
3.0 CHANGES TO DRAFT EIR

Changes to Draft EIR text that are identified below are shown in underlined type for new text and ~~strikeout~~ type for deleted text.

3.1 “INTRODUCTION” CHANGES (DEIR CHAPTER 1.0)

Page 1-1 Delete the second sentence of the second paragraph and revise the last complete sentence as follows:

~~The objective of the project is to implement City of Santa Cruz obligations set forth in the Comprehensive Settlement Agreement with regards to provision of water and sewer services to the UCSC North Campus area. The Settlement Agreement was entered as a final judgment of the Santa Cruz Superior Court. and p~~ Pursuant to this stipulated judgment, the City agreed to continue to provide water service to the UCSC campus through its existing water connections (that UCSC may use to support development in its 2005 LRDP) to assist UCSC with achieving its on-campus housing commitment set forth in the Settlement Agreement, consistent with other provisions of the Comprehensive Settlement Agreement.

3.2 “SUMMARY OF IMPACTS” (DEIR CHAPTER 2.0)

Page 2-1 - 2-2 Revise “Project Summary” text as shown in the SUMMARY OF IMPACTS (Chapter 2.0) section of this document.

Page 2-4 Expand the discussion of alternatives text as shown in the SUMMARY OF IMPACTS (Chapter 2.0) section of this document.

Page 2-5 & 2-8 Edit Impact statements 1-1, 2-1 and 2-2 as shown in the SUMMARY OF IMPACTS (Chapter 2.0) section of this document.

Page 2-9 Edit “Indirect Secondary Impacts of Growth” text as shown in the SUMMARY OF IMPACTS (Chapter 2.0) section of this document.

3.3 PROJECT DESCRIPTION (DEIR CHAPTER 3.0)

- Page 3-3 Revise third sentence of the first full paragraph as follows:
- In certain circumstances, State law allows ~~LAFCO to authorize~~ a city or district to provide a service outside the agency's boundaries only upon approval from LAFCO. Santa Cruz LAFCO has adopted procedures and policies for its consideration of these types of applications.
- Page 3-3 Revise bullet the end of the page to provide the correct name of the sanitation district as Santa Cruz County Sanitation District, and make this change throughout the DEIR.
- Page 3-4 -
Page 3-5 Revise the last sentence as follows:
- The Settlement Agreement states that full-time equivalent on-campus 3-quarter average enrollment for undergraduates will not exceed revised the 2005 LRDP enrollment projections by limited undergraduate enrollment to 17,500. For the purposes of planning implementation of infrastructure development to accommodate enrollment growth, the Settlement Agreement indicates that UCSC projects a and total on-campus combined graduate and undergraduate enrollment of to 19,480 in academic year 2020-2021 (section 1.1).
- Page 3-5 Revise the "Housing" section to indicate that off-campus housing ...is limited to no more than 225 new beds....., and revise the last sentence of the section as follows:
- Page 3-5 Revise last sentence of the "Housing" section as follows:
- UCSC's increased housing commitment will ~~revert~~ be suspended, (and its housing capacity as reflected in to the 2005 LRDP commitment will be reinstated) under conditions specified in the Settlement Agreement.
- Page 3-5 Revise the first sentence under the "Water and Sewer Services" section as follows:
- In order to support UCSC in achieving its on-campus housing commitment, the City agreed to continue to provide water service to the campus through the existing connections that UCSC may use the water to support development in its 2005 LRDP, consistent with other provisions of the Settlement Agreement (section 2.7a).

Page 3-5 Revise the first sentence of the last paragraph under the “Water and Sewer Services” section as follows:

UCSC will pay a fee ~~for increased water use~~ (equivalent to the City’s “system development charges” for increased water use over 206 MGY (2005 LRDP baseline year campus water use) to cover its proportional share of use of City-developed new water source capacity and the City’s construction of public facilities to serve UCSC’s non-drought water demand on the main campus (section 3.1).

Page 3-7 Revise the first three sentences of the first full paragraph (“Project Objectives” as follows:

The objectives of the project are: ~~is to~~

- ☐ Implementation of both the City of Santa Cruz and UCSC commitments ~~obligations~~ set forth in the Comprehensive Settlement Agreement as related to submittal of concurrent applications to LAFCO ~~with regard to~~ facilitate the provision of water and sewer services to the UCSC North Campus area, and
- ☐ ~~specifically to~~ Amendment of the City’s Sphere of Influence boundaries to include this portions of the North Campus area of UCSC; and to
- ☐ City provision of ~~provide such~~ extraterritorial water and sewer services to portions of the North Campus.

The Settlement Agreement was entered as a final judgment of the Santa Cruz Superior Court, thereby superseding the previous court ruling regarding legal challenges to the University’s 2005 LRDP EIR. Pursuant to this stipulated judgment, the City agreed to continue to provide water service to the UCSC campus through its existing water connections (that UCSC may use to support development pursuant to its 2005 LRDP) to assist UCSC with achieving its on-campus housing commitment set forth in the Settlement Agreement, consistent with other provisions of the Settlement Agreement.

