

APPENDIX B

Notice of Preparation Comments

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV



March 2, 2017

Ron Powers
City of Santa Cruz Planning and Community Development Department
809 Center Street, Room 206
Santa Cruz, CA 95060

Subject: Notice of Preparation of EIR: Downtown Recovery Plan, General Plan and Local Coastal Plan Amendments

Dear Ron:

Thank you for the opportunity to provide written comments on the Notice of Preparation (NOP) for the Downtown Recovery Plan (DRP), General Plan and Local Coastal Program (LCP) amendments project. As a preliminary matter, we would like to acknowledge our shared goal with the City to provide better pedestrian access connections between the City's downtown area and the San Lorenzo Riverwalk, and to improve the Riverwalk as a public access and recreation focal point for the City's downtown area. We believe that the Riverwalk is an extremely under-utilized public access and recreation feature of the City, and strongly support improved user experience for this area. The purpose of this letter is to help the City realize these goals by facilitating the Commission's review of the proposed changes to the certified LCP.

Local Coastal Program Amendment

The NOP correctly notes that several of the proposed amendments include changes to the City's certified LCP, and will therefore require Commission approval of an LCP amendment. In fact, the proposed amendments include both Land Use Plan (LUP) Policy changes, including to the San Lorenzo Urban River Plan (SLURP), as well as Implementation Plan (IP) standards, including the Central Business District Zone standards. The standard of review for LUP amendments is that they must be consistent with and adequate to carry out the Chapter 3 policies of the Coastal Act; and the standard of review for IP amendments is that they must be consistent with and adequate to carry out the policies of the certified LUP.

Project Description/Goals

The September 15, 2016 Staff Report to the Planning Commission stated that the project was intended to be consistent with the following Coastal Act policies related to access and recreation, protection of sensitive biologic resources, and protection of visual resources:

- Encourage and incentivize maximum public access to the San Lorenzo River in accordance with Section 30210 of the Coastal Act.

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- Achieve superior connections to the San Lorenzo River above the existing DRP and existing SLURP policies, consistent with Section 30211 of the Coastal Act.
- Ensure that development adjacent to the Riverwalk will be designed to prevent impacts to the adjacent sensitive San Lorenzo River and will incentivize clean-up of degraded areas along the levee, consistent with Section 30240 of the Coastal Act. The DRP will continue to be sensitive to the pedestrian experience along the Riverwalk with design guidelines and upper floor step backs and open river pedestrian connections that will provide light, air and open space between buildings.
- Enhance opportunities to view and interact with the San Lorenzo River as a coastal resource consistent with Section 30251 of the Coastal Act. The DRP standards ensure that development will be sited and designed to be visually compatible with the surrounding downtown, while promoting new open space pedestrian plazas and passageways to the Riverwalk.

We would recommend that the CEQA document include these project goals as key objectives of the project.

Impact Analysis - Aesthetics

We have some concerns regarding the proposed new height standards along Front Street, which have the potential to impact public views along the Riverwalk and adjacent public recreational facilities. We would therefore request that the CEQA analysis include a visual resource analysis that includes extensive visual simulations from all appropriate public vantage points, including from along both sides of the Riverwalk, from the Soquel Avenue and Laurel Street bridges, from San Lorenzo Park, etc. The simulations should include a comparison between existing development and as proposed under the new height standards so that potential impacts to public views can be evaluated. The City should also consider installing story poles to show the limits of the proposed new height standards. In addition, the CEQA document should evaluate alternatives to the proposed new height standards that meet most of the project objectives but also reduce potential aesthetic impacts.

Biological Resources

The Coastal Act and LCP require that new development avoid impacts to environmentally sensitive habitat. The CEQA document should include an analysis of how the project may impact the San Lorenzo River, including: 1) establishing the appropriate setback of new development, and 2) potential impacts from shading resulting from the proposed building heights.

Hazards

The Coastal Act and LCP require that new development be sited and designed to avoid hazards. The CEQA document should analyze the project's location with respect to potential impacts from flooding. This analysis should account for the effects of sea level rise.

