire; require the use of spark arrestors on construction equipment that uses an internal combustion engine; specify requirements for the safe use of gasoline-powered tools on forest-covered land, brush-covered land, or grass-covered land; and specify fire suppression equipment that must be provided onsite for various types of work in fire-prone areas. These regulations include the following:

- Earthmoving and portable equipment with internal combustion engines would be equipped with a spark arrestor to reduce the potential for igniting a wildland fire (Public Resources Code Section 4442);
- Appropriate fire suppression equipment would be maintained during the highest fire danger period, from April 1 to December 1 (Public Resources Code Section4428);

- On days when a burning permit is required, flammable materials would be removed to a distance of 10 feet from any equipment that could produce a spark, fire, or flame, and the construction contractor would maintain appropriate fire suppression equipment (Public Resources Code Section 4427); and
- On days when a burning permit is required, portable tools powered by gasoline-fueled internal combustion engines would not be used within 25 feet of any flammable materials (Public Resources Code Section 4431).

California Code of Regulations Title 14

The California Board of Forestry and Fire Protection has adopted regulations, known as SRA Fire Safe Regulations, which apply basic wildland fire protection standards for building, construction, and development occurring in a SRA. The future design and construction of structures, subdivisions and developments in SRAs are required to provide for the basic emergency access and perimeter wildfire protection measures discussed in Title 14.

Local

Fire Management Plans

CAL FIRE has developed an individual Unit Fire Management Plan for each of its 21 units and six contract counties. The CAL FIRE San Mateo – Santa Cruz Unit (CZU) developed the 2022 Strategic Fire Plan for the CZU, which covers the project area and addresses citizen and firefighter safety, watersheds and water, timber, wildlife and habitat (including rare and endangered species), unique areas (scenic, cultural, and historic), recreation, range, structures, and air quality. The plan includes stakeholder contributions and priorities and identifies strategic areas for pre-fire planning and fuel treatment as defined by the people who live and work with the local fire issues. The plan is a planning and assessment tool that identifies and prioritizes pre-fire and post-fire management strategies and tactics meant to reduce the loss of values within the CZU.

County of Santa Cruz Local Hazard Mitigation Plan

The County Local Hazard Mitigation Plan (LHMP) 2021-2026 was prepared in accordance with requirements of FEMA. FEMA reviews and approves LHMPs and requires updates on a five-year cycle. The County LHMP identifies potential hazards in the County, including wildfire hazards. The plan provides hazard mitigation to implement actions that reduce vulnerability and risk from hazards or reduce the severity of the effects of hazards on people and property. Mitigation actions include both short-term and long-term activities that reduce the impacts of hazards, reduce exposure to hazards, or reduce effects of hazards through various means, including preparedness and response and recovery measures. Effective mitigation actions also reduce the adverse impacts and cost of future disasters.

The County LHMP also designates critical hazard areas of the County as areas subject to greater threat from wildfire, and identifies these areas based on slope, vegetation, ability to respond to fire

threats, and localized weather conditions in order to assist with preparation of County hazard mitigation and response planning. The LHMP was last updated in September 2021.

Santa Cruz – San Mateo Community Wildfire Protection Plan

Community Wildfire Protection Plans (CWPPs) are authorized and defined in Title 1 of the Healthy Forests Restoration ACT of 2003. The 2022 Santa Cruz County San Mateo County CWPP identifies the risks and hazards associated with wildland fires in the wildland-urban interface (WUI) areas of San Mateo and Santa Cruz counties. The CWPP also identifies recommendations aimed at preventing and reducing both infrastructure and ecosystem damage associated with wildland fires. The CWPP documents suggested actions intended to reduce the risk to people, property, and the environment. Fuel reduction projects identified in approved CWPP receive priority for federal funds.

Santa Cruz County Office of Response, Recovery, and Resilience

The Santa Cruz County Office of Response, Recovery, and Resilience was created in December 2020 and serves as the emergency management office for responding to ongoing disasters.

Scotts Valley Emergency Operations Plan

The 2015 Scotts Valley Emergency Operations Plan (EOP) addresses the City's responsibilities in emergencies associated with natural disaster (including wildfires), human-caused emergencies, and technological incidents. It provides a framework for coordination of response and recovery efforts within the City in coordination with local, state, and federal agencies. The EOP establishes an emergency organization to direct and control operations during a period of emergency by assigning responsibilities to specific personnel.

Scotts Valley Fire District (SVFD)

The SVFD provides all risk emergency response to a variety of incidents including fires, medical calls, hazardous materials incidents, rescues, and vehicle accidents for both the City and the surrounding unincorporated areas.[157]

Scotts Valley General Plan

The Scotts Valley General Plan contains the following policies which are specific to wildfire and are applicable to the project:

Policy	Description
SN-1.5	**City-Owned Space.** Maintain City-owned open space in a matter that minimizes fire hazards.
SN-1.15	**Minimize Fire Hazards.** Support the Scotts Valley Fire District efforts to minimize fire hazards through the removal of vegetation, hazardous structures, materials, and

[157] City of Scotts Valley. *Scotts Valley General Plan*. August 2023. Page CFS-7.

	debris.
CSF-2.13	**Community Wildfire Protection Planning.** Require new development in areas susceptible to wildfires to be responsible for fire prevention activities (e.g., visible house numbering and use of fire resistant and fire-retardant building and landscape materials) and to provide a defensible zone to inhibit the spread of wildfires.
SN-1.10	**Roadway Standards – Access Roads.** Roadway standards shall require that an access road not end father than 150 feet from any portion of a building. A turnaround which meets the requirements of the fire district shall be provided at the end of the road where the road exceeds 150 feet and dead ends.
SN-1.12	**Fire Suppression Water Availability.** The City shall require that new development have water available in the area pursuant to Appendix BB, Table BB105.1, of the California Fire Code: Minimum Required Fire-Flow and Flow Duration for Buildings. Water availability shall be provided by the appropriate water purveyor.
SN-1.13	**Fire Safety Systems.** The City, in cooperation with the fire district, shall require that all buildings constructed include fire safety features, such as automatic fire sprinkler system, class "C" or better roof cover for structures in the non-wildland fire hazard area/Local Responsibility Area (LRA), Class "B" or better roof covering for moderate or high wildland fire hazard area/ State Responsibility Area (SRA), fire detection, and alarm systems.
SN-1.18	**Development in Hazardous Fire Areas.** All new development and existing structures in hazardous fire areas shall provide adequate clearance of brush and vegetative growth from structures and roadways in accordance with the Uniform Fire Code.
SN-1.19	**Adequate Fire Protection.** The City shall require new development to provide adequate fire protection improvements consistent with Scotts Valley Fire District requirements.
SN-1.20	**New Construction Fire Safety Features.** New development shall be approved only if adequate hydrant water supply for minimum flow requirements and duration of flow can be met as directed by the Scotts Valley Fire District**.**
SN-1.21	**Fire Impact or Mitigation Fees.** Consider additional impact or mitigation fees, or a benefit assessment, to offset the impact of new development on fire services.

