



# 908 Ocean Street Mixed-Use Development

## Final Environmental Impact Report

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SCH #: 2024050531



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# 1 Introduction

## 1.1 Purpose of the EIR

This EIR has been prepared for the City of Santa Cruz (City), which is the lead agency for the 908 Ocean Street Mixed-Use Development (Project). This document, together with the Draft EIR dated October 2024, constitute the Final EIR for the Project. This EIR has been prepared in accordance with the California Environmental Quality Act (CEQA), which is found in the California Public Resources Code, Division 13, and with the State CEQA Guidelines, which are found in Title 14 of the California Code of Regulations, commencing with section 15000. Under CEQA, the lead agency for a project is the public agency with primary responsibility for carrying out or approving the Project, and for implementing the requirements of CEQA.

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 to 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.

Pursuant to CEQA (Public Resources Code section 21002), public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures, which would substantially lessen the significant environmental effects of such projects. Pursuant to section 15021 of the State CEQA Guidelines, CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible. According to the State CEQA Guidelines, “feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. This section further indicates that CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors, and an

agency shall prepare a “statement of overriding considerations” as to reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment. The environmental review process is further explained below in subsection **1.4 Environmental Review and Approval Process**.

## 1.2 Project Overview

The Project consists of Residential and Non-Residential Demolition Authorization Permits, Heritage Tree Removal Permit, Minor Land Division, Design Permit, Special Use Permit, and Density Bonus Request to demolish four commercial buildings (14,962 square feet) and 12 residential structures, remove 16 heritage trees, and construct a mixed-use development in three condominium lots with 389 residential units and 9,570 square feet of commercial space. The Project is requesting a 42.5% density bonus from a base density project of 273 units. See **Chapter 3 Project Description** in the Draft EIR for a full description of the Project.

## 1.3 Scope of the EIR

An Initial Study was prepared for the Project to determine the scope and extent of environmental issues to be addressed in this EIR and is included in in **Appendix A** of the Draft EIR. The Initial Study identifies potentially significant impacts and discusses issues that were found to result in no impacts or less-than-significant impacts. The discussion/analyses 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 (NOP), 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:

- Air Quality
- Cultural Resources and Tribal Cultural Resources
- Energy Conservation
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Land Use and Planning
- Public Services
- Utilities and Service Systems

The environmental review focuses on the potentially significant environmental effects of the Project. As defined in CEQA Guidelines Section 15382, 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 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 Environmental Review and Approval Process**

### **1.4.1 Scoping**

CEQA Guidelines Section 15083 authorizes and encourages an early consultation or scoping process to help identify the range of actions, alternatives, mitigation measures, and significant effects to be analyzed and considered in an EIR, and to help resolve the concerns of affected regulatory agencies, organizations, and the public. Scoping is designed to explore issues for environmental evaluation, ensuring that important considerations are not overlooked and uncovering concerns that might otherwise go unrecognized.

The NOP for this EIR was circulated for a 30-day comment period from March 14, 2024, to April 15, 2024. The NOP was circulated to the State Clearinghouse and to local, regional, and federal agencies in accordance with the CEQA Guidelines. The NOP also was sent to organizations and interested citizens that have requested notification for City projects. A virtual public scoping meetings was held on April 10, 2024. Due to a problem with submittal to the State Clearinghouse, the NOP was re-submitted to the State Clearinghouse for circulation to state agencies from May 13, 2024 to June 11, 2024.

No public comments were received during the public scoping period (including the public scoping meeting) in response to the NOP. Agency comments were received from the California Department of Fish and Wildlife (CDFW), the California Department of Transportation (Caltrans), and the California Native American Heritage Commission (INAHC) and are included in **Appendix A of the Draft EIR**. To the extent that issues identified in public comments involve potentially significant effects on the environment according to CEQA and/or are raised by responsible agencies, they are identified and addressed within this EIR.

#### **1.4.2 Public Review of Draft EIR**

The Draft EIR was published and circulated by the City for review and comment by the public and other interested parties, agencies, and organizations for a 45-day public review period from October 2, 2024 through November 15, 2024. The Draft EIR was issued by the State Clearinghouse for state agency public review and comment on October 3, 2024, for a 45-day review period that ended on November 18, 2024. The City of Santa Cruz encouraged public agencies, organizations, community groups, and all other interested persons to provide written comments on the Draft EIR prior to the end of the 45-day public review period.

CEQA Guidelines Section 15204(a) provides guidance on the focus of review of EIRs, indicating that in reviewing draft EIRs, persons and public agencies “should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated,” and that comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. This section further states that: “CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.”

Six letters or emails of comment were received during the Draft EIR public review period, including comments from three public agencies, two from organizations (including one from the Project applicant), and one individual. Agencies, organizations and individuals that submitted written comments on the draft EIR are outlined below.

##### **State & Local Agencies**

- California Department of Fish and Wildlife
- Monterey Bay Air Resources District
- Santa Cruz Regional Transportation Commission

##### **Organizations**

- High Street Residential (Project applicant)
- Grant Park Neighbors



## Individuals

- Susan Lambrecht

This Final EIR volume includes written responses to significant environmental issues raised in comments received during the public review period in accordance with CEQA Guidelines section 15088. The Final EIR also includes Draft EIR text changes and additions that became necessary after consideration of public comments. (See CEQA Guidelines, § 15088, subd. (c)).)

### 1.4.3 Final EIR / Project Approval

The Final EIR, which includes both the Draft and Final EIR documents, will be presented to the Planning Commission who will make the final decision on certification of the EIR and the Project. The Planning Commission 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.

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.

The decision to approve a project must take into account the findings described above, especially regarding feasibility, based on the entirety of the agency's administrative record as it exists after completion of a Final EIR.

#### 1.4.4 Adoption of Mitigation Monitoring & Reporting Program

CEQA requires that a program to monitor and report on mitigation measures be adopted by a lead agency as part of the project approval process. CEQA requires that such a program be adopted at the time the agency approves a project or determines to carry out a project for which an EIR has been prepared to ensure that mitigation measures identified in the EIR are implemented. The Mitigation Monitoring and Reporting Program proposed for adoption by the City is included in [Appendix A](#) of this document.

### 1.5 Organization of the Final EIR

This document, together with the Draft EIR dated October 2024, constitutes the Final EIR for the Project. This document contains responses to comments received on the Draft EIR. The Final EIR is organized with the following sections.