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Land Use

The Coastal Act and LCP prioritize visitor serving and coastal recreational uses over residential uses. The CEQA document should evaluate appropriate land use and zoning designations for the locations adjacent to and near the Riverwalk along Front Street. Specifically, the CEQA document should evaluate requiring a mixed use zoning for this area, especially along the Riverwalk, with visitor serving and coastal recreational uses (e.g. restaurants with outdoor seating, bike/kayak rental, etc.) on the ground floor, and residential uses on higher floors.

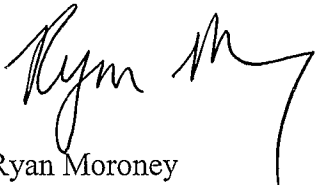
Recreation

We understand that some initial conceptual renderings of the project suggested transferring public right-of-way along the Riverwalk (and associated fill area) to the project developer. However, for the portion of the property located in the Coastal Zone, we believe that the entire public space between the Riverwalk and the proposed buildings along Front Street should be fully utilized for public purposes, including maximization of public access and recreation. Moreover, any such transfer of property would require a Coastal Development Permit that would be appealable to the Commission.

Water Quality

Finally, the Coastal Act and LCP require that erosion control measures be implemented to prevent siltation of streams and coastal lagoons, that discharge of polluted runoff be minimized, and that on-site detention and other appropriate storm water best management practices be used to reduce pollution from urban runoff. The CEQA document should evaluate implementation of Low Impact Development Best Management Practice standards such as bioretention/bioswales, permeable pavers/concrete, roof runoff catchment system and parking lot runoff catchment system for storage; and reuse on site and underground retention/detention units that include additional pre-filtration to remove hydrocarbons, metals, and other potential pollutants generated in the automobile use areas, including for new development along Front Street as well as proposed improvements to the levy system (i.e. the filling of the sloped levy) with the goal of reducing or eliminating runoff and pollution discharges into the River.

Thank you for your consideration of these comments. We look forward to working with the City through the local process.

A handwritten signature in black ink, appearing to read 'Ryan Moroney', with a stylized flourish extending from the end of the name.

Ryan Moroney
District Supervisor
Central Coast District Office

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
FAX (805) 549-3329
TTY 711
<http://www.dot.ca.gov/dist05/>



Serious drought
Help save water!

March 22, 2017

SCr: 1-18.73
SCH#: 2017022050

Mr. Ron Powers
Principal Planner
City of Santa Cruz
809 Center Street, Rm 206
Santa Cruz, CA 95060

COMMENTS TO THE DOWNTOWN RECOVERY PLAN ADMENDMENTS (DRP)

The California Department of Transportation (Caltrans), District 5, Development Review, has reviewed the Downtown Recovery Plan Amendments. As noted, this project will require amendments to the City's General Plan 2030, and the Local Coastal Plan that include revisions to the Plan text, modifications to guidelines and standards, and changes to coastal policies. As stated, the proposed Downtown Recovery Plan (DRP) amendment would expand the location in which the "Additional Height Zones" are applied and revisions to the Chapter 4 Development Standards of the DRP. The primary focus of the DRP would be to increase allowable building heights in the lower Pacific Avenue and lower Front Street areas and along the San Lorenzo River, between Cathcart and Laurel Streets that could lead to increased upper floor residential development.

Caltrans supports local planning efforts that are consistent with State planning priorities intended to support smart growth, promote equity, strengthen the economy, protect the environment, promote public health and safety, and makes the connection to climate change goals. We accomplish this by working with local jurisdictions to achieve a shared vision of how the transportation system should and can accommodate interregional and local travel.

1. To ensure the traffic study in the Draft Environmental Impact Report (EIR) includes the information needed to analyze the impacts (both cumulative and project specific) of this effort, it is recommended that the analysis be prepared in accordance with the Department's "Guide for the Preparation of Traffic Impact Studies," which can be found at: http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf.
2. The traffic study should include information on existing volumes within the study area, including the State transportation system, and should be based on recent traffic volumes less than two years old. Counts older than two years cannot be used as a baseline. Feel free to contact us for assistance in acquiring the most recent data available.