Page 3-8 Revise the first three sentences of the second paragraph under “Need for Services” as follows:

As previously indicated, the project is proposed to ~~fulfill~~ implement part of the City’s and University’s commitments outlined in the Comprehensive Settlement Agreement as related to submittal of concurrent applications to LAFCO to amend the City’s sphere of influence to provide extraterritorial water and sewer services to a portion of UCSC. ~~and to assist UCSC in meeting~~

~~its on-campus housing commitment as outlined in the 2005 LRDP and the Comprehensive Settlement Agreement. In order to support UCSC in achieving its on-campus housing commitment, the City agreed to continue to provide water service to the campus through the existing connections that UCSC may use the water to support development pursuant to its 2005 LRDP, consistent with other provisions of the Settlement Agreement (section 2.7a). Implementation of the project would adjust the City's Sphere of Influence (and, thus, its probable physical boundaries) and would provide extraterritorial water and sewer service to a portion of the UCSC North Campus in which UCSC proposes development in. The project would enable UCSC to move forward with plans to develop the North Campus as set forth in its adopted 2005 LRDP and as set forth in the Comprehensive Settlement Agreement. Specifically, UCSC's 2005 LRDP designates the proposed SOI project area for a mix of college, housing, physical education, academic facilities, campus reserve and protected landscape/resource land uses as shown on Figure 11 and further described in the LAND USE (Chapter 4.3) section of this EIR.~~

3.4 "WATER SUPPLY" CHANGES (DEIR CHAPTER 4.1)

Page 4.1-11- Expand the last paragraph regarding the City's preparation of a HCP as follows:

- ❑ **North Coast Streams and San Lorenzo River – HCP.** Continued access to the same amount of North Coast supply sources will depend on the outcome of a Section 10 "incidental take" permit application and accompanying Habitat Conservation Plan (HCP) for city activities that are designed to prevent take of a listed federal species. The permit and plan must be approved by the U.S. Fish and Wildlife Service and NOAA Fisheries. The goal of the HCP is to minimize and mitigate to the maximum extent practicable the effects of city activities on listed and other sensitive species. The City entered into the HCP process in 2004, and over the past 6 years, the City has coordinated and met with U.S. Fish and Wildlife Service and National Marine Fisheries on HCP-related issues.

The conservation measures associated with the HCP may result in changes in the City's operation and management activities and potentially affect the timing and use of this component of the City's existing water supply. However, the effect, if any, on the City's water supply is yet to be determined. At this time there has been no tentative, let alone final, agreement on the strategies by which all of the life stages of all of the threatened or endangered species potentially present in areas of the City's

water supply operations will be protected. A draft HCP has not yet been prepared, and tentative agreements on operations have not been reached. Nor has the City received any written communication from the resource agencies regarding the amount of any potential reductions in the City's water supplies due to implementation of the HCP. However, the City has interim Stream Alteration Agreements with the California Department of Fish and Game (DFG) that have resulted in voluntary fish releases from Liddell Spring, Majors Creek, and Laguna Creek, and the City continues to conduct in-stream analyses of flow regimes as they relate to the life stages of the threatened and endangered species in all of those water bodies.

Based on the above, it is not known how much longer it will take to finalize not just the HCP process but also the process by which the City receives a Section 10 Permit. It is also very uncertain how much water will be needed for habitat conservation, not only in quantity, but seasonally, which is important as it relates to water supply availability. With regards to timing, the City's studies have been expanded from North Coast streams to include new surveys in the San Lorenzo River due to its importance in coho salmon recovery efforts. Additionally, there are structural-type remedies that are beneficial that do not involve release of water, e.g. in-stream placement of woody structures and lagoon management.

Page 4.1-12 Expand text of the first full paragraph as follows:

- ❑ **Water Rights Conformance Proposal.** The City is also in the process of developing and submitting filings to the State Water Resources Control Board (SWRB) to rectify a historical technical deficiency in the water rights on Newell Creek. Based upon the original filings, which were thought to be adequate due to the anticipated use of Loch Lomond Reservoir, these water rights allow only for diversion to storage and not for direct diversion, i.e., into the City's water supply distribution system. This circumstance makes the water supply technically unavailable as a source for City use during times when, for example, the reservoir is receiving more inflow from Newell Creek than is released downstream. The water rights filings by the City are intended to correct this historical deficiency and bring the water rights and current operations into conformance. The proposed direct diversion rights are limited to the same volume of water, purposes and places of use as the existing rights such that they match the existing rights to the extent possible while allowing direct diversion, consistent with historic practice.

This petition is currently being protested by the California Department of Fish and Game, and a decision from the SWRB is pending (EKI, September 2009). Three different parties filed protests to this application and to the City's petition for an extension of time to go to full appropriation on Felton Diversion (as discussed below): the Marine Corp Base, Camp Pendelton (CPEN); the California Department of Fish and Game (DFG); and National Marine Fisheries Service (NMFS). The CPEN protest raised the legal issue of whether a water right holder or applicant may petition to the State Water Board to change an application, permit or license to allow for direct diversion when the current application, permit or license is for diversion to storage. The City appealed to the SWRCB that the public interest and the law supports the use of the change petition process to add direct diversion to its San Lorenzo River and Newell Creek Water Rights. In December 2009, the SWRCB affirmed the legitimacy of the application for a change, finding that it has the authority to approve such a change, and denied the CPEN Petition for Reconsideration. A copy of the Board's action (Order WR 2009-0061) is included in Appendix B of the Final EIR document.

Regarding the petition for the time extension to go to the full appropriation on the Felton Diversion, the City believes it is premature to conclude that it is unlikely to retain this water right. The City has been granted two other such extensions of time – in the mid-1980s and again in the mid-1990s after negotiations with CDFG and execution of a MOA that modified the manner in which the City operated the facility. The City also is working with DFG and NOAA Fisheries to consider how the facility could possibly be used to aid the Coho Recovery Plan enhancement strategies.

Page 4.1-13 Add expanded discussion regarding climate change to the end of the first full paragraph as follows:

General studies prepared by the State of California indicate that climate change may seriously affect the State's water resources as a result of temperature increases, changes in timing and amount of precipitation, and sea level rise that could adversely affect coastal areas (California Department of Water Resources, July 2006). Trends in precipitation change are hard to determine, but worldwide precipitation is reported to have increased about 2% since 1990. Precipitation and stream flow records indicate an increase in precipitation, and increased precipitation could benefit water supplies and improve environmental conditions in some areas, especially where water supply diversions have significantly affected stream flow (California Department of Water Resources, July 2006).