3.20.1.2 *Existing Conditions*

A small portion of the northern Plan area is within a moderate fire hazard zone in a Local Responsibility Area, as shown in Figure 3.20-1.[158,159, 160, 161] The remainder of the Plan area is not located within a fire hazard zone. According to the 2022 Santa Cruz County San Mateo County CWPP, the entire City of Scotts Valley is located within a WUI. Per the Santa Cruz County Community Development and Infrastructure Department, buildings proposed within Santa Cruz County that are within the WUI and also located within a State Responsibility area shall comply with all WUI materials and construction methods per CBC Chapter 7A and CRC Section R337.[162] While the Plan area is located within the WUI, none of the parcels within the Plan area are located within a State Responsibility Area. Therefore, the County's WUI Codes and Standards do not apply to the Plan area.

The nearest areas designated Very High Fire Hazard Severity Zones (VHFSZ) mapped by CalFire are located approximately 11 miles north of the Plan area in open space east of the Lexington Reservoir. The nearest State Responsibility area is located approximately 850 feet west of the Plan area, and therefore the Plan area is considered near a State Responsibility area.[163]

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[158] CalFire. "Find your Fire Hazard Severity Zone (FHSZ) and local public contacts." Accessed May 1, 2025. https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones.

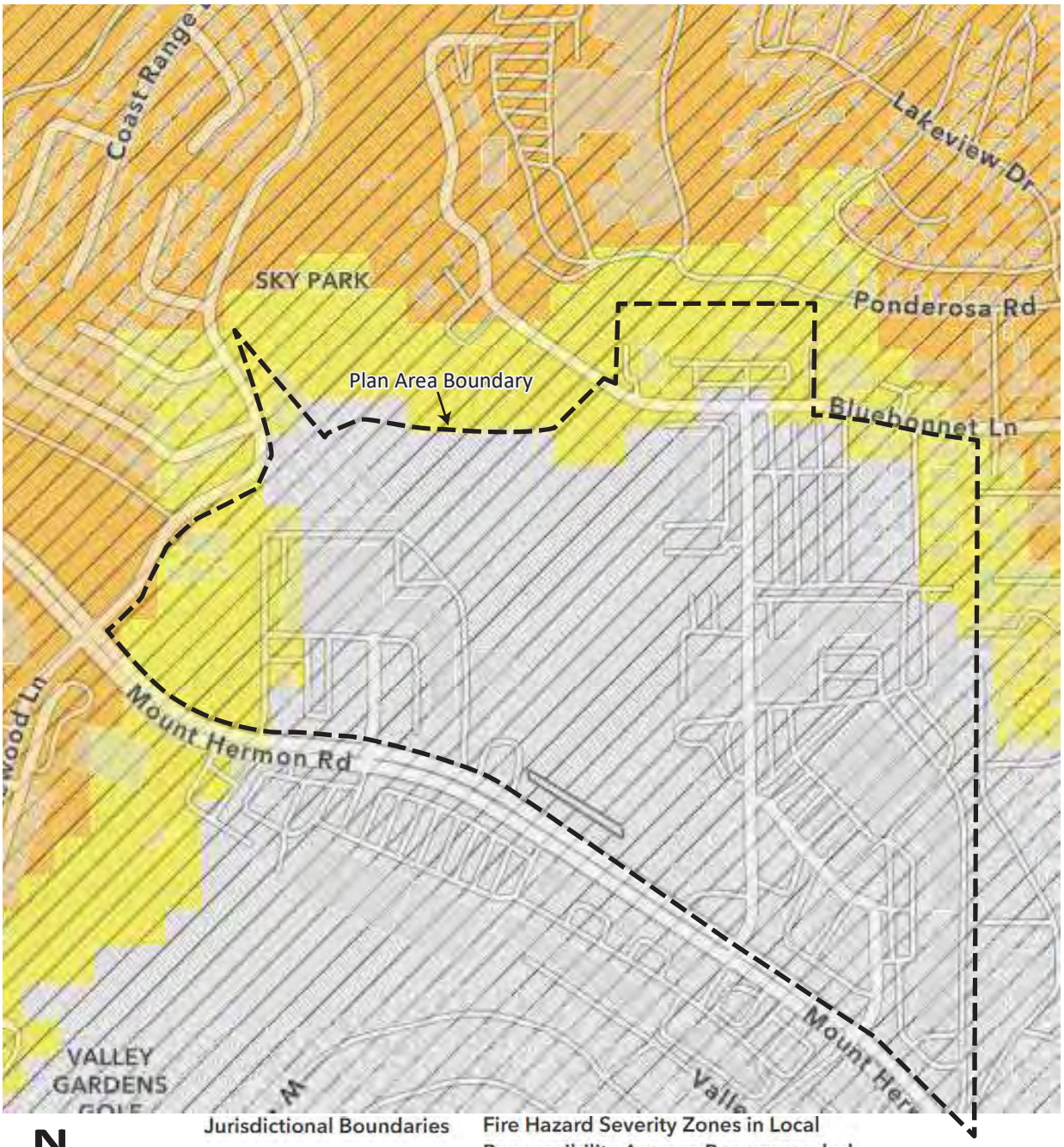
[159] CalFire. *Local Responsibility Area Fire Hazard Severity Zones.* February 24, 2025.

[160] The Fire Hazard Severity Zone Map created by CalFire evaluates "hazard" not "risk". "Hazard" is based on the physical conditions that create a likelihood and expected fire behavior over a 30 to 50 year period without considering mitigation measures such as home hardening, recent wildfire, or fuel reduction. "Risk" is the potential damage a fire can do to the area under existing conditions, accounting for any modifications such as fuel reduction projects, defensible space, and ignition resistant building constriction. Classification of a wildland zone as Moderate, High or Very High fire hazard is based on the average hazard across the area included in the zone, which have a minimum size of 200 acres. In wildlands, hazard is a function of modeled flame length under the worst conditions and annual bun probability. Both these factors generally increase with increasing hazard level. On average, both modeled flame length and burn probability increase by roughly 40 to 60 percent between hazard classes. Classification outside of wildland areas is based on the fire hazard of the adjacent wildland and the probability of flames and embers threatening buildings. Source: CalFire. Frequently Asked Questions About 2024 Fire Hazard Severity Zones. December 18, 2024. https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/osfm-website/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/2024-fhsz-faqs_english.pdf?rev=538374a27bb44bbab4c2786ff2eafb39&hash=AD4DB7857E3EF6F0BEC0B56429A1C262

[161] CalFire does not state restrictions for a moderate fire hazard zone. A Very High Fire Hazard Severity Zone in the LRA triggers a 100-foot clearance requirement. California's WUI building codes apply to the design and construction of new buildings in High and Very High FHSZs, which the Plan area does not fall under. Source: Ibid.

[162] Santa Cruz County Community Development and Infrastructure. Wildland Urban Interface (WUI) Codes and Standards. Accessed June 30, 2025. https://cdi.santacruzcountyca.gov/UPC/BuildingPermitsSafety/BuildingPermitsIndex/FireAgenciesandWildlandUrbanInterface(WUI)Requirements/WildlandUrbanInterface(WUI)Requirements.aspx

[163] California Board of Forestry and Fire Protection. State Responsibility Area Viewer. Accessed July 30, 2025. https://experience.arcgis.com/experience/bd8234bfe71548b087b11210a0d7d45e?id=468717e399fa4238ad86861638765ce1



Source: CalFire Fire Hazard Severity Zone Map. 2025.

