

1.0 INTRODUCTION

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1.1 PURPOSE OF EIR

This EIR has been prepared for the City of Santa Cruz (City), which is the lead agency for the project. This EIR has been prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, which are found in Title 14 of the California Code of Regulations, commencing with section 15000. CEQA and the State CEQA Guidelines were most recently amended in 2009, and the amendments became effective in 2010.

As stated in the CEQA Guidelines section 15002, the basic purposes of CEQA are to:

- Inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities.
- Identify the ways that environmental damage can be avoided or significantly reduced.
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- Disclose to the public the reasons a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

Pursuant to State CEQA Guidelines section 15121, an EIR is an informational document which will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information which may be presented to the agency. While the information in the EIR does not control the ultimate decision about the project, the agency must consider the information in the EIR and respond to each significant effect identified in the EIR by making findings pursuant to Public Resources Code section 21081.

1.2 PROJECT OVERVIEW

This Environmental Impact Report (EIR) addresses the potential environmental effects of the proposed La Bahia Hotel project. The proposed project consists of demolition of the existing 44-unit La Bahia apartment complex, except for a portion of the existing bell tower building, and construction of a 165-room hotel. Hotel amenities include meeting and banquet space, a restaurant, retail space, a day spa, and a swimming pool. Access to the project will be provided by a check-in entrance on Beach Street, an entrance/exit on Westbrook Street, and an exit onto Main Street. A total of 210 parking spaces are provided, including 49 valet spaces, within a parking garage that is partially underground. A full description of all project components is provided in the PROJECT DESCRIPTION (Chapter 3.0) of this EIR.

1.3 CONSIDERATION OF IMPACTS

As indicated above, the focus of the environmental review process is upon significant environmental effects. As defined in section 15382 of the CEQA Guidelines, a “significant effect on the environment” is:

... a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether a physical change is significant.

In evaluating the significance of the environmental effect of a project, the State CEQA Guidelines require the lead agency to consider direct physical changes in the environment and reasonably foreseeable indirect physical changes in the environment which may be caused by the project (CEQA Guidelines section 15064[d]). A direct physical change in the environment is a physical change in the environment which is caused by and immediately related to the project. An indirect physical change in the environment is a physical change in the environment which is not immediately related to the project, but which is caused indirectly by the project. An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project.

CEQA Guidelines section 15064(e) further indicates that economic and social changes resulting from a project shall not be treated as significant effects on the environment, although they may be used to determine that a physical change shall be regarded as a significant effect on the environment. In addition, where a reasonably foreseeable physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project.

1.4 EIR ISSUES

An Initial Study and Notice of Preparation were prepared for the project; the Initial Study is included in Appendix A, and the NOP is included in Appendix B. The Initial Study identifies potentially significant impacts and discusses issues that were found to result in no impacts or less-than-significant impacts. The discussions in the Initial Study of impacts that are not being addressed in detail in the text of the Draft EIR are intended to satisfy the requirement of CEQA Guidelines section 15128 that an EIR “shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and therefore were not discussed in detail in the EIR.”

Based on the analyses in the Initial Study and responses to the Notice of Preparation (as discussed below), this EIR evaluates potentially significant impacts for the topics listed below. The EIR also evaluates topics required by CEQA and CEQA Guidelines, including growth inducement, project alternatives, and cumulative impacts. The environmental analysis for this EIR includes:

- Aesthetics
- Historical Resources
- Transportation and Traffic
- Water Supply
- Air Quality and Greenhouse Gas Emissions
- Geology and Soils
- Land Use

1.5 EIR PROCESS

An Initial Study and Notice of Preparation (NOP) for this EIR were circulated on August 19, 2013. The Initial Study is included in Appendix A, and the NOP is included in Appendix B. The NOP was circulated to the State Clearinghouse and to local, regional, and federal agencies, as well as to organizations and interested citizens. Comment letters were received from one public agency (FEMA) and two individuals (Reed Searle and Bill Malone). These letters are included, along with the NOP, in Appendix B, and address: potential construction in a floodplain, impacts to the visual character of the immediate area, parking impacts to neighboring residents, hotel access and traffic, and water demand; and Planned Development (PD) Permit for the project.