Global climate models vary considerably in projecting precipitation patterns, and climate change could potentially alter California's historical precipitation patterns. Simulations conducted by the State of California predict drier conditions in the future, although at the same time there is continued risk from intense rainfall events that can generate more frequent and/or more extensive runoff (California Natural Resources Agency, "2009 California Climate Adaptation Strategy"). While many of the state reports have focused on changes on Sierra snowpack and other major California water sources, recent reports indicate that warming temperatures, combined with changes in rainfall and runoff patterns will exacerbate the frequency and intensity of droughts. Although average annual precipitation may not change, more intense wet and dry periods are anticipated (California Department of Water Resources, October 2009). Regions that rely heavily upon surface water (rivers, streams, and lakes) could be particularly affected as runoff becomes more variable (California Department of Water Resources, October 2008).

It is possible that coastal watersheds such as the one above Santa Cruz could experience changes in frequency and amounts of precipitation (they currently don't receive much snow), which could affect the amounts of water available for diversion and storage in the City's existing facilities. Another study indicates that sea level is expected to rise an additional 22 to 35 inches by the end of the century (California Climate Change Center, July 2006). Generally, there are two ways it is thought that the Santa Cruz water supply system may be impacted: 1) sea level rise that would create greater likelihood of groundwater contamination from seawater intrusion; and 2) rainfall events that would likely be heavier and less frequent, thus affecting storage in Newell Creek Reservoir.

The City has acknowledged that climate change may impact City water supplies that are largely dependent on surface water flows. To the extent that rain events are more intense but less frequent, the base flow in streams and rivers from which the City diverts could change. Predictions regarding the extent of climate change on water resources are dependent on many variables. Models are being developed to assist water utilities in looking at climate change variables in their water planning efforts,¹ but the timing and quantification of potential climate changes effects are too speculative to try to predict with any certainty at this time. However, the City is working with other County water agencies to look at the models that are being developed and will use the information during the next update of the City's Urban Water Management Plan.

¹ See Water Utility Climate Alliance. January 2010. "Decision Support Planning Methods: Incorporating Climate Change Uncertainties into Water Planning."

- Page 4.1-16 Revise and expand the third sentence of the second paragraph as follows:

The plumbing fixture retrofit program has produced the most water savings of any program, totaling about 11 MGY in the year 2005 (approximately 34 AFY) as reported in the City Water Department Annual Report to the City Council (February 27, 2006). According to the City's adopted Urban Water Management Plan, the conservation savings due to residential plumbing retrofit programs totaled approximately 71 MG. The remaining 103 MGY in savings that had been achieved by the year 2005 were a result of landscape water conservation; clothes washer rebates; and commercial, industrial and institutional programs.

- Page 4.1-18 Revise second sentence of the first full paragraph to add a "q" to SCWD distinguish the Soquel Creek Water District as follows:

"Currently the SqCWD obtains all its water from groundwater..."

- Page 4.1-18 Revise second to last sentence of the second full paragraph as follows:

The City's current schedule for the desalination project anticipates that facility construction and operation by the year 2015 for a permanent facility is expected to be constructed and in operation by the year 2015, pending completion of project-level environmental review and regulatory permit approvals, i.e. approval of a coastal development permit from the California Coastal Commission.²

- Page 4.1-25 Revise the first sub-heading as follows:

"Existing and Future Projected UCSC Water Demand on the UCSC Campus"

- Page 4.1-32 Correct Table 2-3 (on the next page) to show additional water demand at the UCSC Marine Campus to be 10 MGY instead of 9 MGY, which brings total estimated UCSC demand to 339 MGY instead of 338 MGY and is hereby so corrected in the remainder of the EIR analysis. This correction does not change the water analyses or WSA conclusions.

² Other potential permits, approvals and/or consultations for a permanent desalination project and supporting infrastructure (i.e., intake facility and distribution pipeline) may be required from various agencies, including, but not limited to U.S. Fish and Wildlife Service, State Lands Commission, and California Department of Health Services.

**TABLE 2-4: Project Water Demand Summary
(IN MILLION GALLONS PER YEAR [MGY])**

Area	Subtotal	TOTAL
UCSC – SOI Amendment Project [1]		
▪ UCSC LRDP Additional Development – Main and North Campus [2]	122	
▪ UCSC LRDP-Summer Session	10	
▪ Plus 935 new beds per Settlement Agreement	14	
▪ Less Conservation Savings per Settlement Agreement	-30	
▪ Less Approved/Proposed New LRDP Development located outside SOI Amendment area [3]	-16	
<i>Subtotal</i>		100
UCSC – Other Growth		
▪ Approved/Proposed New LRDP Development located outside SOI Amendment area [3]	16	
▪ UCSC LRDP-Delaware (2007-2020) [4]	1	
▪ UCSC Marine Science Campus (2007-2020) [4]	<u>910</u>	
<i>Subtotal</i>		<u>2627</u>
UCSC – Existing Water Demand – 2007 [5]		
▪ Main Campus	200	
▪ UCSC LRDP-Delaware	2	
▪ UCSC Marine Science Campus	10	
<i>Subtotal</i>		212
UCSC TOTAL to 2020		<u>338339</u>
[1] Developed by Erler & Kalinowski, Inc. (EKI) as part of the project “Water Supply Assessment” based on proposed development square footages and water use factors identified by ARUP for UCSC (August 28, 2006) and as modified by Settlement Agreement as shown below. [2] Additional development was estimated by ARUP (2006) as part of 2005 LRDP FEIR and were based on the area of previously approved projects and proposed new land uses from the 2005 LRDP multiplied by water use factors derived from historical UCSC water use and incorporation of water-efficient fixtures in new development. [3] Projects under construction/proposed under adopted 2005 LRDP that are located outside of SOI Amendment area (Infrastructure Improvements, Porter Housing, Biomed Facility, Health Center, East Campus Infill Housing) (University of California Santa Cruz, July 2009). [4] Based on UCSC water use demand projections (year 2020) less existing use (year 2007). [5] Provided by UCSC.		