FIRE HAZARD ZONES | FIGURE 3.20-1

3.20.2 Impact Discussion

For the purpose of determining the significance of the project's impact on wildfire, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

As noted under 3.20.2 above, this analysis is required under CEQA for projects located in or near state responsibility areas or lands classified as very high fire hazard severity zones. While the Plan area is not in or adjacent to an area mapped as a very high fire hazard severity zone, the Plan area is considered near a State Responsibility area (nearest State Responsibility area is located approximately 850 feet west of the Plan area).[164]

3.20.2.1 *Project Impacts*

a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

The Plan area is considered near a State Responsibility area (nearest State Responsibility area is located approximately 850 feet west of the Plan area).[165]

The project would not impair or interfere with implementation of an emergency evacuation plan, including the EOP, CWPP, or LHMP plans discussed in Section 3.20.1.1.

The Santa Cruz County Office of Response, Recovery, and Resilience serves as the emergency management office for responding to ongoing disasters in the County. Evacuations are frequently a

[164] California Board of Forestry and Fire Protection. State Responsibility Area Viewer. Accessed July 30, 2025. https://experience.arcgis.com/experience/bd8234bfe71548b087b11210a0d7d45e?id=468717e399fa4238ad86861638765ce1
[165] California Board of Forestry and Fire Protection. State Responsibility Area Viewer. Accessed July 30, 2025. https://experience.arcgis.com/experience/bd8234bfe71548b087b11210a0d7d45e?id=468717e399fa4238ad86861638765ce1

response to natural disasters in order to protect people from potential harm. People may be evacuated because they are in the direct path of a natural disaster or because emergency responders may lose the ability to rescue residents due to road closures. The County uses a variety of methods to notify residents when an evacuation is necessary. These include 911 calls, text or phone messages through Code Red, and/or door to door notifications. Evacuation areas are determined by the incident command team, who are in charge of responding to the disaster. Buildout of the Plan would not interfere with the County's ability to notify residents when an evacuation is necessary. Further, the City's EOP outlines a Standardized Emergency Management System (SEMS) to manage responses to multi-agency and multi-jurisdiction emergencies. Should an emergency occur within the City, a coordinated response would occur according to the plans and systems outlined in the City's EOP. The buildout of the Plan would not interfere with the City's ability to successfully organize and respond to emergencies.

The project would be required to comply with adopted local, regional, and State plans and regulations addressing emergency access and, in particular, designs to minimize risks of exposure to wildfire hazards.

According to the 2022 Santa Cruz County San Mateo County CWPP, the City of Scotts Valley is located within a WUI. Per the Santa Cruz County Community Development and Infrastructure Department, buildings proposed within Santa Cruz County that are within the WUI and also located within a State Responsibility area shall comply with all WUI materials and construction methods per CBC Chapter 7A and CRC Section R337.[166] While the Plan area is located within the WUI, none of the parcels within the Plan area are located within a State Responsibility Area. Therefore, the County's WUI Codes and Standards do not apply.

Construction and operation of the project, which would be done in accordance with City building and fire codes and regulations, would not impair implementation of or physically interfere with the County's LHMP or CWPP, or with the City's EOP. Additionally, the proposed roadways within the project area would conform to the City's General Plan Guidelines. As discussed under Checklist Question d) in Section 3.17 Transportation, the project would not result in inadequate emergency access. **(Less than Significant Impact)**

[166] Santa Cruz County Community Development and Infrastructure. Wildland Urban Interface (WUI) Codes and Standards. Accessed June 30, 2025. https://cdi.santacruzcountyca.gov/UPC/BuildingPermitsSafety/BuildingPermitsIndex/FireAgenciesandWildlandUrbanInterface(WUI)Requirements/WildlandUrbanInterface(WUI)Requirements.aspx

b) Would the project, 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?

The Plan area is considered near a State Responsibility area (nearest State Responsibility area is located approximately 850 feet west of the Plan area).[167]

According to a study on the "Influence of Slope on Fire Spread Rate" conducted by the USDA Forest Service[168], slopes of zero to ten degrees do not contribute to acceleration of fire. The Plan area is relatively flat, with average elevations ranging from 515 – 547 feet asl[169] Therefore, the project would not exacerbate wildfire risks due to slope.

In addition, the project would avoid exacerbating wildfire risks by complying with the standards set forth in the California Public Resources Code Section 4442 through 4431, which include restrictions on the type of equipment that can be used in fire prone areas to reduce the risk of causing wildfire during construction activities. All development under the Plan would be constructed in accordance with current building and fire codes to ensure structural stability and safety.

Scotts Valley General Plan Policy SN-1.6 states that development in fire protection problem areas will be permitted only after mitigation measures satisfactory to the SVFD are developed to prevent or control spread of fire and provide life safety to occupants as recommended by the fire district. While the General Plan does not define what encompasses a "fire protection problem," the northern portion of the Plan area that is within a moderate fire hazard safety zone may fall within the definition. All future development under the Plan would be evaluated by the Fire Department for plan review evaluation of fire and life safety issues, as required by General Plan Policy CSF-2.11. Therefore, any mitigation deemed necessary by the SVFD for future projects within the Plan area would be incorporated on a project-design level.

Therefore, buildout of the Plan would not exacerbate wildfire risks, and thereby expose project occupants to increased risk from pollutant concentrations due to a wildfire or the uncontrolled spread of a wildfire. **(Less than Significant Impact)**

[167] California Board of Forestry and Fire Protection. State Responsibility Area Viewer. Accessed July 30, 2025. https://experience.arcgis.com/experience/bd8234bfe71548b087b11210a0d7d45e?id=468717e399fa4238ad86861638765ce1

[168] B.W. Butler, W.R. Anderson, and E.A. Catchpole. Influence of Slope on Fire Spread Rate. USDA Forest Service Proceedings RMRS-P-46CD. 2007. Accessed May 6, 2025. https://research.fs.usda.gov/treesearch/28552.

[169] Google Earth. Accessed June 30, 2025.

c) Would the project 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?

The Plan area is considered near a State Responsibility area (nearest State Responsibility area is located approximately 850 feet west of the Plan area).[170]

While future development under the Plan would need to install new utilities, the utilities would not exacerbate fire risk within state responsibility areas or lands classified as very high fire hazard severity zones. Project construction would comply with the standards set forth in the California Public Resources Code Section 4442 through 4431. The project would install new roadways to facilitate movement within the Plan area. The roadways would not introduce new wildfire hazards to the Plan area or to nearby state responsibility areas or lands classified as very high fire hazard severity zones. Thus, the Plan would not include infrastructure that would exacerbate fire risk or result in temporary or ongoing impacts to the environment. **(Less than Significant Impact)**

d) Would the project 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?

The Plan area is considered near a State Responsibility area (nearest State Responsibility area is located approximately 850 feet west of the Plan area).[171]

As discussed in Section 3.7 Geology and Soils, the Plan area is not susceptible to significant risk of landslides or flooding. The buildout of the Plan area would result in an increase in impervious surfaces, but would not alter the drainage pattern significantly. The project would be reviewed by the City and fire agencies to ensure the project design would minimize and not exacerbate wildland fire hazards. Therefore, the project would not 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. **(Less than Significant Impact)**

[170] California Board of Forestry and Fire Protection. State Responsibility Area Viewer. Accessed July 30, 2025. https://experience.arcgis.com/experience/bd8234bfe71548b087b11210a0d7d45e?id=468717e399fa4238ad86861638765ce1

[171] California Board of Forestry and Fire Protection. State Responsibility Area Viewer. Accessed July 30, 2025. https://experience.arcgis.com/experience/bd8234bfe71548b087b11210a0d7d45e?id=468717e399fa4238ad86861638765ce1

3.20.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant wildfire impact?