An agency and public scoping meeting also was held on September 9, 2013, to take public comments on the proper scope of the EIR's analyses and project alternatives. Comments were received and considered in the preparation of the EIR: impacts of demolition on historic resources; concerns about visual impacts, including size, height, scale and mass; traffic and parking impacts; impacts on water supply; consistency with the City's Climate Action Plan; and an alternative with building heights without a PD permit to allow additional height. Both the written comments and oral comments received at the scoping meeting have been taken into consideration in the preparation of this EIR.

The Draft EIR will be published and circulated for review and comment by the public and other interested parties, agencies, and organizations for a 45-day public review period from January 15, 2014 through February 28, 2014. The Final EIR will include written responses to any significant environmental issues raised in comments received during the public review period, as well as any text changes and additions that become necessary after consideration of public comments. (See CEQA Guidelines, § 15088c.) The Final EIR then will be presented to the City Planning Commission and City Council. The City Council must ultimately certify that it has reviewed and considered the information in the EIR, that the EIR has been completed in conformity with the requirements of CEQA, and that the document reflects the City's independent judgment. (See CEQA Guidelines, § 15090, subd. (a).)

Pursuant to sections 21002, 21002.1 and 21081 of CEQA and sections 15091 and 15093 of the State CEQA Guidelines, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects unless both of the following occur:

(a) The public agency makes one or more of the following findings with respect to each significant effect:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects on the environment.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

Although these determinations (especially regarding feasibility) are made by the public agency's final decision-making body (here, the City Council) based on the entirety of the agency's administrative record as it exists after completion of a final EIR, the draft EIR must provide information regarding the significant effects of the proposed project and must identify the potentially feasible mitigation measures and alternatives to be considered by that decision-making body.

1.6 REPORT ORGANIZATION

The Draft EIR is organized with the following sections.

- **SUMMARY OF ENVIRONMENTAL IMPACTS:** This section provides a summary of all impacts, level of significance, and mitigation measures identified for the project, as well as a summary of alternatives. An overview of the project is provided, and issues of concern are summarized.
- **PROJECT DESCRIPTION:** A full description of all elements of the proposed project development and operations is provided.
- **ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES:** Each topical section in this EIR presents information in three parts. The “Environmental Setting” section provides an overview of the existing conditions on and adjacent to the project site. Local, State and federal regulations also are identified and discussed, when relevant.

A “Relevant Project Elements” section provides a description of the construction, structural, and/or operations elements of the project that are relevant to the impact analysis for a particular topic.

The “Impacts and Mitigation Measures” section provides an outline of the criteria used to evaluate whether an impact is considered significant based on standards identified in the California Environmental Quality Act (CEQA) and State CEQA Guidelines. Agency policies or regulations and/or professional judgment also are used to further define what actions may cause significant effects. Any project feature or element that may cause impacts, as well as project features that may serve to eliminate or reduce impacts, will be identified and addressed for both direct and reasonably foreseeable indirect impacts. Mitigation measures that would reduce significant impacts are identified. The significance of the impact after mitigation also is identified. For impacts found to be less-than-significant, mitigation measures are not required, but where relevant, the EIR recommends project modifications or appropriate conditions of approval.

- **CEQA CONSIDERATIONS:** This section evaluates the topics required to be included in an EIR, including significant unavoidable impacts, irreversible impacts, growth inducement, cumulative impacts, and project alternatives.
- **REFERENCES:** This section identifies all contacted agencies and all references that were cited or utilized in preparation of the EIR.
- **FIGURES:** All EIR figures are located in one section at the end of the document for ease of reference, as some figures are referenced in several sections.

It should be noted that a Mitigation Monitoring and Reporting Program will be included in the Final EIR, although it is not required to be included in the EIR.