Page 4.1-34 Revise the second sentence of the last paragraph as follows:

“Even though implementation of the proposed project accounts for only 61% of the dry-year supply shortfalls....”

Page 4.1-35 Revise the first paragraph as follows:

The City Water Department estimates that approximately 64% of service area demand occurs over an approximate 7-month period of the year, during which time water supplies would be constrained during dry years. Based on this percentage, the proposed project’s water demand during dry years would result in an additional demand of 64 MG or approximately 299,000 gpd prior to implementation of UCSC’s required LRDP mitigation measures and Comprehensive Settlement Agreement commitments as discussed further below. With implementation of ~~the LRDP mitigation measures and Comprehensive Settlement Agreement commitments~~ and assuming a service area-wide curtailment of 15% (the maximum considered acceptable in the Integrated Water Plan), project water demand during the peak season in dry years ~~is estimated at 53~~ would be reduced to approximately 54.4 MG or approximately 259,205 gpd. which spread out over the Water Department’s 25,000 connections, this demand represents an average ~~could result in~~ additional per connection curtailment of approximately 10.5 ~~11~~ gpd than it otherwise would have been reached without the proposed project demand. This could potentially require the City to move into a more severe curtailment stage than would have otherwise occurred without the project.

Page 4.1-35 Expand the fourth paragraph as follows:

Since the City’s adoption of the IWP and UWMP, the Soquel Creek Water District (SqCWD) has joined with the City of Santa Cruz as a partner in the desalination project due to groundwater concerns in the District. As a preliminary step, the City and SqCWD ~~recently~~ completed operation of a “pilot project” (in 2009) to gather information to establish the optimal design and operating parameters for a permanent facility. Based on these results, the City and SqCWD ~~are~~ is moving forward with design plans and environmental review for a permanent facility for drought protection, which is expected to be constructed and in operation by the year 2015, pending completion of project-level environmental review and regulatory permit approvals, i.e., approval of a coastal development permit.

3.5 “WASTEWATER SERVICE” CHANGES (DEIR CHAPTER 4.2)

Page 4.2-3 Correct the second sentence of the first paragraph as follows:

In addition to the City of Santa Cruz, the WWT also serves the Santa Cruz County Sanitation District and ~~Community~~ County Service Areas (CSA) 10 and 57 as further described below.

“Existing and Future Projected ~~UCSC~~ Water Demand on the UCSC Campus”

3.6 “LAND USE” CHANGES (DEIR CHAPTER 4.3)

Page 4.3-5 Revise the first paragraph under the “Factors LAFCO Must Consider in

In certain circumstances, State law allows ~~LAFCO to authorize~~ a city or district to provide a service outside the agency's boundaries only upon approval from LAFCO. Santa Cruz LAFCO has adopted procedures and policies for its consideration of these types of applications.

Page 4.3-6 Revise the first paragraph under the “Factors LAFCO Must Consider in Reviewing Proposals” to provide clarification requested by the Santa Cruz LAFCO.

The Santa Cruz LAFCO's website indicates that there are 15 factors that LAFCO must consider in the review of a proposal (Santa Cruz LAFCO website; <http://www.santacruzlafco.org> – “What is LAFCO?”). These factors are summarized below, and apply to annexations and other boundary changes pursuant to state law, but do not apply to sphere of influence amendments or extraterritorial service authorizations. Effective January 1, 2010, Senate Bill 215 adds adopted regional transportation plans to the factors that LAFCO must consider.

Page 4.3-12 Delete the first bullet: “~~Physically divide an established community.~~”

Page 4.3-19 Revise text in the first full paragraph to correct the typo referencing state law as follows:

The review will look at the proposed project in the context of the Coretese-Knox~~ww~~-Hertzberg Local Government Reorganization Action of 2000.

3.7 “GROWTH INDUCEMENT” CHANGES (DEIR CHAPTER 5.0)

Clarify subsection headers in this chapter as follows:

- ❑ **5.1 INTRODUCTION**
- ❑ **5.2 GROWTH INDUCEMENT**
- ❑ **5.3 SECONDARY EFFECTS OF GROWTH**

Page 5-1 Correct the last sentence of the first paragraph of the “Regional Population” subsection as follows:

According to AMBAG data, the City provides ~~30~~29% of the jobs found within the County (AMBAG, June 11, 2008a).

Page 5-15 Correct housing unit projections for the years 2025 and 2030 in Table 3-5 for the City of Santa Cruz as follows:

City of Santa Cruz Housing Forecasts:

- ❑ 2025: 25,943
- ❑ 2030: 26,610

Page 5-22 Add the following to the end of the first sentence of the “Off-campus Intersection LOS’ subsection as follows:

The 2005 LRDP EIR concluded that campus growth under the 2005 LRDP would cause unacceptable levels of service at the following 10 off-campus intersections in the City of Santa Cruz (LRDP Impact TRA-2):

- ❑ Empire Grade/Western Drive
- ❑ Mission Street/Almar-Younglove Avenue
- ❑ Mission Street/Bay Street
- ❑ Mission Street/Laurel Street
- ❑ King Street-Union Street/Mission Street
- ❑ Mission Street/Chestnut Street
- ❑ Highway 1/River Street
- ❑ King Street (west)Mission Street
- ❑ Bay Street/California Street
- ❑ King Street (west)Mission Street

Page 5-22 Revise the last three sentences of the last paragraph as follows:

In addition, LRDP Mitigation TRA-2A requires the campus to pay its fair share of the cost of off-campus intersection improvements needed to maintain acceptable levels of service at the 10 identified intersections, although

operations at three intersections would remain at unacceptable levels of service even with planned improvements (Bay/Mission, King-Union/Mission, and Mission/Chestnut. However, even with improvements to acceptable levels of service at seven of the impacted intersections, the 2005 LRDP EIR concluded that the impact of campus growth on off-campus intersections would remain significant and unavoidable, even with mitigation, since the timing of implementation of improvements at the affected off-campus intersections was beyond the control of the University. However, based on the provisions of the August 2008 Comprehensive Settlement Agreement, the University has contributed its proportional share of funds to the City for implementation of the intersection improvements,³ and the City has committed to implement the traffic improvements in a timely manner. However, no impact fee program has been established for freeway segments of the state highway system nor has payment been made by UCSC or any other user which could contribute to mitigating freeway impacts.