The geographic area for cumulative wildfire impacts is the Plan area and surrounding areas, as wildfires are dynamic natural disasters with variable spreads that are often unpredictable.

The Plan area is considered near a State Responsibility area (nearest State Responsibility area is located approximately 850 feet west of the Plan area).[172]

Future development projects that would occur during the 20-year timeframe for buildout of the Plan (inside or outside the Plan boundary) would comply with all applicable regulations, including the County's LHMP and CWPP, the City's EOP, and relevant General Plan policies, including SN-1.6 and CSF-2.11. For these reasons, cumulative projects would not result in a significant cumulative wildfire impact. **(Less than Significant Cumulative Impact)**

[172] California Board of Forestry and Fire Protection. State Responsibility Area Viewer. Accessed July 30, 2025. https://experience.arcgis.com/experience/bd8234bfe71548b087b11210a0d7d45e?id=468717e399fa4238ad86861638765ce1

Section 4.0 Growth-Inducing Impacts

Would the project foster or stimulate significant economic or population growth in the surrounding environment?

The CEQA Guidelines require that an EIR identify the likelihood that a proposed project could "foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment" (Section 15126.2[d]). This section of the EIR is intended to evaluate the impacts of such growth in the surrounding environment.

A project can have direct and/or indirect growth-inducement potential. Direct growth inducement results if a project involves construction of new housing that would result in new residents moving to the area. A project can have indirect growth-inducement potential if it establishes substantial new permanent employment opportunities (e.g., commercial, industrial, or governmental enterprises) or if it involves a substantial construction effort with substantial short-term employment opportunities and indirectly stimulates the need for additional housing and services to support the new employment demand. Similarly, under CEQA, a project could indirectly induce growth if it expands roadway capacity or removes an obstacle to additional growth and development, such as removing a constraint on required public services or utilities (e.g., adding a sewage treatment plant that has capacity to serve demand beyond the associated project).

The Plan is an "infill" project, meaning that the Plan area is within the City's existing boundaries, already served by existing infrastructure, and planned for urban uses. The City adopted the General Plan on November 29, 2023. The development projections in the General Plan included buildout capacity for the Plan area, with the exception of housing. The purpose of the Plan is to create a vision, policies, and objectives standards to guide new development within the Plan area in a way that supports existing and new businesses, residents, and the overall community. The Plan anticipates new development and change over an approximate 20-year period through 2045. Specifically, the Plan would allow for 657 residential units, 82,000 square feet of commercial land uses, 35,000 square feet of public/quasi-public land use, and 88,663 square feet of park improvements. The 657 residential units in the Plan were accounted for in the Housing Element and their environmental impacts are analyzed in this document.

There are no undeveloped areas adjacent or in the immediate vicinity of the Plan area and the Plan would not remove any obstacles that would help facilitate additional growth that could significantly affect the physical environment. The Plan would add local serving roadways to enhance circulation in the Plan area. The Plan does not include the expansion of existing infrastructure that would facilitate growth in the Plan area beyond what is accounted for in this analysis or other areas of the City. Therefore, the Plan would not result in growth-inducing impacts beyond what was envisioned in the City's General Plan. **(Less than Significant Impact)**

Section 5.0 Significant and Irreversible Environmental Changes

Pursuant to CEQA Guidelines Section 15126.2(d), an EIR must identify significant irreversible environmental changes that would be caused by the proposed project being analyzed. Significant irreversible changes include the 1) irreversible use of nonrenewable resources, 2) commitment of future generations to similar use, and 3) irreversible damage resulting from environmental accidents associated with the project.

5.1 Irreversible Use of Nonrenewable Resources

Future development under the Plan would require the use of nonrenewable construction material, such as concrete, metals, plastics, and glass. Nonrenewable resources and energy would also be consumed during the manufacturing and transportation of building materials, preparation of the sites, and construction of the buildings. The operational phases would consume energy for multiple purposes including building heating and cooling, lighting, appliances, and electronics. Energy, in the form of fossil fuels, would be used to fuel vehicles traveling to and from the Plan area.

As discussed in Section 3.6 Energy, build out of the Plan would increase consumption of electricity, natural gas, and gasoline. Future development under the Plan would be compliant with California Building Energy Efficiency Standards, CALGreen standards, and the General Plan Policies listed in Section 3.6. For these reasons, the Plan would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources.

5.2 Commitment of Future Generations to Similar Use

Future development under the Plan would commit resources to prepare the sites, construction the buildings, and operate the buildings. Future development would occur on in-fill sites that are already developed. Implementation of the Plan would not result in other land use changes in the surrounding area. As discussed previously, the development projections in the General Plan EIR included citywide buildout capacity through 2045, including for a portion of the Plan. As discussed above, the housing units in the Plan area were not accounted for in the General Plan but rather the City's Housing Element. What was not accounted for in the General Plan is accounted for in this document's analysis. As part of the Plan, the General Plan would be amended to include new land use classifications and zoning districts (refer to Section 2.0 Project Information and Description) which would be used to implement the Plan to facilitate the new development assumed for the Plan area in the General Plan. For these reasons, the Plan would not commit future generations to changes in land use beyond what is accounted for in the adopted General Plan.

5.3 Irreversible Damage Resulting from Environmental Accidents Associated with the Project

The purpose of the Plan is to create a vision, policies, and standards to guide new development within the Plan area in a way that supports existing and new businesses, residents, and the overall community. The Plan is intended to manage and direct changes in the development patterns and guide present and future land uses, zoning changes, economic development, urban design, infrastructure, transportation circulation management and mobility, service provision, open space, and community benefits.

The Plan does not propose any new or uniquely hazardous uses, and its operation would not be expected to cause environmental accidents that would impact other areas. As discussed in Section 3.9 Hazards and Hazardous Materials, future development within the Plan could encounter and disturb contaminated soil, soil vapor, and groundwater, and result in adverse effects on construction workers, existing residents and employees, and nearby sensitive receptors. Consequently, all future developments would be required to mitigate hazard exposure through the environmental review process, design criteria, and standards development as per General plan policy SN-4.11. Per General Plan policy SN-4.12, site assessments for hazardous and toxic soil contamination would be required prior to approving development project applications dependent upon the site's land use history. Additionally, per General Plan policy SN-4.9, the City shall continue to administer through the County Comprehensive Hazardous Materials Program, pursuant to Chapter 6.95 of the California Health and Safety Code.

Adherence with the aforementioned regulations and processes would ensure that future development under the Plan does not create a significant hazard to the public or environment. In addition, there are no significant geology and soils impacts from implementation of the Plan. Based on the discussion above, future developments proposed under the Plan would not result in irreversible damage that may result from environmental accidents

Section 6.0 Significant and Unavoidable Impacts

A significant unavoidable impact is an impact that cannot be mitigated to a less than significant level if the Plan is implemented as it is proposed. The following significant and unavoidable impacts have been identified as resulting from the Plan:

- **Impact GHG-1:** Buildout under the Plan would result in annual emissions of approximately 15,533 MT of CO_2e and there would not be feasible measures within the City's control to meet the State's goal of carbon neutrality by 2045.
- **Impact GHG-**C: Implementation of the Plan would result in a significant cumulative GHG impact.
- **Impact TRANS-1:** Implementation of the Plan would contribute to a significant cumulative VMT impact.