- **Chapter 1, Introduction**, explains the CEQA process; describes the scope and purpose of this EIR; provides information on the environmental review and approval process; and outlines the organization of this Final EIR document.
- **Chapter 2, Summary**, presents an overview of the Project; provides a summary of the impacts of the Project and mitigation measures; provides a summary of the alternatives being considered; includes a discussion of known areas of controversy; and lists the topics not carried forward for further analysis.
- **Chapter 3, Changes to Draft EIR**, outlines revisions to the Draft EIR text as a result of review of comments and responses as may be needed. Additional clarification provided by City staff also is included.
- **Chapter 4, Public Comments and Responses**, includes each comment letter with responses to comments immediately following the comment letter.
- **Appendices**. A Mitigation Monitoring and Reporting Program is included in [Appendix A](#).

## 2 Summary

### 2.1 Introduction

This environmental impact report (EIR) evaluates the potential for significant environmental impacts from the proposed 908 Ocean Street Mixed-Use Development Project (the Project). This summary highlights the major areas of importance in the environmental analysis for the Project, as required by Section 15123 of the California Environmental Quality Act (CEQA) Guidelines. It also provides a brief description of the Project, alternatives to the Project, and areas of controversy known to the City of Santa Cruz (City).

In addition, this chapter summarizes: (1) the potential environmental impacts that would occur as the result of the Project; (2) the level of impact significance before mitigation; (3) the proposed mitigation measures that would avoid or reduce significant environmental impacts; and (4) the level of impact significance after mitigation measures are implemented. Some minor changes to Draft EIR text have been made and are shown in underlined type for new text and ~~strikeout~~ type for deleted text.

### 2.2 Project Overview

The Project consists of Residential and Non-Residential Demolition Authorization Permits, Heritage Tree Removal Permit, Minor Land Division, Design Permit, Special Use Permit, and Density Bonus Request to demolish four commercial buildings (14,962 square feet) and 12 residential structures, remove 16 heritage trees, and construct a mixed-use development in three condominium lots with 389 residential units and 9,570 square feet of commercial space. The Project is requesting a 42.5% density bonus from a base density project of 273 units. See [Chapter 3 Project Description](#) in the Draft EIR for a full description of the Project.

### 2.3 Summary of Impacts and Mitigation Measures

All impacts identified in the environmental analyses are summarized in this section. This summary groups impacts of similar ranking together, beginning with significant unavoidable impacts, followed by significant impacts that can be mitigated to a less-than-significant level, followed by less-than significant impacts and topics where no impacts were identified.

#### 2.3.1 Significant Unavoidable Impacts

The following impacts were found to be potentially significant, and while mitigation measures have been identified in some cases, the impact cannot be reduced to a less-than-significant level. [Chapter 15 Project Alternatives](#) in the Draft EIR examines alternatives to eliminate or reduce the level of significance of these impacts.

**Impact CUL-1: Historical Resources.** Project development would cause a substantial adverse change in the significance of a historical resource due to demolition (CUL-1).

Implementation of **Mitigation Measures CUL-1.1** would reduce the impact, but not to a less-than-significant level; therefore, the impact would remain **significant and unavoidable**. Alternatives to protect or relocation the eligible historic building at 130 Hubbard Street is discussed in **Chapter 14 Alternatives**.

#### **Mitigation Measure CUL-1.1 Historic Documentation of the Structure at 130 Hubbard Street**

Complete documentation of the historic building at 130 Hubbard Street prior to alteration or demolition in accordance with Historic American Buildings Survey (HABS) standards, which includes the following:

- Project proponent shall work with a qualified architectural historian to prepare local-level HABS documentation, as detailed below. HABS level photographs must be completed prior to demolition and construction of the Project. The full HABS documentation must be complete prior to completion of the Project. Copies of the HABS shall be provided to local Santa Cruz repositories.
- Measured Drawings: Select existing drawings, where available, should be reproduced on mylar. If existing historic drawings do not exist, a digital and hard copy set of measured drawings that depict the existing size, scale, and dimension of the subject property shall be produced. The measured drawing set shall include a site plan, sections, and other drawings as needed to depict existing conditions of the property. The scope of the drawing package will be reviewed and approved by local Planning Department staff prior to commencement of the task. All drawings shall be created according to the latest HABS Drawings Guidelines by the National Park Service. The measured drawings shall be produced by a qualified professional who meets the standards for architecture set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61).
- HABS-Level Photographs: Black and white large format negatives and prints of the interior, exterior, and setting of the subject property shall be produced. The photographs must adequately document the character-defining features and setting of the historic resource. Planning Department staff will review and approve the scope (including views and number) of photographs required prior to the commencement of this task. All photography shall be conducted according to the latest HABS Photography Guidelines by the National Park Service. The photographs shall be produced by a qualified professional photographer with demonstrated experience in HABS photography.
- HABS Historical Report: A written narrative historical report, per HABS Historic Report Guidelines, shall be produced. The report shall include historical information, including the physical history and historic context of the building, and an architectural description of the site setting, exterior, and interior of the building. The report shall be prepared by a qualified professional who meets the standards for history or architectural history set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61). Archival copies of the drawings, photographs, and report shall be submitted to the Planning Department, and to repositories including but not

limited to the San Francisco Public Library, Northwest Information Center, and California Historical Society. This mitigation measure would create a collection of reference materials that would be available to the public and inform future research.

### 2.3.2 Significant Impacts

The following impacts were found to be potentially significant but could be reduced to a less-than-significant level with implementation of identified mitigation measures should the City's decision-makers impose the measures on the Project at the time of final action on the Project.

**Impact CUL-4: Tribal Cultural Resources.** Project development could cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 (CUL-4).

Implementation of **Mitigation Measures CUL-2.1** would reduce this impact to a *less-than-significant* level.

#### **Mitigation Measure CUL-2.1 Tribal Monitoring and Cultural Sensitivity Training**

Require Native American monitoring by a representative of the Amah Mutsun Tribal Band to include cultural sensitivity training for construction workers and tribal monitoring during ground disturbing construction on the Project site and require monitoring during excavation by a qualified archaeologist.

**Impact HAZ-2/4: Release of Hazardous Materials.** Demolition and excavation activities have the potential to create a significant hazard to the public or environment due to the improper handling, transportation, and disposal of impacted soils and hazardous building materials (HAZ-2 and 4).

Implementation of **MM HAZ-1-1 Soil and Groundwater Management Plan** and **MM HAZ-1-2 Pre-Demolition Survey of Lead-Based Paints and Asbestos** and compliance with federal, State, and local regulations would reduce the impact to a *less-than-significant* level.