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3. Please be aware that comments to this and any subsequent EIR for the project, will stress the importance of using the Association of Monterey Bay Area Governments Model for completing the traffic analysis.
4. The Draft EIR should also include an analysis of the multimodal travel demand expected from the proposed project. This analysis should also identify potentially significant adverse impacts from such demands and the subsequent mitigation measure to address them. Early collaboration, such as sharing the analysis and findings with Caltrans prior to official circulation, can lead to better outcomes for all stakeholders.
5. Projects that support smart growth principles which include improvements to pedestrian, bicycle, and transit infrastructure (or other key Transportation Demand Strategies) are supported by Caltrans and are consistent with our mission, vision, and goals.
6. At any time during the environmental review and approval process, Caltrans retains the statutory right to request a formal scoping meeting to resolve any issues of concern. Such formal scoping meeting requests are allowed per the provisions of the California Public Resources Code Section 21083.9 [a] [1].
7. In addition, any work within the State right-of-way will require an encroachment permit issued from Caltrans. Detailed information such as complete drawings, biological and cultural resource findings, hydraulic calculations, environmental reports, traffic study, etc., may need to be submitted as part of the encroachment permit process.

Should you have any questions, or need further clarification on any of the items discussed above, please contact me at (805) 549-3099 or by email at: jennifer.calate@dot.ca.gov.

Sincerely,



JENNIFER CALATE
Associate Transportation Planner
District 5 Development Review Coordinator
jennifer.calate@dot.ca.gov

cc: Kelly McClendon (D5)



U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200
Oakland, CA. 94607-4052



FEMA

February 23, 2017

Ron Powers, Principal Planner
City of Santa Cruz
Planning and Community Development Department
809 Center Street, Room 206
Santa Cruz, California 95060

Dear Mr. Powers:

This is in response to your request for comments regarding the Notice of Preparation of Environmental Impact Report re: Downtown Recovery Plan, General Plan and Local Coastal Plan Amendments in the City of Santa Cruz.

Please review the current effective countywide Flood Insurance Rate Maps (FIRMs) for the County of Santa Cruz (Community Number 060353) and City of Santa Cruz (Community Number 060355), Maps revised May 16, 2012. Please note that the City of Santa Cruz, Santa Cruz County, California is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.
- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any *development* must not increase base flood elevation levels. **The term *development* means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

Ron Powers, Principal Planner

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- All buildings constructed within a coastal high hazard area, (any of the "V" Flood Zones as delineated on the FIRM), must be elevated on pilings and columns, so that the lowest horizontal structural member, (excluding the pilings and columns), is elevated to or above the base flood elevation level. In addition, the posts and pilings foundation and the structure attached thereto, is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components.
- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at <http://www.fema.gov/business/nfip/forms.shtm>.

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The City of Santa Cruz floodplain manager can be reached by calling Eric Marlatt, Zoning Administrator, at (831) 420-5115. The Santa Cruz County floodplain manager can be reached by calling Antonella Gentile, Planner, at (831) 454-3164.

If you have any questions or concerns, please do not hesitate to call Michael Hornick of the Mitigation staff at (510) 627-7260.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gregor Blackburn", written over a horizontal line.

Gregor Blackburn, CFM, Branch Chief
Floodplain Management and Insurance Branch

Ron Powers, Principal Planner

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cc:

Eric Marlatt, Zoning Administrator, City of Santa Cruz

Antonella Gentile, Planner, Santa Cruz County

Maggie Dutton, State of California, Department of Water Resources, South Central Region
Office

Michael Hornick, NFIP Compliance Officer, DHS/FEMA Region IX

Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX

From: Jean Brocklebank [<mailto:jeanbean@baymoon.com>]
Sent: Wednesday, March 15, 2017 8:24 PM
To: Ron Powers
Subject: Downtown Recovery Plan, General Plan and Local Coastal Plan Amendments

Dear Mr. Powers ~

Please accept these comments for consideration.

[Friends of San Lorenzo River Wildlife](#) (FoCLB) is concerned about all potential environmental impacts to wildlife and wildlife habitat, as a result of proposed amendments to the Downtown Recovery Plan.

Any development along the river corridor will impact avian species. East-facing windows will reflect the rising sun and cause confusion for birds. More birds are killed by flying into building windows than by any other means. FoCLB expects the City to address this impact and research ways to prevent bird deaths due to new buildings, regardless of height.