Page 5-32 Revise and expand text of the third full paragraph regarding forest resources as follows:

Redwoods are widespread throughout the Santa Cruz Mountains, occurring on most of the more than 150,000 acres of conifer and mixed evergreen timberland reported in the timber inventory prepared for the Santa Cruz County Planning Department in 1979. The removal of 73 acres of forest land would not be substantial in comparison to the acres remaining ~~on-campus~~, in the County and throughout the state that are available for commercial timber harvesting. Furthermore, large-scale commercial logging is not compatible with the existing and proposed uses of the campus, so the existing timberland is not, in practice, available for such logging.

Page 5-32 Add the following expanded text regarding forest resources at the end of the page as follows:

As indicated above, a discussion of forest resources was included in the DEIR in anticipation of amendments to the State CEQA Guidelines (Environmental Checklist) that were adopted on December 30, 2009 and became effective on March 18, 2010. Specifically, these amendments implement the Legislature's directive in Public Resources Code section 21083.05 (enacted as part of SB97 (Chapter 185, Statutes 2007)) that directs the Resources Agency to certify and adopt guidelines prepared and developed by the Office of Planning and

³ According to City staff, UCSC has paid all of the traffic fees due at this time to include: the TIF for the Main Campus and 2300 Delaware buildings A and B existing use (\$1,427,400 and \$418,868.70), Mission Street Widening payment (\$107,500), and their share of the Bay Street paving (\$14,145.55). That is all of the traffic fees that are due at this time.

Research for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions (California Natural Resources Agency, December 2009). The addition of the forestry environmental checklist question was primarily due to the direct link of forest resources with greenhouse gas (GHG) emissions as forest conversions may result in direct GHG emissions, and conversions remove existing forest stock and the potential for further carbon sequestration (carbon is stored in vegetation), which is recognized as a key mitigation strategy in the Air Resources Board's Scoping Plan (California Natural Resources Agency, December 2009). However, the California Natural Resources Agency staff report on the amendments also found that questions related to greenhouse gas emissions in Appendix G were not sufficient to address impacts related to forestry resources, and it was indicated that forest conversions may lead to aesthetics, biological resource and water quality impacts (Ibid.). It indicated that the Legislature has declared that "forest resources and timberlands of the state are among the most valuable of the natural resources of the state and that such resources furnish high-quality timber, recreational opportunities, and aesthetic enjoyment while providing watershed protection and maintaining fisheries and wildlife"(Public Resources Code, § 4512(a)-(b)) (Ibid.).

Thus, it appears that the basis for adding the question regarding forest resources was primarily due to GHG considerations, but also due to the other important attributes provided by forests. Based on the State's reasoning for including forest resources in the CEQA checklist, the consideration of forest resources (and resulting impact significance) should account for impacts related to greenhouse gas emissions, loss of commercial timberland, value for biological habitat and watershed protection, and aesthetics. Future UCSC development and tree removal is considered in the cumulative discussion of greenhouse gas emissions of the CEQA CONSIDERATIONS (Chapter 6.0) section of this EIR on pages 6-15 to 6-26. The analysis concludes that global climate change is a significant cumulative impact, and that potential indirect emissions due to future UCSC development were cumulatively considerable. Of the total emissions, tree removal accounted for approximately 20% of the calculated emissions.

None of the other attributes/values provided by forest lands, however, would be significantly and unavoidably impacted by future North Campus development: commercial timber harvesting, sensitive habitat, special status species, water quality/erosion, or aesthetics as discussed in this chapter of the DEIR. The loss of commercial timber land is addressed above. The North Campus area is part of a college campus, and although informal trails exist, it is not an existing or planned park or recreational area.

The LRDP EIR concluded that “timberland conversion” and tree removal activities would not remove substantial redwood and mixed evergreen forest habitat, and would not, in and of itself, be considered to be a significant impact to biological resources, as these are not considered sensitive natural communities by California Department of Fish and Game and are abundant in the region (University of California Santa Cruz, September 2006, 2005 LRDP EIR, Volume II). However, impacts to special status species for whom these forests provide habitat, and to wildlife movement, water quality and erosion, aesthetics, air quality, and noise, are analyzed in the 2005 LRDP EIR, and mitigation measures were required to reduce these impacts to a less-than-significant level as discussed in these respective subsections of this chapter of the DEIR. Additionally, the 2005 LRDP EIR acknowledges that development of the North Campus forested lands would constitute an irreversible use of these lands and would result in the loss of forest habitat, but again mitigation measures would reduce impacts to sensitive biological resources and would preserve and enhance appropriate habitat elsewhere on campus lands (University of California Santa Cruz, 2005 LRDP Final EIR, September 2006, Volume V, Response to Comment SA-7-3).

Similarly, potential impacts on drainage patterns, streams, and surface water and groundwater quality that could result from construction under the 2005 LRDP, including tree removal, are addressed in subsections below, and were found to be less-than-significant impacts with implementation of mitigation measures. The potential for erosion of campus soils due to development, including tree removal, would be reduced to a less-than-significant level with implementation of mitigation measures and implementation of Best Management Practices in the campus *Storm Water Management Plan* that is part of the campus Storm Water Discharge Permit issued by the Regional Water Quality Control Board (University of California Santa Cruz, 2005 LRDP Final EIR, September 2006, Volume I).