#### **Mitigation Measure HAZ-1-1 Soil and Groundwater Management Plan**

Prior to issuance of Residential and Non-Residential Demolition Authorization Permits, a Soil and Groundwater Management Plan (SGMP) shall be prepared and implemented for management of impacted (contaminated) soils that are encountered during construction and excavation activities. The SGMP should outline soil handling, testing, and disposal requirements. The SGMP should also include health and safety procedures for onsite workers, transportation requirements, dust control techniques, and monitoring and reporting requirements. The SGMP and subsequent soil removal work should be overseen by an environmental remediation professional with experience in contaminated soil removal and disposal. Records of removal and final disposition of soil, including but not limited to analytical reports, trucking logs, onsite monitoring and field logs, and dump receipts, shall be maintained by the Project Applicant.

**Mitigation Measure HAZ-1-2 Pre-Demolition Survey of Lead-Based Paints and Asbestos**

Prior to issuance of Residential and Non-Residential Demolition Authorization Permits, buildings on the Project site shall be surveyed and evaluated for the presence of lead-based paints (LBPs) and/or asbestos containing materials (ACM). Any buildings that contains LBPs or ACM above applicable regulatory levels shall be properly abated in accordance with rules and regulations applicable for asbestos removal and disposal. The following best management practices are recommended:

- Remove and dispose of ACM prior to renovation using a licensed abatement contractor in accordance with federal, state, and local regulations and ordinances.
  - Bid packages should include specifications for renovation to control ACM and ensure appropriate removal techniques.
  - Third party oversight should be contracted to document appropriate abatement techniques and equipment are used, and proper disposal is achieved.
- Maintenance and renovation activities involving less than 100 square feet of ACM would include the following precautions:
  - No cutting, sanding, or drilling of ACM or suspect ACM.
  - Wetting ACM or suspect ACM prior to activities which could disturb the material.
  - Dust removal with HEPA filtration vacuums or wet wiping with disposable towels.
  - Adherence to federal, state, and local regulations for property ACM disposal.
- Flaking or peeling LBP should be removed by a licensed lead abatement contractor following applicable federal, state, and local regulations.
  - The renovation contractor should implement health and safety according to OSHA 29 CFR 1926.62, Lead in Construction.
  - Dispose of all painted material as construction debris in accordance with federal, state, and local regulations; debris containing LBP should not be recycled.

**2.3.3 Less-Than-Significant Impacts**

The following impacts were found to be less-than-significant. Mitigation measures are not required.

**Impact AIR-2: Criteria Pollutant Emissions.** The Project would result in emissions of criteria pollutants, but would not exceed adopted thresholds of significance, violate any air quality standard or contribute substantially to an existing or projected air quality violation (AIR-2).

**Impact AIR -3: Exposure of Sensitive Receptors.** The Project would not expose sensitive receptors to substantial pollutant concentrations during short- term construction or during long-term operations (AIR-3).

**Impact ENE-1: Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources.**

Construction and operation of the Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources (ENE-1).

**Impact GHG-1: Greenhouse Gas Emissions.** The Project would not generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment (GHG-1).

**Impact GHG-2: Conflict with an Applicable GHG Reduction Plan.** The Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases (GHG-2).

**Impact LAND-2: Conflicts with Policies and Regulations.** The Project would not conflict with policies or regulations, adopted for the purpose of avoiding or mitigating an environmental effect (LAND-2).

**Impact PUB-1a: Fire Protection.** The Project would result in increased population that would result in increased fire protection and emergency service demands, which could result in the need to construct new or expanded fire stations, however, the impacts of fire station construction or expansion are not expected to be significant (PUB-1a).

**Impact PUB-1b: Police Protection.** The Project would result in increased population that would result in increased police protection service demands but would not result in the need to construct new or expanded police facilities (PUB-1b).

**Impact PUB-1c: Parks.** The Project would result in increased population that would result in increased demands for parks but would not result in the need to expand existing parks or acquire new parks (PUB-1c).

**Impact PUB-2: Parks and Recreation.** The Project would result in increased population that would result in increased use for some parks and recreational facilities but would not result in some deterioration of existing parks and recreational facilities (PUB-2).

**Impact UTIL-2: Water Supply.** The Project would result in new development with a demand for potable water in a system that, under existing conditions, has adequate supplies during normal years and single-dry years, but is subject to potential supply shortfalls during the fourth and fifth years of a multi-year drought scenario. The additional Project demand would not result in a substantial increase in water demand during dry years and would not be of a magnitude to affect the level of curtailment that might be in effect (UTIL-2).

**Impact UTIL-4/5: Solid Waste Generation.** The Project would result in increased population associated with the development of new residential units that would result in increased generation of solid waste. However, the Project would not result in the generation of solid waste in excess or state or local standards, or of the capacity of local infrastructure, or impair attainment of solid waste reduction goals (UTIL-4 and UTIL-5).



### 2.3.4 Impacts Not Found to be Significant

The EIR found no impacts for the following:

**Impact ENE-2: Conflict with an Applicable Renewable Energy or Energy Efficiency Plan.** The Project would not result in conflicts with or otherwise obstruct a state or local plan for renewable energy or energy efficiency (ENE-2).

The discussion 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.” The Initial Study is included in [Appendix A](#) of the Draft EIR.

Based on the scope of the Project and the analyses provided in the Initial Study (see [Appendix A](#)), the following were found be less-than-significant impacts. These environmental resource topics, therefore, are not subject to further detailed analysis in the EIR:

- Aesthetics: Conflict with regulations governing scenic quality and light and glare
- Biological Resources: Nesting birds and conflicts with heritage tree regulations
- Cultural Resources: Archaeological resources
- Geology and Soils: Seismic hazards, erosion, expansive soils and paleontological resources
- Hydrology and Water Quality: water quality and stormwater drainage
- Noise and Vibration: Temporary and permanent noise increases and vibration
- Population and Housing: Population growth inducement
- Transportation: Vehicle Miles Traveled (VMT)
- Utilities and Service Systems: Wastewater treatment

Based on the scope of the Project and the analyses provided in the Initial Study (see [Appendix A](#)), no impacts were identified for the following topics. These environmental resource topics, therefore, are not subject to further detailed analysis in the EIR:

