

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 why 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 on 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.

This EIR is being prepared as a “Program EIR” pursuant to section 15168 of the State CEQA Guidelines. A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project, such as a General Plan, and are related geographically. A

program EIR can provide a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action and can ensure consideration of cumulative impacts. A program EIR can be used as part of the environmental review for later individual projects to be carried out pursuant to the project previously analyzed in the program EIR, where impacts have been adequately addressed in the program EIR. This is referred to as “tiering” as set forth in section 15152 of the State CEQA Guidelines. “Tiering” uses the analysis of general matters contained in a broader EIR (such as one prepared for a general plan) with later EIRs and negative declarations on narrower projects, incorporating by reference the general discussions from the broader EIR and concentrating the later EIR or negative declaration solely on the issues specific to the later project. The State CEQA Guidelines encourage agencies to tier the environmental analyses which they prepare for separate but related projects, including general plans, zoning changes, and development projects.

1.2 PROJECT OVERVIEW

This Environmental Impact Report (EIR) addresses the potential environmental effects of the proposed City of Santa Cruz Draft *General Plan 2030* (dated February 27, 2009), which is an update of the City’s existing *General Plan and Local Coastal Plan 1990- 2005* that was adopted in 1992 and subsequently amended. As its title indicates, the draft *General Plan 2030* extends to the year 2030. The proposed General Plan, when adopted, will supersede the 1990-2005 General Plan and its several amendments.

Pursuant to State law, the proposed General Plan includes the following elements required by state law: Land Use, Circulation, Housing, Conservation, Open Space, Safety, and Noise, and also includes optional subjects set forth in the State General Plan Guidelines related to community design and economic development. Goals, policies and actions are provided for each element.

The General Plan also includes a Land Use Map as required by State law, which identifies land use designations and graphically depicts the arrangement and location of land uses throughout the City. The *General Plan 2030* Land Use Map and land use designations are largely unchanged from the 1990-2005 General Plan and Local Coastal Program, except for new mixed use designations along segments of Mission Street, Ocean Street, Soquel Avenue and Water Street. Additionally, land use designations for two sites (“Golf Club Drive” and “Swenson” properties) have been changed

To aid the environmental analysis, a “buildout” projection was developed, which considers the development potential under the proposed General Plan that is estimated to occur in Santa Cruz by the year 2030. In summary the estimates forecast the following new development by year 2030:

- ❑ 3,350 residential units
- ❑ 1,087,983 square feet of commercial development and 311 hotel rooms
- ❑ 1,273,913 square feet of office space; and
- ❑ 776,926 square feet of industrial development.

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.

Section 15126 of the State CEQA Guidelines requires all phases of a project must be considered when evaluating its impact on the environment. Specifically, the following must be discussed in the EIR:

- (a) Significant environmental effects of the proposed project.
- (b) Significant environmental effects which cannot be avoided if the proposed project is implemented.
- (c) Significant irreversible environmental changes which would be involved in the proposed project should it be implemented.
- (d) Growth-inducing impacts of the proposed project.
- (e) Mitigation measures proposed to minimize the significant effects.
- (f) Alternatives to the proposed project.

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. Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects (CEQA Guidelines section 15126.2[a]).

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. Where a 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. If the physical change causes adverse economic or social effects on people, those adverse effects may be used as a factor in determining whether the physical change is significant. For example, this could be a situation in which a large retail chain store enters a local market and outcompetes local stores, causing closure of local business(es) for an extended period of time and resulting conditions of urban blight.

The State CEQA Guidelines also provide that “the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR “ (CEQA Guidelines section 15146). In this case, the underlying activity is the adoption and implementation of an updated general plan for the City of Santa Cruz. As indicated in this section of the State CEQA Guidelines, an EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the specific construction project can be predicted with greater accuracy. An EIR on a project such as the adoption or amendment of a comprehensive zoning ordinance or a local general plan should focus on the secondary effects that can be expected to follow from the adoption or amendment, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow.