As discussed in the “Aesthetics” subsection above, the 2005 LRDP EIR concluded that most of the new North Campus development would be screened by the surrounding forest, and, therefore, impacts to scenic views would be less than significant and forest areas would not appear substantially changed from off-campus locations. Under LRDP policies new development would be clustered and surrounded by undeveloped landscape areas that would provide a buffer between future campus development and adjoining properties, such as the Cave Gulch neighborhood and Empire Grade Road. With the implementation of mitigation measures to preserve mature healthy trees and the continued campus stewardship program to maintain the wooded visual character of the campus, the visual continuity of forested areas would be maintained (University of California Santa Cruz, 2005 LRDP Final EIR,

September 2006, Volume V, Response to Comment SA-7-3). Additionally, Mitigation AES-5F addresses removal of individual trees that may be considered aesthetically valuable components of the landscape.

In conclusion, the future potential conversion of forest lands to development in the North Campus area of UCSC would result in greenhouse gas emissions that, in combination with other emissions, is considered a cumulatively considerable contribution to a significant cumulative global climate change impact. However, none of the other attributes/values provided by forest lands would be significantly and unavoidably impacted by future North Campus development and tree removal. The lands are not designated for commercial timber harvesting, but tree removal would be subject to preparation of a Timber Harvest Plan submitted to the state. The removal would not eliminate sensitive habitat, and potentially significant impacts to special status species, water quality/erosion, or aesthetics can be mitigated to a less-than-significant level.

It is also noted that tree replanting typically occurs on a site-specific basis with new development. The campus has been planting oak trees on the campus (e.g., in the East Field House area) as part of the Site Stewardship program. The campus has also planted redwoods along the slope below Crown College as mitigation for tree removal for the Biomedical Sciences Project.

Page 5-37 Add the following to the end of the first full paragraph as follows:

It is acknowledged, however, that protection is not guaranteed in perpetuity as land use designations may change with subsequent LRDPs.

Page 5-52 Edit and expand the last sentence of the first full paragraph as follows regarding potential erosion in the Cave Gulch watershed.

The ~~is~~ 2005 LRDP EIR therefore conservatively concludes that even with mitigation, the impact would be significant. However, since preparation and certification of the 2005 LRDP EIR, the University received approval of a General Phase II Municipal Storm Water Permit (General Permit) from the California Regional Water Quality Control Board (RWQCB), which requires UCSC to implement a Storm Water Management Plan that reduces the discharge of pollutants in storm water to the maximum extent practicable and protects water quality. UCSC's Storm Water Management Plan (October 2008) specifies extensive measures for the control of erosion resulting from new development. With implementation of these measures, erosion in the Cave Gulch watershed and other campus watersheds will be controlled, and significant unavoidable impacts are not expected.

Page 5-57

Revise the last sentence of the last paragraph as follows:

These measures include a testing program for emergency generators and a schedule for testing ~~and replacing the two existing engines cogeneration system with a new system with lower emissions~~ if the cogeneration system has not been replaced with a new system with lower emissions within three years of LRDP approval. If the testing and recalculated hazard exceeds a standard specified in the mitigation, the campus will reduce emissions from the emergency generator either by: (1) replacing the generator, (2) replacing the engine with a more efficient one, or (3) installing a catalytic oxidizer or other emissions controls.

3.8 “CEQA CONSIDERATIONS” CHANGES (DEIR CHAPTER 6.0)

Clarify subsection headers in this chapter as follows:

- ☐ **6.1 SIGNIFICANT UNAVOIDABLE IMPACTS**
- ☐ **6.2 SIGNIFICANT IRREVERSIBLE CHANGES**
- ☐ **6.3 CUMULATIVE IMPACTS**
- ☐ **6.4 PROJECT ALTERNATIVES**

Page 6-2

Add the following discussion before the “Significant Irreversible Changes” subsection:

These secondary impacts of indirect growth related to future UCSC growth are summarized below. These impacts result from potential campus development that would be served by the Sphere of Influence amendment project, but the proposed Sphere of Influence amendment project does not cause this growth. Therefore, these significant and unavoidable impacts are not considered new or more severe significant impacts resulting from the implementation of this project. The growth is already planned in the University’s adopted 2005 LRDP and acknowledged in the Comprehensive Settlement Agreement. The SOI DEIR indicates that the proposed project would indirectly support this planned growth on the UCSC, and also acknowledges that the University could further develop pursuant to its 2005 LRDP without necessarily constructing new facilities in the North Campus area (see page 6-35). For purposes of full public disclosure, the potential significant unavoidable impacts associated with future campus growth and development (which are summarized in section 6.1) include:

- ☐ Air quality (violation of NO_x standards);

- ☐ Cultural Resources (historic or archaeological resources where resource cannot be preserved, although the potential for such resources to exist in the undeveloped North Campus area is low);
- ☒ ~~Hydrology and Water Quality (potential erosion and water quality degradation depending on future site specific development designs);~~
- ☐ Noise (construction noise) near sensitive receptors;
- ☐ Transportation and Traffic (unacceptable levels of service at three off-campus intersections and unacceptable freeway operations); and
- ☐ Utilities (expansion of cooling and heating water facilities).

Page 6-8 Correct the typo on last line on the page to provide the correct date as 2030, not 20230.

Page 6-13 Correct the typo on third line of the page to read 5,080 AFY not 5,0800.

Page 6-29 Revise the summary of significant unavoidable impacts related to future UCSC growth as follows:

Significant unavoidable impacts related to future UCSC growth and development include:

- ☐ Air quality (violation of NOx standards);
- ☐ Cultural Resources (historic or archaeological resources where resource cannot be preserved, although the potential for such resources to exist in the undeveloped North Campus area is low);
- ☒ ~~Hydrology and Water Quality (potential erosion and water quality degradation depending on future site specific development designs);~~
- ☐ Noise (construction noise near sensitive receptors);
- ☐ Transportation and Traffic (unacceptable levels of service at three off-campus intersections and unacceptable freeway operations); and
- ☐ Utilities (expansion of cooling and heating water facilities).