- Aesthetics: Scenic views and scenic resources
- Agricultural and Forestry Resources
- Air Quality: Conflict with Air Quality Management Plan and odors
- Biological Resources: Special status species, sensitive habitat, wildlife movement and conflicts with adopted Habitat Conservation or Natural Community Conservation Plans
- Geology and Soils: Geologic hazards and septic system suitability
- Hazards and Hazardous Materials: Creation of significant hazard, hazardous emissions near schools, interfere with emergency response or evacuation plans and exposure to wildland fire



- Hydrology and Water Quality: Waste discharges, groundwater, flood hazards and conflicts with plans
- Land Use: Physical division of an established community
- Mineral Resources
- Noise and Vibration: Airport noise
- Population and Housing: Displacement of people or housing
- Recreation: New recreational facility impacts
- Transportation: Conflicts with policies, hazards due to design and emergency access
- Utilities and Service Systems: Relocation or construction of utilities
- Wildfire

## 2.4 Areas of Controversy or Concern

No public comments were received during the public scoping period (including the public scoping meeting) in response to the Notice of Preparation (NOP). Agency comments were received from the California Department of Fish and Wildlife (CDFW), the California Department of Transportation (Caltrans), and the California Native American Heritage Commission (INAHC) and are included in Appendix A of the Draft EIR. As indicated in [Chapter 1 Introduction](#), the comments have been taken into consideration in the preparation of this EIR for comments that raise environmental issues.

The following issues were raised:

- Potential impacts to biological resources including potential impacts to special-status species, nesting birds, and wildlife movement.
- Preparation of a travel demand analysis that provides a vehicle miles traveled (VMT) analysis resulting from the Project.
- Potential impacts on Caltrans's Right-of-Way.
- Potential impacts to archaeological resources and tribal consultation.

## 2.5 Summary of Alternatives

CEQA Guidelines Section 15126.6 requires that an EIR describe and evaluate alternatives to the Project that feasibly attain most of the basic objectives of the Project and would avoid or substantially lessen any of the significant effects of the Project. The following alternatives were evaluated in [Chapter 14 Alternatives](#) of the Draft EIR:

- No Project Alternative: Required by CEQA
- Alternative 1: Preservation of Historical Resource
- Alternative 2: Relocation of Historical Resource

- Alternative 3: Reduced Project Size

Table 14-1 in Chapter 14 of the Draft EIR presents a comparison of project impacts between the proposed Project and the alternatives. The No Project Alternative would avoid all impacts identified for the proposed Project. Of the other alternatives considered, Alternative 1 and 2 would avoid or reduce the significant unavoidable historical resource impact to less-than-significant although there is the possibility that the reconstructed and rehabilitated historical buildings under Alternative 2 may not meet the Secretary of Interior Standards for Reconstruction, and therefore, the impact may remain significant and unavoidable. Alternative 1 also would slightly reduce potential impacts to tribal cultural resources with preservation of the existing historical resource. None of the alternatives would lessen or avoid hazardous materials impacts related to contaminated soils, but this impact can be mitigated to a less-than-significant level.

Of the alternatives considered, Alternative 1 would best achieve the Project objectives, while also reducing the severity of identified significant impacts and therefore, is considered the environmentally superior alternative of the alternatives reviewed. While Alternative 2 would also lessen the severity of the historical resource impact, it may be potentially infeasible due to lack of identified sites to relocate the eligible historical structure at 130 Hubbard Street, and therefore, the impact would remain significant and unavoidable.

## 2.6 Issue to be Resolved

CEQA Guidelines section 15123 requires the Summary to identify “issues to be resolved including the choice among alternatives and whether or how to mitigate the significant effects.” This EIR has presented mitigation measures and project alternatives, and the Planning Commission will consider the Final EIR when considering the proposed Project. In considering whether to approve the Project, the Planning Commission will take into consideration the environmental consequences of the Project with mitigation measures and project alternatives, as well as other factors related to feasibility. “Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors (State CEQA Guidelines, section 15364).

Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site (or already owns the alternative site). No one of these factors establishes a fixed limit on the scope of reasonable alternatives. The concept of feasibility also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. Moreover, feasibility under CEQA encompasses “desirability” to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.

### 3 Changes to the Draft EIR

#### 3.1 Introduction

This chapter identifies revisions to the text in the Draft EIR based on consideration of comments received during the public review period. Changes to Draft EIR text that are identified below are shown in underlined type for new text and ~~strikeout~~ type for deleted text.

#### 3.2 Revisions to the Draft EIR Text

##### 3.2.1 Chapter 1 Introduction

Page 1-2 Correct Section 1.2 Project Overview as follows:

The Project consists of Residential and Non-Residential Demolition Authorization Permits, Heritage Tree Removal Permit, Minor Land Division, Design Permit, Special Use Permit, and Density Bonus Request to demolish four commercial buildings (~~15,433~~ 14,962 square feet) and 12 residential structures, remove 16 heritage trees, and construct a mixed-use development in three condominium lots with 389 residential units and 9,570 square feet of commercial space. The Project is requesting a 42.5% density bonus from a base density project of 273 units. A full description of the Project is presented in Section 3.

Page 1-4 Correct sentence in first paragraph as follows:

No public comments were received ~~were received~~ during the public scoping period (including the public scoping meeting) in response to the Notice of Preparation (NOP).

##### 3.2.2 Chapter 2 Summary

Page 2-1 Correct Section 2.2 Project Overview as follows:

The Project consists of Residential and Non-Residential Demolition Authorization Permits, Heritage Tree Removal Permit, Minor Land Division, Design Permit, Special Use Permit, and Density Bonus Request to demolish four commercial buildings (~~15,433~~ 14,962 square feet) and 12 residential structures, remove 16 heritage trees, and construct a mixed-use development in three condominium lots with 389 residential units and 9,570 square feet of commercial space. The Project is requesting a 42.5% density bonus from a base density project of 273 units. A full description of the Project is presented in **Section 3**.

Page 2-2 Correct the first sentence as follows:

Alternatives to protect or ~~relocation~~ relocate the eligible historic building at 130 Hubbard Street is discussed in Chapter 14 Alternatives.

### 3.2.3 Chapter 3 Project Description

Page 3-8 Section 3.5 Project Approvals and Use of the EIR, add the following before the last full paragraph:

A Tenant Relocation Plan will also be submitted to City staff for review.

### 3.2.4 Chapter 5 Air Quality

Page 5-30 Revise first paragraph as follows:

As shown in **Table 5-7**, the construction cancer risk at the Maximum Exposed Individual Resident (MEIR) would not exceed the MBARD threshold of 10 in one million.