There is precedence for our request. Close to home, on Tuesday March 7, 2017 the San Jose City Council voted to prioritize working on *bird-safe design guidelines for buildings near creeks*. City staff will begin work on studying this issue over the coming year, and will bring their recommendations to the City Council when this work is finished.

The documents of the San Jose City Council, which explain their wise action, can be found here for your review:

March 7, 2017 City Council Meeting (see Consent Agenda item 3.3 Memorandum):
http://sanjose.granicus.com/GeneratedAgendaViewer.php?event_id=ab6006f9-5128-44f5-b750-e2f3c2e336fe

Memorandum with bird buildings (see #7 Riparian Corridor & Bird-Safe Buildings):
http://sanjose.granicus.com/Viewer.php?view_id=&event_id=2674&meta_id=619420

In general, FoCLB wants development farther away from the river and the Riverwalk. This will allow people to enjoy the river without buildings being built almost on top of it. FoCLB opposes any amendment that will provide development adjacent to the river that allows increased building heights.

Sincerely,
Jean Brocklebank
Michael Lewis
on behalf of Friends of San Lorenzo River Wildlife



SANTA CRUZ COUNTY GROUP

Of The Ventana Chapter

P.O. Box 604, Santa Cruz, CA 95061

<https://ventana2.sierraclub.org/santacruz/>

e-mail: sierraclubsantacruz@gmail.com

March 15, 2017

To:

Ron Powers, Principal Planner

City of Santa Cruz Planning and Community Development

809 Center Street, Rm. 206

Santa Cruz, CA 95060

Subject: Comments on EIR for Downtown Recovery Plan

Dear Ron Powers,

The Sierra Club appreciates the opportunity to respond to the Notice of Preparation of an Environmental Impact Report for the Downtown Recovery Plan (DRP), General Plan and Coastal Plan Amendments.

Issues of environmental concern that will have a potentially significant impact are listed in the Initial Study/Environmental checklist and we anticipate responding to those depending on the findings in the draft EIR. The specific issues listed below are those we feel need careful, in-depth review via the EIR or are those we see as not included in the Initial Study.

- The amendment to eliminate 9 of the 11 policies in the 2003 San Lorenzo Urban River Plan (SLURP) needs its own section and full explanation for such action with alternatives. These 9 policies are certified under the Local Coastal Plan. SLURP was intended to protect, restore and enhance this important riparian natural resource. It has never been fully implemented nor replaced with a Plan to reflect the environmental goals and recommendations in the 2030 General Plan.
- Any analysis of the impacts on wildlife species can be determined only by a thorough, current baseline study of the San Lorenzo River (SLR) riparian fish, wildlife and fauna by qualified biologists specializing in such species. We request that such study be undertaken.
- The EIR should include study of the Urban Heat Island effect on riparian habitat from this scale of urban development as well as the impacts on birds and other wildlife generated from the additional lighting, glass windows and people.

- The Aesthetics section appears to be limited in its inclusion of the various view-sheds that will be impacted by building heights up to 85 feet along the SLR. For example, the view from the eastern side of the river is not but should be included. The EIR should include renditions that are realistic, not distorted via aerial views or placing people in the foreground, which minimizes the background scale of the proposed structures.

We look forward to seeing the above issues addressed in the draft EIR.

Sincerely,

Greg McPheeters
Chair, Santa Cruz Group, Sierra Club

From: Ron Powers [<mailto:RPowers@cityofsantacruz.com>]
Sent: Tuesday, June 20, 2017 1:34 PM
To: Stephanie Strelow
Subject: FW: Downtown Update Plan - Zoning and Climate Change

On Jun 16, 2017, at 1:43 AM, Candace Brown <clbrown23@gmail.com> wrote:

Dear Ron and Alex and Maggie,

Maggie, Please pass this email to the Planning Commission members regarding new building heights.

Ron, You mentioned that Climate Change issues are in the June 15th Staff Report to the Planning Commission and I have not found it in the document yet. Do you have a page reference? I assume the worst case scenario impacts of Climate Change on the Downtown Update Program EIR will be considered.

Can you also please pass along your presentation of tonight, June 15th, at the Planning Commission too. Thanks.