Section 7.0 Alternatives

This section describes the CEQA requirements related to alternatives and describes the process used to define alternatives to the project. It describes an alternative to the project and provides a comparative analysis for the alternative to the project. It also describes the alternatives that were considered but eliminated from detailed evaluation. It includes the evaluation of the No Project Alternative, as required by CEQA, and a comparison of alternatives. Finally, it identifies the environmentally superior alternative.

7.1 Alternatives Process

7.1.1 CEQA Requirements for Alternatives

CEQA requires that an EIR "…describe a reasonable range of alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation." (CEQA Guidelines §15126.6(a))

To comply with this requirement, the City evaluated possible alternatives based on the following factors:

- Does the alternative accomplish most of the basic project objectives?
- Is the alternative potentially feasible (from economic, environmental, legal, social, technological standpoints)?
- Does the alternative avoid or substantially lessen any significant effects of the project? Alternatives need be environmentally superior to the project in only some, not all, respects.
- Is the alternative reasonable and realistic? An EIR need not consider an alternative whose effect cannot reasonably be ascertained or whose implementation is remote and speculative, because unrealistic alternatives do not contribute to a useful analysis.

Each of these requirements is described in more detail in the following sections.

7.1.2 Significant Impacts of the Project

The CEQA Guidelines Section 15126.6 states that the alternatives analysis in an EIR should be limited to alternatives that are feasible and would avoid or substantially lessen any of the significant effects of the project and achieve most of the basic project objectives. Potentially significant environmental impacts that would result from the proposed Plan are evaluated in Chapter 3.0, Environmental Setting, Impacts, and Mitigation Measures, of this EIR. As discussed throughout this EIR, with implementation of existing General Plan policies, Plan requirements, and local and

regional regulations, most of the potentially significant impacts resulting from the implementation of the Plan would be reduced to a less-than-significant level. The following impacts listed below and summarized in Section 6.0 Significant and Unavoidable Impacts would remain significant and unavoidable.

- **Impact GHG-1:** Buildout under the Plan would result in annual GHG emissions of approximately 15,533 MT of CO_2e and would not meet the State's goal of carbon neutrality by 2045.
- **Impact GHG-**C: Implementation of the Plan would result in a significant cumulative GHG impact.
- **Impact TRANS-1:** Implementation of the Plan would contribute to a significant cumulative VMT impact related to the commercial trips generated by the Plan.

7.1.3 Consistency with Project Objectives

The basic purpose of an EIR's discussion of alternatives is to suggest ways project objectives might be achieved at less environmental cost. Accordingly, alternatives must be able to implement most project objectives, but they need not be able to implement all of them. As stated in the CEQA Guidelines, the EIR's alternatives analysis should focus on alternatives that can eliminate or reduce significant environmental impacts even if they would impede attainment of project objectives to some degree or be costlier (14 Cal Code Regs §15126.6(b)). The alternatives discussed must, however, be able to attain most of the basic objectives of the project (14 Cal Code Regs §15126.6(a)).

While CEQA does not require that alternatives must be capable of meeting all of the project objectives, their ability to meet most of the basic objectives is considered relevant to their consideration. As identified in the EIR Summary, the objectives for the project are as follows:

1. Provide a vision, policies, and objective standards to guide development in the Town Center in a manner that supports existing and new businesses, residents, and the overall community.

2. Create a pedestrian-friendly Town Center with an integrated mix of land uses including retail, entertainment, theaters, restaurants, housing, and civic/public facilities, cohesively woven together by attractive and well-designed buildings.

3. Create a unique business attraction, a place for community gathering, and an entertainment hub for the City, with a variety of activities that draw in residents from Scotts Valley and the surrounding areas.

4. Provide for residential and mixed-use development, up to a total of 657 units overall in the Plan Area to fulfill RHNA requirements.

5. Establish zoning and land use policies that ensure a variety of housing types (from attached single-family townhomes to apartments) are built to serve households across a range of income levels.

6. Focus pedestrian-friendly retail and entertainment uses in the Town Center Core, while minimizing auto-oriented uses.

7. Design the future roadway network and block structure in the Town Center to connect new developments with existing community facilities and existing commercial/retail anchors in the area, and incorporate street designs that are safe, comfortable and convenient for cars, pedestrians, and bicyclists.

8. Establish a vision and conceptual plan for a network of publicly accessible open spaces that serve the needs of Scotts Valley residents and foster a pedestrian-friendly environment.

9. Adopt a market-viable planning and implementation framework to help attract private sector investment and coordinate phased development through public/private partnerships.

10. Provide a Town Center infrastructure improvement program that serves as a basis for State and Federal grant assistance and capital improvement scheduling and budgeting.

7.1.4 Feasibility of Alternatives

CEQA, the CEQA Guidelines, and case law interpreting CEQA and the CEQA Guidelines have found that feasibility can be based on a wide range of factors and influences. The CEQA Guidelines state that such factors can include (but are not necessarily limited to) the suitability of an alternate site, economic viability, availability of infrastructure, consistency with a general plan or with other plans or regulatory limitations, jurisdictional boundaries, and whether the project proponent can "reasonably acquire, control or otherwise have access to the alternative site (Section 15126.6[f][1])."

7.1.5 Potential to Eliminate Significant Environmental Effects

A key CEQA requirement for an alternative is that it must have the potential to "avoid or substantially lessen any of the significant effects of the project" (CEQA Guidelines Section 16126.6(a)). If an alternative is identified that clearly does not have the potential to provide an overall environmental advantage as compared to the project, it is usually eliminated from further consideration. The significant environmental effects of the project are summarized in Table 1.1-1: Summary of Significant Impacts and Mitigation Measures.

7.1.6 Alternatives Evaluation Process

The City identified a range of alternatives based on the screening criteria set forth above. The City also considered oral and written comments received during the CEQA scoping process that recommended or identified potential project alternatives. The range of alternatives considered in the screening analysis encompasses:

- Potentially feasible alternatives that may have been identified during the public scoping process.
- Potentially feasible alternatives that the City has identified as a result of the independent review of the project impacts.

7.2 Project Alternatives

7.2.1 Alternatives Eliminated from Further Consideration

7.2.1.1 *Alternative Location*

In considering an alternative location in an EIR, the CEQA Guidelines advise that the key question is "whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location".[173] Further, inclusion of a location alternative is not required in an EIR to provide a reasonable range of alternatives for consideration by the decision-makers, as the Guidelines Section 15126.6(a) provides "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project" and courts have interpreted the inclusion of the word 'or' as indication that consideration of a location alternative is not mandatory.

Alternative locations are frequently considered to reduce the site-specific impacts of a project. An alternative location would need to be at least of comparable size and have the potential to accommodate similar uses as the Plan (approximately 58 acres) in the City of Scotts Valley.