Page 6-29 Revise the first sentence of the "Project Objectives" subsection as follows:

The objectives of the project is are:

- ☐ Implementation of the City of Santa Cruz and UCSC commitments set forth in the Comprehensive Settlement Agreement as related to submittal of concurrent applications to LAFCO to facilitate the provision of water and sewer services to the UCSC North Campus area, and

- ☐ ~~specifically to~~ Amendment of the City's Sphere of Influence boundaries to include portions of the North Campus area of UCSC; and to
- ☐ City provision of provide such extraterritorial water and sewer services to portions of the North Campus.

Page 6-36

Expand the discussion in the last paragraph as follows:

This alternative would exclude some resource lands (as designated in the 2005 LRDP) from inclusion within the Sphere of Influence amendment area. This would serve to tighten the line to include those areas designated for future development (and limited intervening lands designated for Natural Reserve), and thus, provision of services. Some lands are designated as "Protected Landscape" and "Campus Natural Reserve" that would be excluded. According to the adopted 2005 LRDP, CNR designation applies to lands that "would remain in its natural state except as required for maintenance, as teaching and research reserve," and construction in these areas is prohibited except for teaching and research or the limited construction of utilities, roads, and paths. The PL designation is applied to lands to maintain special campus landscapes for their scenic value and to maintain special vegetation and wildlife continuity zones, and the LRDP seeks to retain these areas to the extent feasible, "in an undeveloped state as the campus grows." It is acknowledged, however, that protection is not guaranteed in perpetuity as land use designations may change with subsequent LRDPs.

Figure 18 provides a general concept of the modified SOI area. Comments from the University on the Draft EIR indicate that a small (approximately 8 acres) area adjacent to Empire Grade, designated "Campus Support," should be within the "modified" Sphere of Influence as some development could occur in this location. The 2005 LRDP indicates that some "facility and operational corporation yard functions" would be relocated to the designated Campus Support (CS) Area adjacent to Empire Grade in the North Campus. As indicated on page 5-19 of the DEIR, the campus agreed not to develop a corporation yard at this location as part of the August 2008 Comprehensive Settlement Agreement (section 6.3). The 2005 LRDP does not specify what other types of uses may be located in this designation, but according to the LRDP EIR, the CS designation is provided to accommodate support facilities such as the central heating and cogeneration plants, maintenance shops, and equipment storage areas; buildings that house campus support departments, including Physical Plant, Purchasing, University Police and Fire Departments; and other support and service facilities. Additionally, a new campus road from Empire Grade (with bridge) would be constructed in this area.

Since the amount of development that could occur in the North Campus under the 2005 LRDP is specified in the Settlement Agreement, reducing future potential development is not feasible for reasons previously described associated with changing the Settlement Agreement. Since the DEIR discussion did not assume that any future development potential would be eliminated, Figure 18 has been corrected to include the small Campus Support areas shown at the end of this chapter.

Page 6-37 Revise the fourth sentence of the first paragraph (regarding Alternative 2 Impacts) as follows:

Additionally, the alternative could provide strengthened protection of campus lands designated for resource protection (“Campus Natural Reserve” and “Protected Landscape”) throughout the term of the 2005 LRDP. ~~“resource lands.”~~

Page 6-37 Add a new Alternative 3 before the “Environmental Superior Alternative” discussion as follows:

ALTERNATIVE 3: Annexation Instead of Extraterritorial Services

BACKGROUND

Public comments on the Draft EIR from the Santa Cruz Local Agency Formation Commission (LAFCO), a responsible agency for the proposed project, and several other commenters, requested that the Final EIR include an alternative examining the environmental issues associated with annexation of the North Campus to the City of Santa Cruz rather than the proposed extraterritorial provision of two City services—water and sewer. In its comment, the LAFCO indicated that its extraterritorial service policies, as amended through LAFCO Resolution No. 2007-1, prefer that agency services be expanded by annexation rather than extraterritorial services from an agency. This resolution limits extraterritorial authorizations to public health emergencies and circumstances where facilities are already in place, annexation would not be practical, and extraterritorial service is determined by the commission to be consistent with the policies adopted in and pursuant to the state LAFCO act. LAFCO indicated that its request to include this alternative is made to assure that the FEIR will be complete and usable by LAFCO. The request to review annexation as an alternative was not included in LAFCO’s comments on the EIR Notice of Preparation; therefore, it was not analyzed in the Draft EIR.

It is noted that the project area does not require other City services that would typically result with annexation to a city. The proposed project request is only for water and wastewater services as the University does not require other City services for the project area. Although the City believes that annexation is a policy issue raised by LAFCO that is not linked to any environmental impacts associated with the project, and thus, does not meet CEQA's criteria for alternatives pursuant to CEQA Guidelines section 15126.6, the requested alternative nonetheless is provided below as a courtesy to LAFCO.

DESCRIPTION

This alternative would change the organizational method by which water and sewer services are provided to the proposed project (North Campus) area --- through annexation instead of the provision of extraterritorial services. A Sphere of Influence amendment to include the project area would continue to be required as with the proposed project. The alternative is being analyzed in response to the expressed LAFCO preference for a different political organization and recognition of jurisdiction than the proposed project. With approval of the proposed Sphere of Influence amendment, annexation to the City could be initiated by the University (as the property owner), by the City (subject to its own regulations—Chapters 16.24 of the Municipal Code) or by a petition of 25% of the voters in the area. Under this alternative, the project area would be located within City limits rather than remaining in the unincorporated area of the County of Santa Cruz.

IMPACTS

As indicated above, this alternative would change the method in which water and sewer services are provided to the proposed project (North Campus) area --- through annexation instead of the provision of extraterritorial services within an approved sphere of influence area. This alternative would not result in any different physical impacts as compared to the proposed project. This alternative would not change the project area, and thus, water demand and wastewater generation would remain unchanged. This alternative would not change the impact analyses contained in the DEIR regarding water supply, wastewater service, or growth and secondary impacts of growth. Thus, the significant project and cumulative water and climate change impacts identified in this EIR for the proposed project would not be reduced or avoided, and secondary impacts of growth and development in the North Campus would remain unchanged.