Page 5-32 Revise the first paragraph as follows:

Based on the preceding considerations, because construction and operation of the Project would not result in the emissions of criteria air pollutants that would exceed the applicable MBARD significance thresholds, and because the MBARD thresholds are based on levels that the Air Basin can accommodate without affecting the attainment date for the NAAQS and CAAQS, and the NAAQS and CAAQS are established to protect public health and welfare, ~~it is anticipated that~~ the Project would not result in health effects associated with criteria air pollutants and the impact would be *less-than-significant*.

### 3.2.5 Chapter 6 Cultural and Tribal Cultural Resources

Page 6-5 Change header as follows:

General Plan ~~2023~~ 2030

Page 6-11 Add a sentence to the last paragraph as follows:

#### Commercial Structures

The four existing commercial buildings within the Project are of fairly generic mid-twentieth century architectural styles. Two of these (902 Ocean Street and 457 May Avenue) have been heavily modified, retaining little of their original character. The third (429 May Avenue) is a simple temporary structure lacking any distinctive architectural style. None of these buildings appear to be significant. The fourth (920 Ocean Street), the largest commercial building on the Project site, was constructed circa 1945.

Page 6-13 Revise the second to last sentence of the third full paragraph as follows:

The significance of an historical resource is materially impaired when a project “demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance” and that justify or account for its inclusion in, or eligibility for inclusion in, the California Register of Historical Resources or in a local register of historical resources.

### 3.2.6 Chapter 7 Energy

Page 7-12 Revise the first sentence of the third paragraph as follows:

Mobile sources from the Project would result in the use of approximately 16,656 gallons of diesel and 160,833 gallons of gasoline consumed per year.

### 3.2.7 Chapter 8 Greenhouse Gas Emissions

Page 8-20 Revise the last sentence as follows:

Input parameters, including the Project land use type and size and construction schedule, were based on information provided by the City Project Applicant, or default model assumptions if Project specifics were unavailable.

Page 8-25 Revise Table 8-4 as follows:

Climate Restoration		
C 1.1b	The project will protect all existing heritage trees on site, or, if heritage tree removal is approved, the Project will mitigate the approved removal (per Ordinance Chapter 9.56).	The Project will apply a Heritage Tree Permit for the removal of <del>13</del> <u>16</u> heritage trees and fulfill the City’s tree replacement requirements with replanting.

### 3.2.8 Chapter 10 Land Use and Planning

Page 10-6 Revise the second paragraph as follows:

Thus, the Project would not conflict with plans or policies adopted for the purpose of avoiding or mitigating an environmental effect, ~~Plan~~ and therefore impacts are considered *less-than-significant*.

Page 10-6      Revise the fourth paragraph as follows:

As discussed in the Initial Study (Appendix A) of this EIR, ~~he the project~~ Project site is not located adjacent to a water course or water body. The ~~project~~ Project would not result in new discharges or conflict with provisions in the Central Coast Basin Plan as all Project storm water would be directed into the City's storm drain system with pre-treatment in a bioretention basin to prevent water quality degradation in accordance with the City's stormwater requirements. A sustainable groundwater management plan for the area in which the Project is located has not yet been prepared. The Project would not conflict with or obstruct implementation of an adopted water quality or groundwater plans.

### 3.2.9 Chapter 12 Utilities and Service Systems

Page 12-16      Revise **Table 12-1: Projected Supply and Demand Comparison through 2045** and  
& Page 12-18 **Table 12-2: Climate Change Scenario Projected Supply and Demand Comparison through 2045** as shown on the following pages.

### 3.2.10 Chapter 13 Other CEQA Considerations

Page 13-4      Revise the last sentence as follows:

Cumulative development with the proposed Project would result in a net increase of approximately 3,630 new residential units, a net decrease of approximately ~~40,000~~ 88,730 square feet of commercial uses, a net increase of approximately 46,500 square feet of industrial uses, a decrease in office space and an increase of approximately 400 hotel rooms.

Page 13-5      Revise the Commercial Subtotal and TOTAL numbers in **Table 13-1: City of Santa Cruz Cumulative Projects** to 83,337 and 88,732, respectively.

Page 13-7      Revise the last sentence of the first paragraph as follows:

Therefore, no cumulative biological impacts have been identified within the geographic area to which the Project would contribute to a cumulative impact.

Page 13-10      Revise the third and fourth sentences of the first paragraph as follows:

As indicated in Section 11.3.2, the City's Fire Department has indicated that ~~Should expansion be proposed,~~ it is likely that expanded or new fire facilities would be at the existing eastside location of Station 2 on Soquel Avenue in the eastern part of the City or potentially near UCSC. Expansion or new construction would be considered infill development at these ~~this~~ sites, which are ~~is~~ surrounded by development.

Table 15-1: Projected Supply and Demand Comparison through 2045

		2025 (MG)	2030 (MG)	2035 (MG)	2040 (MG)	2045* (MG)	
Normal Year		Supply <u>Forecast Demand</u>	2,600	2,800	2,800	2,900	3,000
		Demand <u>Modeled Supply</u>	2,600	2,800	2,800	2,900	2,900
		Supply Shortage	0	0	0	0	100
Single Dry Year		Supply <u>Forecast Demand</u>	2,600	2,800	2,800	2,900	3,000
		Demand <u>Modeled Supply</u>	2,600	2,800	2,800	2,900	2,900
		Supply Shortage	0	0	0	0	100
Multiple Dry Years	First year	Supply <u>Forecast Demand</u>	2,600	2,800	2,800	2,900	3,000
		Demand <u>Modeled Supply</u>	2,600	2,800	2,800	2,900	2,900
		Supply Shortage	0	0	0	0	100
	Second year	Supply <u>Forecast Demand</u>	2,600	2,800	2,800	2,900	3,000
		Demand <u>Modeled Supply</u>	2,600	2,800	2,800	2,900	2,900
		Supply Shortage	0	0	0	0	100
	Third year	Supply <u>Forecast Demand</u>	2,600	2,800	2,800	2,900	3,000
		Demand <u>Modeled Supply</u>	2,600	2,800	2,800	2,900	2,900
		Supply Shortage	0	0	0	0	100
	Fourth year	Supply <u>Forecast Demand</u>	2,600	2,800	2,800	2,900	3,000
		Demand <u>Modeled Supply</u>	2,500	2,800	2,800	2,900	2,900
		Supply Shortage	100	0	0	0	100
	Fifth year	Supply <u>Forecast Demand</u>	2,600	2,800	2,800	2,900	3,000
		Demand <u>Modeled Supply</u>	2,000	2,800	2,800	2,900	2,900
		Supply Shortage	600	0	0	0	100