There are no alternative locations that are of similar size to the Plan area within the City. In addition, the intent of the Plan is to manage and direct changes in the development patterns within the Plan area and guide present and future land uses, zoning changes, economic development, urban design, infrastructure, transportation circulation management and mobility, service provisions, and community benefits. Therefore, it would be infeasible to evaluate an alternative location in the City given the intent of the Plan is to focus on the specific Town Center location in Scotts Valley. The Plan must, by its nature, guide future development located in the Plan area. Accordingly, to evaluate another location for the Plan would not be meaningful for the purposes of making a decision about the proposed project, which is whether to replace the current Town Center Plan. Therefore, a location alternative is not evaluated further in this EIR.

[173] CEQA Guidelines Section 15126.6(f)(2)(A)

7.2.1.2 *GHG Reduction Alternative*

Development at Plan buildout would exceed the GHG emissions threshold of carbon neutrality in 2045 contained in the State's Scoping Plan pursuant to AB 1279. As of the preparation of this EIR, there is no known alternative mix of uses or level of reduction in the scale of Plan development that would be capable of achieving carbon neutrality, and that would still be capable of achieving project objectives. Achieving carbon neutrality for any scale of development or mix of land uses is not currently within the control of the City of Scotts Valley, and will require actions by other levels of government (e.g., state and perhaps federal regulatory actions or incentives), as well as technological advances with uncertain timing. For these reasons, this EIR does not evaluate an alternative that would be capable of reducing the Plan's significant GHG impact in 2045 upon buildout. Therefore, this alternative was not evaluated further.

7.2.1.3 *Reduced Scale*

7.2.2 Alternatives Selected

The discussion of the alternatives selected is provided below and a summary of the development assumed under the alternatives compared to the Plan is summarized in Table 7.2-1 below.

Table 7.2-1: Development Summary of Project and Alternatives Selected

	Net New Commercial (square footage)	Net New Public and Quasi-Public (square footage)	Net New Residential (units)
2025 Plan	82,000	35,000	657
No Project, No New Development Alternative	0	0	0
No Project, Existing Plans Alternative	261,682	35,000	254
Residential Land Use Only	0	0	657

7.2.2.1 *No Project Alternatives*

The CEQA Guidelines specifically require consideration of a "No Project" Alternative. The purpose of including a No Project Alternative is to allow decision makers to compare the impacts of approving the project with the impacts of not approving the project. The Guidelines specifically advise that the No Project Alternative is "what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services." The Guidelines emphasize that an EIR should take a practical approach, and not "…create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment (Section 15126.6[e][3][B])."

The Plan area is currently developed with 46 residential units, approximately 396,000 square feet of commercial land uses, and approximately 52,000 square feet of public/quasi-public land uses, as described as the baseline conditions throughout this EIR.

The EIR evaluates two No Project Alternatives: (1) a No Project, No New Development Alternative and (2) a No Project, Existing Plans Alternative. Under the first, the No Project/No Development Alternative, the Plan area would remain as it is today, essentially maintaining the baseline conditions (46 residential units, approximately 396,000 square feet of commercial land uses, and approximately 52,000 square feet of public/quasi-public land uses). The No Project, Existing Plans Alternative, assumes redevelopment of the Town Center area following the 2008 Plan buildout assumptions (300,000 square feet of commercial space and 254 residential units), as that reflects the current land use policy of the City of Scotts Valley governing the Town Center area, and if the current 2025 Plan is not adopted, it is reasonable to conclude that future change and development in the Town Center area would occur according to the adopted 2008 Plan.

No Project, No New Development Alternative

Comparison of Environmental Impacts

A summary comparison of the environmental impacts of the Plan and the two No Project Alternatives is provided in Table 7.2-2 below.

Because the No Project, No New Development Alternative would maintain the baseline and not result in changes to existing conditions, this alternative would avoid all of the significant environmental impacts of the Plan, although future GHG emissions from existing development within the Town Center would presumably contribute to GHG emissions in the year 2045, unless they were reduced by actions of other governmental agencies; i.e. achieving carbon neutrality for existing development would largely be outside of the City's control. However, under this alternative, the Town Center area would not provide the housing units included in the Plan needed for the City to meet the currently adopted Housing Element for the 2023 – 2031 cycle RHNA goals. To remain in compliance, the City would have to find additional housing opportunity sites outside of the Town Center area that were capable of achieving the 657 units to maintain compliance with the 2023-2031 RHNA goals. Failure to achieve the required housing within the specified timeframe could put the City at risk of being out of compliance and subject to "Builder's Remedy" applications for housing that allow housing to be located despite General Plan and zoning restrictions. Per the Housing Element, 657 of the total 1,220 units will be built within the Plan area. Therefore, the City would have to allocate the 657 housing units elsewhere in the City, which, depending where those units were located, could have environmental effects that exceed those resulting from the Plan, in particular if sites were involved that resulted in higher VMT than the Plan, or that resulted in the loss of sensitive habitats or open space. Furthermore, community benefits proposed under the Plan, such as improved connectivity from pedestrian and bicycle facility improvements would not occur under the No Project, No New Development Alternative.

Relationship to Project Objectives

The No Project, No New Development Alternative would not meet any of the project's objectives. Under this alternative, conditions would remain as they currently are. No housing would be provided, no commercial/public-quasi public improvements would be developed, and multi-modal improvements would not be implemented.

Conclusion

The No Project, No New Development Alternative would avoid all the environmental impacts of the Plan, although future GHG emissions resulting from development within the Town Center would likely also exceed the threshold of carbon neutrality in 2045. However, under this alternative the City would not be in compliance with the 2023-2031 RHNA goals under this alternative, the currently adopted Housing Element for the 2023 – 2031 cycle. This alternative would not accomplish any of the Plan's community benefits and it would not meet any of the Plan's objectives.

No Project, Existing Plans Alternatives

Comparison of Environmental Impacts

Under the No Project, Existing Plans Alternative, it is assumed if the current 2025 Plan is not implemented, that full buildout of the 2008 Plan assumptions would occur over the next 20 years. Under this alternative, 254 residential units would be constructed (the 2008 Plan allowed for 300 residential units, 46 of which have since been constructed), 261,000 square feet of commercial uses would be constructed (the 2008 Plan allowed for 275,000 square feet of commercial uses, 13,318 square feet of which have since been constructed), and 35,000 square feet of public/quasi-public land uses would be constructed. Under this alternative, 179,682 square feet of additional commercial land uses would be implemented compared to the Plan, whereas 403 less housing units would be realized. Public/quasi-public land use projects would remain the same.

Any redevelopment, whether under the 2025 Plan or the 2008 Plan, that involves demolition and/or construction would result in similar construction-related impacts associated with migratory and nesting birds, construction noise, and construction air quality impacts. Similar to the No Project, No New Development Alternative, under this alternative which achieves 403 fewer units, the City would not meet the currently adopted Housing Element for the 2023 – 2031 cycle RHNA for the City, unless those units were accomplished elsewhere in the City. Per the Housing Element, 657 of the total 1,220 units will be built within the Plan area. This alternative would only allow for the construction of 254 residential units, which is 403 fewer residential units below what is planned in the Housing Element, leaving a shortage for the City's RHNA goal. To remain in compliance, the City would have to find additional housing opportunity sites outside of the Town Center area that were capable of achieving the 403 units to maintain compliance with the 2023-2031 RHNA goals. Failure to achieve the required housing within the specified timeframe could put the City at risk of being out of compliance and subject to "Builder's Remedy" applications for housing that allow housing to be located despite General Plan and zoning restrictions. Therefore, the City would have to allocate the 403 housing units elsewhere in the City, and depending where those units were located, could

have environmental effects that exceed those resulting from the Plan, in particular if sites were involved that resulted in higher VMT than the Plan, or that resulted in the loss of sensitive habitats or open space..