Alex and Ron, Note in Miami, now new buildings and wastewater infrastructure are five feet higher due to Climate Change. This is an extensive article on the impacts.
<http://www.bbc.com/future/story/20170403-miamis-fight-against-sea-level-rise>

Canada is waking up to the issue of Climate Change and changes now being considered in the National Building Code of Canada.
<https://www.desmog.ca/2017/03/07/canada-s-buildings-will-finally-be-built-climate-change-mind>

Is Flood Management built into the future Santa Cruz code? Impacts are in sufficient base floor heights, drainage systems, backwater valves in sewer systems so they don't back-up into basements, storm drains and where to divert water that overrun the system during flooding. Electrical systems need to be adequately protected and back-up systems should not be in basements. These issues could be dealt with in the Zoning or Building Codes.
<http://www.intactcentreclimateadaptation.ca/wp-content/uploads/2016/10/Intact-Centre-Climate-Change-and-the-Preparedness-of-Canadian-Provinces-and-Yukon-Oct-2016.pdf#page=14>

Thanks, Candace Brown
Cell: 1-818-203-4965

-----Original Message-----

From: Gillian Greensite [mailto:gumtree@pacbell.net]

Sent: Friday, June 23, 2017 10:07 AM

To: Ron Powers

Subject: Downtown Recovery Plan

Hi Ron,

As part of the EIR, I and others request that story poles be erected along the river levee for the entire comment period in order for the public to assess the visual impact of the heights of new buildings. Even if exact heights in exact locations are not yet determined, the massing studies gave sufficient detail to erect such poles in the sites proposed for development.

Thank you,

Gillian

-----Original Message-----

From: Gillian Greensite [mailto:gumtree@pacbell.net]

Sent: Saturday, June 24, 2017 6:36 AM

To: Ron Powers

Subject: Re: Downtown Recovery Plan

Hi Ron,

Thanks for your reply. The poles could be located on the levee since the yards of the housing would be level with the levee according to renditions shown at the various meetings. However I do note that you say you cannot accommodate the request.

Regarding photo simulations, this is to request that they avoid birds eye views and avoid placing people etc. in the foreground which distorts the scale of the building in the background. Besides views from the east side of the river and from Front St. it would be helpful to have a view from the perspective of a person walking the levee, showing the building heights on the same plane as the person.

Thank you,

Gillian

From: Debbie Hencke [<mailto:dhencke@gmail.com>]

Sent: Friday, March 17, 2017 12:06 PM

To: Ron Powers

Cc: Cynthia Chase; David Terrazas; Sandy Brown; Chris Krohn; Cynthia Mathews; Richelle Noroyan; Martine Watkins

Subject: Response to planned EIR

RE: Downtown Recovery Plan, General Plan and Local Coastal Plan Amendments

Concerning the 85 feet height and other tall buildings in a 12 square mile area:

The plan as presented is a disaster. It degrades the beautiful historic district that we have all come to care about. It will obliterate the River views and the uniqueness of being able to walk and lunch along it. What you're proposing as far as height of 85 feet will just keep going up with the planning departments' unabashed granting of variances. Santa Cruz does not want to become another San Francisco or Los Angeles.

We are the smallest county (except for SF) in the state. Do NOT destroy the future with what you think is ok or are told "is the future." If you want a Facebook or Google campus look try San Jose. If you feel you must build because the State tells you to, then confront the reality of this small county and limited resources and change the State. We have the most parks of any county in the state and we can't have both - unabashed development and a huge percentage of land tied up in parks. The State needs to rethink where to build, not Santa Cruz.

Remember that for every apartment you build at the current cost of rent, you need 4-5 low income wage earners to do their laundry, shopping/retail, shoe repair, food outlets, bakeries, restaurants, parking monitoring, etc. - all low income wages and where are those workers going to live? If you think the homeless population is a problem now, it will only continue to worsen and in the experience of other large cities who have built tall buildings, make the area a slum.

There seems to be no consideration of traffic. Assuming people will get out of their cars is not a model that has been proven effective nor viable. While the current health emphasis is on being healthy, people get old and bodies break down. Not everyone can ride a bike or walk miles. It is unrealistic to think in Utopian terms that an area will be "self contained." People want to explore their surroundings, travel and connect in ways that this project does not take into consideration. Traffic is already at a standstill on beautiful days and weekends. Where is the realistic traffic issues in this EIR presentation?