The annexation alternative would not result in any new or more severe impacts related to potential increased demands on City services related to fire

protection, police services, road maintenance, and solid waste disposal. The University maintains its own police and fire protection facilities, staff and equipment, even though most of the developed campus is already within City limits. The UCSC Fire Department serves the main UCSC campus from a single station with 24-hour staffing. UCSC and the City of Santa Cruz have a mutual aid agreement for backup assistance. Since the agreement between the two agencies is for the entire campus, this situation would not be expected to change whether the project area was annexed to the City or if it was to remain within the unincorporated County area. The City of Santa Cruz, the County Sheriff's Office, the Santa Cruz County Fire Department and the California Department of Forestry also provide back-up assistance when requested. UCSC also provides automatic aid to the City of Santa Cruz and the Santa Cruz County Fire Department. California Department of Forestry responds to wildland fires in unincorporated Santa Cruz County, which includes the upper and northern portions of the UCSC campus.

The 2005 LRDP EIR indicated that campus development under the LRDP EIR would not substantially affect local and state police and fire service providers as these services are not currently provided regularly (University of California Santa Cruz, 2005 LRDP Final EIR, Volume II). Furthermore, based on questions in the CEQA Guidelines' environmental checklist, an impact on public services would be considered significant if it results in substantial adverse impacts associated with construction of new or altered government facilities that would be needed to maintain acceptable service or response times. Since the University maintains its own police and fire protection services, no additional City facilities would be required, and thus, there would be no construction that might result in significant environmental impacts.

The University also maintains its own roads and maintains other facilities on campus. Solid waste collection is currently provided by the University via a contract with a private collector with disposal at the City's landfill. The 2005 LRDP EIR and subsequent discussions with UCSC staff indicate that this arrangement is expected to continue whether or not the project area is annexed to the City. The City could choose to allow UCSC to dispose of waste from an unincorporated area if annexation did not occur, but continued disposal at the City's landfill would result with annexation.

Although annexation as an alternative to provision of extraterritorial services within an amended sphere of influence is not considered an alternative for the purposes of CEQA, it appears that annexation would not change environmental impacts evaluated in the DEIR, increase severity of identified impacts or result in new significant physical impacts on the environment.

MEETING PROJECT OBJECTIVES

The proposed alternative also would not be consistent with the project objectives that are intended to fulfill the commitments of the Settlement Agreement, which does not contemplate annexation, but rather, the proposed extension of the extraterritorial services boundary and sphere of influence amendment. The Comprehensive Settlement Agreement sets forth the provisions for the concurrent filing of applications by the City and UCSC to LAFCO. It is noted that LAFCO suggested annexation or extraterritorial service authorization (see Comment RA-2b-5). Through the Settlement Agreement process, it was determined that the full range of services that are enabled through annexation was not required as the only services requested were water and wastewater. It is also noted that state law (Public Resources Code § 56133) indicates that a city may provide services outside its boundaries with approval from LAFCO and where the area is within a sphere of influence “in anticipation of a later change in organization.” The section goes on to state that authorization may be provided outside a sphere of influence due to public safety threats. Thus, while LAFCO policies may indicate a preference for annexation, the extraterritorial services and sphere of influence applications that comprise the project are authorized by state law and, as explained above, are the more appropriate applications in light of the University’s limited or nonexistent need for any other City services. Given the fact that the LAFCO statute provides that sphere of influence amendment applications are typically submitted in anticipation of a later change in organization, the parties understand that Santa Cruz County LAFCO may ultimately condition its approval of the two applications on the annexation of the territory receiving extraterritorial service to the City within a specified period of time.

3.9 “REFERENCES” CHANGES (DEIR CHAPTER 7.0)

Clarify subsection headers in this chapter as follows:

- ☐ **7.1 AGENCIES CONTACTED**
- ☐ **7.2 REFERENCES**
- ☐ **7.3 EIR PREPARATION**

Page 7-1 Add the following to “Agencies Contacted” subsection:

City of Santa Cruz.

- ☐ Chris Berry, Water Department.

Page 7-1 Add the following “References” subsection:

California Natural Resources Agency.

- ❑ December 2009. “Final Statement of Reasons for Regulatory Action.”
- ❑ July 2009. “Initial Statement of Reasons for Regulatory Action, Proposed Amendments to the State CEQA guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB97.”

California Department of Water Resources.

- ❑ October 16, 2009. “California Water Plan Highlights.” Pre-Final Draft.
- ❑ October 2008. “Managing an Uncertain Future.”

Entomological Consulting Services, Ltd.

- ❑ February 18, 2002. “UCSC Campus-Wide Habitat Assessment for the Ohlone Tiger Beetle.”
- ❑ March 17, 2000. “University of California, Santa Cruz Upper Campus Project, Habitat Assessment for Sensitive Invertebrates and Status Surveys for Santa Cruz Rain Beetle, San Francisco Lacewing, & Monarch Butterfly Overwintering Habitat.”

National Marine Fisheries Service. March 2010. “Recovery Plan for the Evolutionarily Significant Unit of Central California Coast Coho Salmon” Public Draft.

Nicholas M. Johnson. May 2009. “Administrative Draft San Lorenzo Valley Water District Water Supply Master Plan.” Prepared for San Lorenzo Valley Water District. Online at: <http://www.slvwd.com/wsmp.htm>

Water Utility Climate Alliance. January 2010. “Decision Support Planning Methods: Incorporating Climate Change Uncertainties into Water Planning.”

3.10 “EIR FIGURES” CHANGES (DEIR CHAPTER 8.0)

Page 8-18 Revise Figure 18 as shown on the following page.

FIGURE 18: Alternative 2: Modified Sphere of Influence Amendment Area (REVISED)