Additionally, the 2008 Plan EIR concluded buildout of the 2008 Plan would result in an additional 11,513 daily vehicle trips. In comparison, buildout under the Plan would result in 8,826 daily vehicle trips. Therefore, the No Project, Existing Plans Alternative would result in 2,687 more vehicle trips than the Plan. As a result, this alternative would result in more energy consumption, criteria pollutants, energy consumption, GHG emissions, and roadway noise compared to the Plan. Furthermore, due to the increase in commercial land use compared to the Plan, this alternative would have a greater contribution to a significant and unavoidable VMT impact related to commercial trips.

The 2008 Plan EIR concluded buildout of the 2008 Plan would generate a net water demand increase of 150 af/yr. In comparison, the WSA completed for the Plan (see Appendix E) concluded buildout of the Plan would generate a net water demand increase of 95 af/yr.[174]

Relationship to Project Objectives

This alternative would meet Objectives 2, 3, 6, and 8 and could partially meet Objective 7. All other objectives would not be met under this alternative.

Conclusion

The No Project, Existing Plans Alternative would not lessen any of the environmental impacts of the Plan. All significant and unavoidable impacts of the Plan would remain under this alternative, as the 2008 Plan would also result in GHG emissions in 2045 that would exceed the carbon neutrality threshold, and the commercial component of the 2008 Plan would lead to significant VMT impacts. Under this alternative the City would not be in compliance with the RHNA targets under the currently adopted Housing Element for the 2023 – 2031 cycle. This alternative would meet a portion of the City's objectives; however, it is not environmentally superior.

7.2.2.2 *Residential Land Use Only Alternative*

The Residential Land Use Only Alternative would provide the residential development included in the Plan, but it would be implemented such that it would only allow for residential development, and preclude the mixed-use development, commercial development, and civic land uses. Infrastructure improvements, such as roadways, pedestrian and bicycle facilities, and utility improvements would remain as essential elements of the Plan. This alternative would ensure the Plan meets the City's RHNA goals.

[174] Scotts Valley Water District-BKF Engineers. Town Center Specific Plan Water Supply Assessment. Table 2-3. September 2025.

Comparison of Environmental Impacts

The purpose of this alternative would be to lessen the Plan's contribution from the commercial land use component to a significant and unavoidable cumulative VMT impact. As described in Section 3.17 Transportation, the General Plan EIR determined that implementation of the General Plan would meet the VMT threshold for residential and exceed the VMT threshold for office and industrial uses and therefore the EIR concluded a significant and unavoidable impact from non-residential VMT.

As previously described, the Plan as a whole when considered within the cumulative environment of buildout within the City would contribute to the VMT impact due to its incorporation of commercial land uses. The elimination of commercial land uses under this alternative would eliminate the project's contribution to a significant and unavoidable impact, thereby reducing the impact to less than significant, as the residential uses within the Plan have less than significant VMT, in keeping with the General Plan EIR conclusion that residential uses would meet the applicable VMT threshold.

The Transportation Analysis assumed 2,933 daily trips for residential units, 5,103 daily trips for retail/service uses, and 791 daily trips for public/civic uses for a total of 8,826 daily trips. Therefore, this alternative would reduce daily trips by 5,894 trips, or approximately 67 percent compared to the Plan. However, the Transportation Analysis accounted for a mixed-use reduction for vehicle trips to account for internal trips within the development (residents from the housing would access the retail uses on-site without taking a vehicle trip). A five percent reduction for residential and retail portions of the project was assumed. Therefore, this five percent reduction would no longer apply. The elimination of locally-serving commercial uses within the Plan area would therefore lead to a slight increase of VMT for residents, as residents may travel further for commercial services.

All other significant and unavoidable impacts of the Plan would continue to result (i.e., GHG impacts in 2045 due to the inability of the City to mandate that residential GHG emissions in 2045 be carbon neutral). The other potentially significant impacts resulting from the Plan would be similar in magnitude under this alternative and would require compliance with the same General Plan policies, Plan policies, and mitigation measures, to reduce to a less-than-significant level.

Relationship to Project Objectives

This alternative would meet Objective 5, 7, 10 and could partially meet Objective 4 and 9. This alternative would not meet any of the Plan objectives that relate to commercial development or public/quasi-public land uses in the Plan (Objectives 1, 2, 3, 6, and 8).

Conclusion

The Residential Only Alternative would not contribute to a cumulative commercial VMT impact, however, all other environmental impacts under this alternative would be similar to the proposed Plan. This alternative would not meet any of the critical Plan objectives that relate to commercial

development or public/quasi-public land uses in the Plan (Objectives 1, 2, 3, 6, and 8). The commercial (and mixed-use) aspects of the Plan are vital to the original purpose of undertaking this planning and environmental review effort; eliminating commercial uses from the Plan results in a Plan that falls short of creating a Town Center and a gathering place. Failing to accomplish Objectives 1, 2, and 3 would represent an ineffective Plan.

Table 7.2-2: Comparison of Impacts from Alternatives to the Proposed Project

Significant Impact	Proposed Plan	No Project, No New Development Alternative	No Project, Existing Plans Alternative*	Residential Land Use Only Alternative
Air Quality				
Impact AQ-1: Without application of appropriate control measures to reduce construction dust and exhaust, construction period impacts at the program level would be considered a significant impact.	LTS/M	**NI**	LTS/M	LTS/M
Impact AQ-2: Significant TAC emission exposure could occur under Plan buildout.	LTS/M	**NI**	LTS/M	LTS/M
Impact BIO-1: Plan buildout could impact habitats within the Plan area that may contain special status species.	LTS/GP	**NI**	LTS/M	LTS/GP
Impact BIO-2: Future construction activities associated with build out under the Plan could result in the loss of fertile eggs, nesting raptors or other migratory birds, or nest abandonment.	LTS/M	**NI**	LTS/M	LTS/M
Impact BIO-3: Future demolition activities and tree removal under the Plan could result in direct physical disturbance of any roosting bats that may be present, possibly resulting in injury or mortality, as well as the loss of roosting sites.	LTS/M	**NI**	LTS/M	LTS/M
Impact BIO-4: Future development projects under the Plan could place fill into jurisdictional waters.	LTS/GP	**NI**	LTS/M	LTS/GP
Cultural Resources				
Impact CUL-1: Future development projects under the Plan could indirectly or directly impact known and unknown historic buildings and structures by removing historic buildings and structures, or altering the setting for historic properties.	LTS/M	**NI**	LTS/M	LTS/M