There is no consideration of sewage and water issues that plague this county. Drawing water from the River is the same as injecting treated sewage into the aquifers. There is no way to remove the multitude of chemicals from the septic systems of thousands upstream. There are hormones, antibiotics, chemotherapy agents, and so on to say nothing of the cleaning and auto chemicals people use that find their way into septic systems and the river. What you should be focusing on is the storage of water for drought years and sewage treatment upstream as well as locally. The water issue needs to be solved first.

Lastly, people come to Santa Cruz because of its small town uniqueness. They don't come here to look at 85 foot buildings surrounding the river or even other higher density buildings. They come because it is unique. Turning this area into some utopian concept is not going to draw people or solve the housing situation. It is not a draw for tourism and economic viability.

This plan is not the answer to the housing shortage if one considers the true consequences of such development including water and traffic issues.

Thank you for your attention.

Debbie Hencke
831-359-9391 cell
160 Pine Flat Rd.
Santa Cruz, Ca. 95060
alternate:
419 Morrissey Blvd.
Santa Cruz, Ca. 95062

Ron Powers, Principal Planner
City of Santa Cruz Planning and Community Development
809 Center Street, Rm. 206
Santa Cruz, CA 95060

3/16/17

Dear Ron Powers,

Thank you for the opportunity to comment on the Notice of Preparation of an Environmental Impact Report for the Downtown Recovery Plan.

Here are some items I like to address:

1. AESTHETICS. Would the project:

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

The development is close to the riparian corridor. The additional lights will have impact on the wildlife, birds. There is no mention of consideration to this impact, which deserves to be addressed

Environmental impacts: Potentially Significant Issues

3. AIR QUALITY.

c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

The intended height, the additional traffic, increase of building mass have the potential to create “Urban Heat Island” effect. This is contrary to Santa Cruz Climate Change Policy.

4. BIOLOGICAL RESOURCES.

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special- status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

The San Lorenzo River(SLR) Steelhead, Coho are on the endangered species list. The SLR is also an important water & land migratory bird corridor. The impact of the Front St development on the wildlife has to be addressed due to height, building mass & additional lightening.

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.

This impact can only be determined on hand of a thorough, current data baseline study of the SLR riparian fish, wildlife & fauna inventory.

Environmental impacts:Potentially Significant Issues

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

The Front St Development requires that 9 out of 11 SLURP policies get eliminated, because they are in conflict w/the Development. The development is not in compliance w/The 2030 General Master Plan Environment Goals & Recommendations. Thus it is in conflict w/local policies of protecting biological resources.

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?

As of this date City of Santa Cruz doesn't a Habitat Conservation Plan in place. This fact makes it hard to determine if a conflict exists.

Environmental impacts:Potentially Significant Issues

18. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self- sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

This potential can only be evaluated by a data baseline study of existing fish, wildlife, fauna inventory, which doesn't exist @ this time. It's impossible to know the impacts w/out a current inventory.

Environmental impacts:Potentially Significant Issues

b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.)

response to a) applies

Environmental impacts:Potentially Significant Issues

Respectful thank you.

jane mio

Dear Planning Commissioners & City Council Members,

The Front St. development guidelines lack sufficient attention to the fact that the intended development is right next to a Riparian Corridor, an important watershed, which require specific considerations.

The potential light impact & bird-safe building guidelines are not adequately addressed.

It is worth noting that other Bay-area Cities have integrated the safe-bird building issue in their planning process:

<http://www.greenfoothills.org/speak-up-for-birds-in-san-jose/>

San Francisco & Sunnyvale have bird-safe ordinances as well.

<http://sunnyvale.ca.gov/Portals/0/Sunnyvale/CDD/Planning/Planning%20Library/BirdSafeGuidelines.pdf>

<http://sf-planning.org/standards-bird-safe-buildings>

Here are my comments for [Attachment 4](#) pertaining to Local Coastal Program SLURP policies, which are conceptual ideas/recommendations in [Chapter 6 Significant Riverfront Areas](#).