1.4 EIR ISSUES

An Initial Study was not prepared for the project. In accordance with State CEQA Guidelines section 15060(d), the City determined that an EIR was required to assess the potential environmental impacts of the project, and chose to begin work directly on the EIR. Due to the comprehensive nature of the General Plan, the EIR covers all topics set forth in the State CEQA Guidelines Appendix G (Environmental Checklist) as outlined below. The EIR also evaluates topics required by CEQA and CEQA Guidelines for EIRs, including growth inducement, project alternatives and cumulative impacts. The environmental analysis for this EIR includes:

LAND USE AND DEVELOPMENT

- ☐ Land Use
- ☐ Population and Housing
- ☐ Aesthetics

PUBLIC FACILITIES AND SERVICES

- ☐ Transportation and Traffic
- ☐ Water Supply
- ☐ Public Services and Utilities
- ☐ Hydrology, Storm Drainage and Water Quality

RESOURCES AND HAZARDS

- ☐ Biological Resources
- ☐ Cultural Resources

- ❑ Geology and Soils
- ❑ Air Quality
- ❑ Global Climate Change
- ❑ Noise
- ❑ Hazardous Materials
- ❑ Agricultural, Forest and Mineral Resources

1.5 EIR PROCESS

As indicated above, an Initial Study was not prepared for the project in accordance with State CEQA Guidelines section 15060(d), because the City determined that an EIR was required to assess the potential environmental impacts of the project. A Notice of Preparation (NOP) for this EIR was circulated on March 2, 2009 (see Appendix A). The NOP was circulated to the State Clearinghouse and local, regional and federal agencies, as well as organizations and interested citizens. Additionally, an agency scoping meeting and a public scoping meeting were each held on March 16, 2009 to take public comment on the proper scope of the EIR's analysis and project alternatives. Comment letters were received from the agencies, organizations and individuals listed below. These letters are included in Appendix A. Both the written comments and oral comments received at the scoping meeting have been taken into consideration in the preparation of this EIR.

- ❑ FEMA, Region IX
- ❑ California Board of Forestry and Fire Protection
- ❑ California Department of Transportation (Caltrans)
- ❑ California Public Utilities Commission
- ❑ University of California, Santa Cruz
- ❑ Monterey Bay Unified Air Pollution Control District
- ❑ John Golder
- ❑ Mark Primack
- ❑ Celia Scott
- ❑ H. Reed Searle
- ❑ Ed Silveira

The Draft EIR will be published and circulated for review and comment by the public and other interested parties, agencies and organizations for a 60-day review period from September 9, 2011 through November 7, 2011. 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 will then 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 General Plan is provided, including an overview of goals, policies, land uses and potential buildout.

- ❑ **ENVIRONMENTAL SETTING: IMPACTS AND MITIGATION MEASURES:** Each topical section in this EIR presents information in four parts. The “Environmental Setting” sections provide a general overview of the existing conditions throughout the City related to the topic being addressed. Local, State and federal regulations are also identified and discussed, when relevant.

A “Relevant Project Elements” section provides a description of the elements of the project that are relevant to the impact analysis for a particular topic. Relevant project information may relate to proposed goals, policies, and actions, as well as to potential future development that may be supported and/or accommodated by the proposed General Plan. Any project elements that may cause impacts, as well as those that may serve to eliminate or reduce impacts, will be identified.

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 are also used to further define what actions may cause significant effects. Significant impacts are identified and analyzed. Mitigation measures that would reduce significant impacts are identified. The significance of the impact after mitigation is also identified. For impacts found to be less-than-significant, mitigation measures are not required, but where relevant, the EIR recommends appropriate clarifications to the draft *General Plan 2030*.

For convenience, all references cited in each section are listed at the end of the section, as well as in a complete “References” list at the end of the EIR.

- ❑ **CEQA CONSIDERATIONS:** This section evaluates the topics required to be included in an EIR including 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 all 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.