Impact CUL-2: Future development projects under the Plan could inadvertently discover unknown archaeological resources during construction.	LTS/M	**NI**	LTS/M	LTS/M
Geology and Soils				
Impact GEO-1: Future construction activities could disturb paleontological resources, if present.	LTS/M	**NI**	LTS/M	LTS/M
Greenhouse Gas Emissions				
Impact GHG-1: Buildout under the Plan would result in approximately 15,533 MT of CO2e and would not meet the State's goal of carbon neutrality by 2045.	SU/M	**NI**	SU/M	SU/M
Hazards and Hazardous Materials				
Impact HAZ-1: Future development within the Plan could encounter and disturb contaminated soil, soil vapor, and groundwater, and result in adverse effects on construction workers, existing residents and employees, and nearby sensitive receptors.	LTS/M	**NI**	LTS/M	LTS/M
Noise				
Impact NOI-1: Future construction associated with development under the Plan could result in temporary construction noise impacts.	LTS/M	**NI**	LTS/M	LTS/M
Impact NOI-2: Future development under the Plan could result in a significant permanent noise level increase.	LTS/GP	**NI**	LTS/M	LTS/GP
Impact NOI-3: Groundborne vibration levels generated by construction activities for development under the Plan exceeding the conservative 0.3 in/sec PPV limit for conventional offsite buildings would have the potential to result in a significant vibration impact.	LTS/M	**NI**	LTS/M	LTS/M
Transportation				
Impact TRAN-1: Buildout of the Plan would contribute to a significant cumulative VMT impact for commercial land uses.	SU	**NI**	SU	**LTS**
Meet City's Objectives?				
Objective 1	Yes	No	No	No
Objective 2	Yes	No	Yes	No

Objective 3	Yes	No	Yes	No
Objective 4	Yes	No	No	Partially
Objective 5	Yes	No	No	Yes
Objective 6	Yes	No	Yes	No
Objective 7	Yes	No	Partially	Yes
Objective 8	Yes	No	Yes	No
Objective 9	Yes	No	No	Partially
Objective 10	Yes	No	No	Yes

*This alternative assumes that all mitigation measures identified in the 2008 Plan EIR will apply. The 2008 mitigation measures/impact conclusions are not completely consistent with the new mitigation measures/impact conclusions identified within this 2025 EIR, as this EIR is for an updated Plan and was drafted 17 years later.

Notes: SU = significant and unavoidable impact; SU/M = significant and unavoidable impact with mitigation incorporated; LTS/M = less than significant impact with mitigation incorporated; LTS/GP = less than significant with general plan policy incorporated; LTS = less than significant impact; NI = no impact

Bold text indicates being environmentally superior to the proposed project.

7.2.2.3 *Environmentally Superior Alternative*

The CEQA Guidelines state that an EIR shall identify an environmentally superior alternative. If the environmentally superior alternative is the "No Project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives (Section 15126.6(e)(2)).

The environmentally superior alternative would be the No Project, No New Development Alternative. This alternative would avoid all the environmental impacts of the Plan. However, this alternative would not accomplish any of the Plan's community benefits, nor would it meet any of the Plan's objectives including the provision of adequate housing to satisfy the City's RHNA targets.

Beyond the No Project Alternative, the Residential Land Use Only Alternative would be the environmentally superior alternative. The elimination of commercial land uses under this alternative would eliminate the project's contribution to a significant and unavoidable VMT impact, thereby reducing the impact to less than significant. All other significant and unavoidable impacts of the Plan would continue to result (i.e., GHG impacts in 2045). The other potentially significant impacts resulting from the Plan would be similar in magnitude under this alternative and would require compliance with the same General Plan policies, Plan policies, and mitigation measures, to reduce to a less-than-significant level. However, this alternative would not result in the successful achievement of the City's key objectives of creating a pedestrian-friendly Town Center with commercial space and a place for community gathering and an entertainment hub for Scotts Valley.

Section 8.0 References

The analysis in this Environmental Impact Report is based on the professional judgement and expertise of the environmental specialists preparing this document, based upon review of the site, surrounding conditions, site plans, and the following references:

The analysis in this Environmental Impact Report is based on the professional judgement and expertise of the environmental specialists preparing this document, based upon review of the site, surrounding conditions, site plans, and the following references:

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Section 9.0 Lead Agency and Consultants

9.1 Lead Agency

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Jordyan Bauer, Staff Consultant
Michael Thill, Principal

Section 10.0 Acronyms and Abbreviations

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACM	asbestos-containing material
ALUC	Airport Land Use Commission
APN	Assessor's Parcel Number
ATCM	air toxic control measure
BAAQMD	Bay Area Air Quality Management District
Bay Area	San Francisco Bay Area
bgs	below ground surface
Btu	British thermal unit
CAAQS	California Ambient Air Quality Standard
CAL FIRE	California Department of Forestry and Fire Protection
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health
CalARP	California Accidental Release Prevention
CalEPA	California Environmental Protection Agency
CALGreen	California Green Building Standards
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Standards Code
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFC	chlorofluorocarbon
CFR	Code of Federal Regulations
CGS	California Geological Survey
CH_4	methane
CLUP	Comprehensive Land Use Plan
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO_2	carbon dioxide

CO_2e	carbon dioxide equivalents
CRHR	California Register of Historical Resources
CUPA	Certified Unified Program Agency
dBA	A-weighted decibel
DNL	Day/Night Average Sound Level
DPM	diesel particulate matter
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Environmental Site Assessment
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulations
FHSZ	Fire Hazard Severity Zone
FMMP	Farmland Mapping and Monitoring Program
GHG	greenhouse gas
GHGRS	Greenhouse Gas Reduction Strategy
GWh	gigawatt hour
GWP	Global Warming Potential
Habitat Plan	Santa Clara Valley Habitat Plan
HSWA	Hazardous and Solid Waste Amendments
ibid	Same source as previous footnote
L_{eq}	Energy-Equivalent Sound/Noise Descriptor
L_{max}	Maximum A-weighted noise level during a measurement period
LBP	lead-based paint
LOS	Level of Service
LRA	Local Responsibility Area
MBTA	Migratory Bird Treaty Act
$MMTCO_2e$	million metric tons of carbon dioxide equivalent
MND	Mitigated Negative Declaration
mpg	miles per gallon
MSL	mean sea level

MTC	Metropolitan Transportation Commission
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standard
NAHC	Native American Heritage Commission
NCP	National Contingency Plan
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO_2	nitrogen dioxide
NOA	naturally occurring asbestos
NOD	Notice of Determination
NO_x	nitrogen oxides
NRHP	National Register of Historic Places
O_3	ozone
PCB	polychlorinated biphenyls
PFC	perfluorocarbon
PDA	Priority Development Areas
PG&E	Pacific Gas and Electric Company
PM	particulate matter
PM_{10}	particulate matter with a diameter of 10 microns or less
$PM_{2.5}$	particulate matter with a diameter of 2.5 microns or less
PPV	Peak Particle Velocity
R&D	Research and Development
RAP	Removal Action Plan
RCRA	Resource Conservation and Recovery Act
ROG	reactive organic gases
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SB	State Bill
SCS	Sustainable Communities Strategy
SF_6	sulfur hexafluoride
SHMA	Seismic Hazards Mapping Act
SMARA	Surface Mining and Reclamation Act
SMGB	State Mining and Geology Board

SMP	Site Management Plan
SO_x	sulfur oxides
SR	State Route
SRA	State Responsibility Area
SWRCB	State Water Resources Control Board
TACs	Toxic Air Contaminants
Title 24	Title 24, Part 6 of the California Code of Regulations
TSCA	Toxic Substances Control Act
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
VMT	vehicle miles traveled
Williamson Act	California Land Conservation Act
WUI	wildland-urban interface
ZNE	zero net carbon emission