SRFA-1

Eliminating the entire section w/out including language that addresses the San Lorenzo River identity as an important consideration in the planning process is not in line with the General 2030 Master Plan, Park & Rec. 2030 Master Plan nor the San Lorenzo Urban River Plan.

The height & setback need to be evaluated in regard to their impact on the river environment.

The San Lorenzo Urban River Plan states in “1.4 Relationship to Existing City Plans” page 13:

[Future updates of the General Plan and Local Coastal Program will incorporate recommendations from the San Lorenzo Urban River Plan for “significant riverfront areas” including Front Street, Salz Tannery, and Beach Flats, ..etc. Additionally, the recommendations of the Urban River Plan should be referenced in regional plans referring to the San Lorenzo River and watershed.](#)

SRFA 3:

This section deserves to be reviewed & evaluated with regard towards responsible environment policies/guidelines.

The stated building materials absorb/reflect less heat, which benefit the health of the watershed & the Climate Change condition.

The language of SRFA 3 might not be appropriate for LCP. On the other hand these are worthwhile concepts for a City, which views itself as environment conscious.

Revising SRFA 3 will incorporate the 1.4 San Lorenzo Urban River Plan section, which states:

The (Downtown Recovery) Plan identifies the River as a major downtown open space, and recognizes its potential “as a naturalistic open space, wildlife habitat, and recreational amenity: a garden promenade that can provide a more contemplative and reflective experience to the hustle and bustle of Pacific Avenue.”

SRFA 10

Eliminating this section is essential allowing for a development “wall” along the watershed & is channelizing the river view & diminishes the **2030 Park& Rec.Master Plan** goal, which states:

... is a prime opportunity to revisit for revitalization of the **San Lorenzo Riverwalk** and show case one of Santa Cruz’s natural assets.

Furthermore this SFRA 10 San Lorenzo Urban River Plan concept echoes the General Plan 2030 statement:

The San Lorenzo Urban River Plan—a 20-year comprehensive plan for the areas of the San Lorenzo River, Branciforte Creek, and Jessie Street Marsh within city limits promotes conserving the river as a wildlife area and enhancing it with complementary river oriented development.

Thank you very much for reading my concerns

jane mio

From: Jack Nelson [<mailto:nelsontrio@cruzio.com>]
Sent: Friday, March 17, 2017 11:51 PM
To: Ron Powers
Subject: Downtown Plan, NOP for EIR

March 17, 2017

Subject: Comments on Notice of Preparation for EIR, Downtown Plan update

Friendly greetings Ron:

That's a lot of good work in that Initial Study which I've viewed from online.

My comments regard item 9. i) in the I.S. checklist, which has "No Impact" checked for this question:

Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

This initial "no impact" finding suggests the City could be working from obsolete findings and science on the level of risk to downtown from flooding.

Risk is the word, because there is no certainty about when or how much downtown Santa Cruz may be flooded by the effects of climate change and sea level rise.

I wonder, will the EIR be examining...

— Cyclical, extreme atmospheric river storm events of the severity that flooded the Central Valley in 1861, with new research on California storm sediments finding these events have been cyclical and may be more likely in a warming world. What is the level of risk to downtown S.C.?

— Regional climate modeling finding more midwinter extreme precipitation events likely in our region, as climate change proceeds.

— Concern regarding point of no return on collapse of West Antarctic ice sheet, producing sea level rise in tens of feet. New Federal direction toward "no action" on climate action suggests this concern is a higher risk scenario, potentially unfolding in this century.

— Paleoclimate findings: in Earth's past when atmospheric CO₂ is at 400 ppm, sea level response is sea level at tens of feet higher than present sea level, with a hotter world and minimal global cryosphere.

I understand the I.S. discussion (p.37) about not increasing the allowed footprint of future structures, however all these higher structures will be at risk—how much?—even if they do not decrease floodplain capacity. Is it appropriate for the City to grant further development entitlements in a high risk / inevitable risk location?

Thanks for your consideration. Scientific and literature references available on request.

best,

Jack Nelson
land use & environmental planner, retired
127 Rathburn Way, Santa Cruz CA 95062
(831) 429-6149