NOTES: Projected water supply values shown in this table represent output values from the City's Confluence® (water supply) model utilizing historic hydrology and demands up to 2,900 MG. The Confluence® model utilizes system demands to model water supply from City sources. Consistent with the WSAS, the following assumptions about future water projects have been used in developing projected water supplies. In 2025, the City will have implemented proposed water rights modifications as described in the Santa Cruz Water Rights Project Final EIR, and in 2030, the City will have implemented the following components of the WSAS and planned infrastructure projects: ASR in the Santa Cruz Mid-County Groundwater Basin and/or the Santa Margarita Groundwater Basin, sized for up to 4.5 MGD injection and 8.0 MGD extraction as described in the Santa Cruz Water Rights Project Final EIR (specifically for this analysis, 3.0 MGD injection and 6.0 MGD extraction was assumed); improvements to the Tait Diversion on the San Lorenzo River as described in the Santa Cruz Water Rights Project Final EIR and as included in the Santa Cruz Water Program; facility improvements at the Graham Hill Water Treatment Plant that will allow treatment of more turbid water as included in the Santa Cruz Water Program; and replacement of major transmission pipelines on the North Coast and the NCP as included in the Santa Cruz Water Program. Projected demand is based upon the 2024 Update of the City of Santa Cruz's Long-Range Water Demand Forecast (City of Santa Cruz Water Department 2024, Appendix A).

\* Although the demand projected for 2045 is 3,000 MG, the maximum demand modeled in the Confluence® model was 2,900 MG. While this results in an apparent three percent shortage in all 2045 scenarios, it is anticipated that the modeled shortages would have been smaller or absent if Confluence® model runs had been completed using 3,000 MG as the maximum demand.

Source: City of Santa Cruz Water Department 2024

Table 15-2: Climate Change Scenario Projected Supply and Demand Comparison

		2025 (MG)	2030 (MG)	2035 (MG)	2040 (MG)	2045* (MG)
<b>Normal Year</b>	<u>Supply Forecast Demand</u>	2,600	2,800	2,800	2,800	3,000
	<u>Demand Modeled Supply</u>	2,600	2,800	2,800	2,800	2,900
	<b>Supply Shortage</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>100</b>
<b>Single Dry Year</b>	<u>Supply Forecast Demand</u>	2,600	2,800	2,800	2,800	3,000
	<u>Demand Modeled Supply</u>	2,500	2,800	2,800	2,800	2,900
	<b>Supply Shortage</b>	<b>100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>100</b>
<b>Multiple Dry Years</b>	<b>First year</b>	<u>Supply Forecast Demand</u>	2,600	2,800	2,800	3,000
		<u>Demand Modeled Supply</u>	2,600	2,800	2,800	2,900
		<b>Supply Shortage</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>100</b>
	<b>Second year</b>	<u>Supply Forecast Demand</u>	2,600	2,800	2,800	3,000
		<u>Demand Modeled Supply</u>	2,600	2,800	2,800	2,900
		<b>Supply Shortage</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>100</b>
	<b>Third year</b>	<u>Supply Forecast Demand</u>	2,600	2,800	2,800	3,000
		<u>Demand Modeled Supply</u>	2,600	2,800	2,800	2,900
		<b>Supply Shortage</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>100</b>
	<b>Fourth year</b>	<u>Supply Forecast Demand</u>	2,600	2,800	2,800	3,000
		<u>Demand Modeled Supply</u>	2,100	2,800	2,800	2,900
		<b>Supply Shortage</b>	<b>500</b>	<b>0</b>	<b>0</b>	<b>100</b>
	<b>Fifth year</b>	<u>Supply Forecast Demand</u>	2,600	2,800	2,800	3,000
		<u>Demand Modeled Supply</u>	2,200	2,700	2,700	2,700
		<b>Supply Shortage</b>	<b>400</b>	<b>100</b>	<b>100</b>	<b>300</b>

**Notes:** Projected water supply values shown in this table represent output values from the City's Confluence® (water supply) model utilizing historic hydrology. The Confluence® model utilizes system demands to model water supply from City sources. Consistent with the WSAS, the following assumptions about future water projects have been used in developing projected water supplies. In 2025, the City will have implemented proposed water rights modifications as described in the Santa Cruz Water Rights Project Final EIR, and in 2030, the City will have implemented the following components of the WSAS and planned infrastructure projects: ASR in the Santa Cruz Mid-County Groundwater Basin and/or the Santa Margarita Groundwater Basin, sized for up to 4.5 MGD injection and 8.0 MGD extraction as described in the Santa Cruz Water Rights Project Final EIR (specifically for this analysis, 4.5 MGD injection and 6.5 MGD extraction was assumed); improvements to the Tait Diversion on the San Lorenzo River as described in the Santa Cruz Water Rights Project Final EIR and as included in the Santa Cruz Water Program; facility improvements at the Graham Hill Water Treatment Plant that will allow treatment of more turbid water as included in the Santa Cruz Water Program; and replacement of major transmission pipelines on the North Coast and the NCP as included in the Santa Cruz Water Program. Projected demand is based upon the 2024 Update of the City of Santa Cruz's Long-Range Water Demand Forecast (City of Santa Cruz Water Department 2024, Appendix A).

\* Although the demand projected for 2045 is 3,000 MG, the maximum demand modeled in the Confluence® model was 2,900 MG. While this results in an apparent three to ten percent shortage in the 2045 scenarios, it is anticipated that the modeled shortages would have been smaller or absent if Confluence® model runs had been completed using 3,000 MG as the maximum demand.

Source: City of Santa Cruz Water Department 2024



### 3.2.11 Chapter 14 Alternatives

Page 14-3 Delete the third full paragraph as it is a duplicate with the preceding paragraph):

~~The EIR should identify any alternatives that were considered by the lead agency but were rejected as infeasible, and briefly explain the reasons underlying the lead agency's determination. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (1) failure to meet most of the basic project objectives, (2) infeasibility, or (3) inability to avoid significant environmental impacts.~~

Page 14-5 Revise the second paragraph as follows:

Alternative 1 would retain the existing historical building at 130 Hubbard Street, which is eligible for listing in the City's Historic Building Survey. This alternative would require a redesign to construct the Project around the building. This alternative would result in the loss of an estimated ~~42~~ six units of Building C, and a potentially minor relocation of the remaining portion of Building C to address setback requirements. Because Building C does not include any subterranean uses (e.g., a garage), excavation and foundation construction activities would be relatively minor and would not adversely impact the existing eligible historic building at 130 Hubbard Street.

Page 14-5 Revise the third paragraph as follows:

Under this alternative, the identified significant unavoidable impact CUL-1 related to historical resources would be eliminated. The identified significant impacts CUL-4 (tribal cultural resources) and HAZ-2/4 (release of hazardous materials) would remain unchanged. No new significant impacts would occur under this alternative. Other identified less-than-significant impacts would ~~be~~ remain the same as the Project or slightly reduced in magnitude due to a slight reduction in housing units.

Page 14-6 Revise the third paragraph as follows:

Under this alternative, there would be no change to the Project site layout, except that the building footprint and number of residential units associated with Building C would be reduced by ~~42~~ six, resulting in a total of ~~377~~ 383 units. This alternative would meet all Project objectives, except it would not meet objectives 2 and 3 regarding supporting goals of the Housing Element and contributing to the City's housing needs as well as the proposed Project.

Page 14-8      Revise fifth paragraph as follows:

Under this alternative, there would be 116 less residential units than under the proposed Project and no change in the commercial space. This reduction in units could occur by constructing Building A as a four-story building (as compared to five-stories for the Project) and reducing the number of units on the remaining floors of Building A (net change less 93 units), as well as the number of units in Buildings B (seven less units) and C (16 less units). Because the building footprints would generally be the same as the Project (as shown in the Base Project plans, dated November 29, 2023), the existing eligible historical building at 130 Hubbard would be demolished.

Page 14-10      Edit first full paragraph as follows:

**Table 14-1: Comparison of Significant Impacts: Project and Alternatives**, presents a comparison of project impacts between the proposed Project and the alternatives. The No Project Alternative would avoid all impacts identified for the proposed Project. Of the other alternatives considered, Alternative 1 would avoid the significant unavoidable historical impact by retaining the eligible historical building. ~~and Alternative 2 would avoid or reduce~~ lessen the significant ~~unavoidable~~ historical resource impact to less-than-significant although, although there is the possibility that the relocated, reconstructed and rehabilitated historical building under Alternative 2 may not meet the Secretary of Interior Standards for Reconstruction, and therefore, the impact may remain significant and unavoidable. Alternative 1 also would slightly reduce potential impacts to tribal cultural resources with preservation of the existing historical resource. None of the alternatives would lessen or avoid hazardous materials impacts related to contaminated soils, but this impact can be mitigated to a less-than-significant level.

## Appendix A – Initial Study

Page 3      Revise last paragraph to indicate that 35, not 33, trees would be removed, including 16, not 13, heritage trees.

Page 21      Revise second paragraph to indicate that 35, not 33, trees would be removed, including 16, not 13, heritage trees.

Page 29      Revise last paragraph to indicate that 35, not 33, trees would be removed, including 16, not 13, heritage trees.

Page 29      Revise the third full paragraph as follows:

Removal of ~~1613~~ heritage trees would require planting of forty-eight (48)~~39~~ 15-gallon trees or sixteen (16)~~13~~ 24-inch size trees to replace the removed heritage

trees. The Project landscaping plan (dated 2/15/24) shows thirteen (13) 48-inch box trees to be planted along Ocean Street as well as retention of two existing street trees. In addition, the Project landscaping plan shows approximately eighty-seven (87) 40 trees to be planted throughout the remainder of the Project site in stormwater planter areas on the other sides of the Project site perimeter. Therefore, the Project would replace removed heritage trees in accordance with in exceedance of the City requirements and would result in *a less than significant impact* related to conflicts with City regulations protecting trees. The Project arborist report includes recommendations for protection of retained trees during construction, which would be included as a Project condition of approval.

## 4 Comments and Responses

### 4.1 Introduction

This chapter provides responses to individual comments that were submitted by agencies, organizations, and individuals as summarized below in [subsection 4.2](#). Each letter of comment is included in [subsection 4.3](#); a response to each comment is provided immediately following each letter. Appropriate changes that have been made to the Draft EIR (DEIR) text based on these comments and responses are provided in [Chapter 3, Changes to Draft EIR](#).

State CEQA Guidelines section 15088(a) requires a lead agency to evaluate comments on environmental issues and provide written responses. Section 15204(a) provides guidance on the focus of review of EIRs as follows:

In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

In reviewing comments and providing responses on the following pages, this section of the CEQA Guidelines will be considered. The focus will be on providing responses to significant environmental issues.

### 4.2 List of Comment Letter Received

The Draft EIR was 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 October 2, 2024, through November 15, 2024. Six letters or emails of comment were received including from three public agencies, two from organizations (including one from the Project Applicant), and one individual. Agencies, organizations and individuals that submitted written comments on the draft EIR are outlined below.

#### State & Local Agencies

- California Department of Fish and Wildlife

- Monterey Bay Air Resources District
- Santa Cruz Regional Transportation Commission

#### Organizations

- High Street Residential (Project Applicant)
- Grant Park Neighbors

#### Individuals

- Susan Lambrecht

### 4.3 Comment Letters and Responses

Agencies, organizations, and individuals that submitted written comments on the DEIR are outlined above in [subsection 4.2](#). Each comment letter is included in this section. As indicated above, CEQA Guidelines section 15088(a) requires a lead agency to evaluate comments on environmental issues and provide a written response to all substantive comments. A response to each comment is provided immediately following each letter. As indicated in [subsection 4.1](#) above, the emphasis of the responses will be on significant environmental issues raised by the commenters. (CEQA Guidelines, § 15204, subd. (a).) Appropriate changes that have been made to the DEIR text based on these comments and responses are provided in the [Chapter 3, Changes to DEIR](#).

**From:** Harrison, Alexis@Wildlife <[Alexis.Harrison@Wildlife.ca.gov](mailto:Alexis.Harrison@Wildlife.ca.gov)>

**Sent:** Wednesday, October 23, 2024 1:15 PM

**To:** Ryan Bane <[RBane@santacruzca.gov](mailto:RBane@santacruzca.gov)>

**Subject:** Question for 908 Ocean Street Mixed-Use Development SCH 2024050531

Hi Ryan,

I am an Environmental Scientist with California Dept. of Fish and Wildlife reviewing the Draft EIR for 908 Ocean Street Mixed-Use Development in the City of Santa Cruz. I'm reaching out because I had a quick comment and question. I see the appendices for 908 Ocean Street Mixed-Use Development indicate pre-construction nesting bird surveys and mitigation for the removal of 16 heritage trees as less than significant and no impact in the DEIR. The DEIR indicates the project will mitigate for the removal of the trees by Chapter 9.56 of the City Municipal Code, but if the DEIR can update the value of 13 trees to 16 trees in *Table 8-4: City of Santa Cruz Climate Action Plan Measures Included in Project* would be great.

Do you still plan to incorporate the pre-construction nesting bird survey measure for the removal of 35 trees on the project site?

Thank you!

**Alexis Harrison** (she/her)

Environmental Scientist

Bay Delta Region – R3 | California Department of Fish & Wildlife

[alexis.harrison@wildlife.ca.gov](mailto:alexis.harrison@wildlife.ca.gov)



#### 4.3.1 Comment Letter #1 –California Department of Fish and Wildlife

##### Comment 1-1: Nesting Bird Surveys and Mitigation for the Removal of 16 Heritage Trees

The comment states that the appendices indicate pre-construction nesting bird surveys and “mitigation” for the removal of 16 heritage trees by Chapter 9.56 of the City Municipal Code and asks if the DEIR can update the value of 13 trees to 16 trees in Table 8-4: City of Santa Cruz Climate Action Plan Measures Included in Project. The comment also ask if the City plans to incorporate the pre-construction nesting bird survey measure for the removal of 35 trees on the Project site.

**Response:** The Initial Study (page 28) in Appendix A of the Draft EIR concludes that potential impacts to nesting birds would be less than significant because the City imposes a standard condition of approval for pre-construction nesting surveys if construction commences during the nesting season and protection measures if nesting birds are found. The pre-construction nesting surveys are required before any site work commences, including tree removal. The Initial Study (page 29) also concludes that the removal of heritage trees would not result in a significant impact because the Project proposes planting of new trees in excess of the City’s requirement, and thus, would not conflict with the City’s heritage tree regulations. The Draft EIR Table 8-4 and Appendix A have been revised to indicate 16, not 13, heritage trees would be removed as indicated in the Project Description.

November 14, 2024

City of Santa Cruz  
Planning and Community Development Department  
Attn: Ryan Bane  
809 Center St. Rm.101  
Santa Cruz, CA 95060

SUBJECT: 908 Ocean Street Mixed-Use Development

Dear Mr. Bane

Thank you for providing the Monterey Bay Air Resources District (MBARD) with the opportunity to comment on the Draft EIR for the 908 Ocean Street Mixed-Use Development project. MBARD has reviewed the Draft EIR and has the following comments:

**Fugitive Dust Control**

As discussed in the Draft EIR, the NCCAB is in non-attainment from PM10 (dust). Fugitive dust can be mitigated while maintaining compliance with MBARD Rule 402 (Nuisance) and CEQA Guidelines, Section 8.2 by implementing the following Best Management Practices as applicable:

- Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.
- Prohibit all grading activities during periods of high wind (over 15 mph).
- Cover all trucks hauling dirt, sand, or loose materials.
- Cover inactive storage piles.
- Maintain at least 2'0" of freeboard in haul trucks.
- Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).

**Engine Permitting**

If a generator, boiler, or another stationary source of air pollutants is needed to support the construction process or will be installed for use in the operation of the project, a permit may be required. Per Rule 201, any stationary piston-type internal combustion engine of greater than or equal to 50 brake horsepower (bhp) requires a permit. Please contact MBARD's Engineering Division at (831) 647-9411 if there are any questions regarding the permitting process.

**Portable Equipment Registration Program**

If any stage of project construction uses portable equipment registered with the California Air Resources Board (CARB) in the Portable Equipment Registration Program (PERP), MBARD must be notified within two working days of commencing operations when a registered unit will be at a location for more than five days. Portable equipment not registered with CARB may be subject to MBARD permit requirements.



### **Green House Gas Emissions**

MBARD supports the project incorporating electric vehicle infrastructure goals in the project plan. To achieve further emission reduction of criteria pollutants and greenhouse gases, MBARD suggests including publicly available dual port Level 2 & DC fast-charge charging stations throughout the project area.

### **Traffic Emission Reduction**

In an effort to improve congestion and minimize traffic emissions, MBARD supports including the following mitigation measures at street intersections surrounding the project site:

- Roundabout design and construction as an alternative mitigation measure.
- Use of currently available Adaptive Traffic Control Systems (ATCS) for existing or new signalized intersections.

MBARD appreciates the opportunity to comment on the Draft EIR for the 908 Ocean Street Mixed-Use Development project. Please let me know if you have any questions. I may be reached at (831) 718-8030 or [eballaron@mbard.org](mailto:eballaron@mbard.org).

Regards,



Edward Ballaron  
Air Quality Planner I

cc: Richard A. Stedman, Air Pollution Control Officer  
David Frisbey, Planning and Air Monitoring Manager  
Shawn Boyle, Planning and Air Monitoring Supervisor

#### 4.3.2 Comment Letter #2 – Monterey Bay Air Resources Board

##### Comment 2-1: Fugitive Dust Control

The comment indicates that the NCCAB is in non-attainment from PM<sub>10</sub> (fugitive dust) which can be mitigated while maintaining compliance with MBARD Rule 402 (Nuisance) and CEQA Guidelines, Section 8.2 by implementing a number of Best Management Practices, as applicable.

**Response:** As described in **Impact AIR-2**, criteria air pollutant emissions associated with temporary construction activity were quantified using CalEEMod. As shown in **Table 5-5: Project Daily Construction Emissions**, Project construction would not exceed MBARD's daily thresholds and would not result in a significant impact that would warrant mitigation. However, the Project would implement erosion control plans and erosion control measures as required in the City's Municipal Code Chapter 18.45, which would further reduce generation of dust. Section 18.45.115 requires that contractors performing grading operations within the city where dry conditions or dry mixtures are encountered shall adequately and effectively control dust to prevent spread off-site or onto existing structures on-site and requires the contractor to provide details of proposed dust control measures to the building official for approval prior to commencement of grading operations, the contractor shall furnish.

##### Comment 2-2: Engine Permitting

The comment notes that per Rule 201, any stationary piston-type internal combustion engine of greater than or equal to 50 brake horsepower (bhp) requires a permit.

**Response:** Comment noted. The Project does not include a stationary source of emissions but would be required to comply with all applicable MBARD permits and regulations.

##### Comment 2-3: Portable Equipment Registration Program

The comment notes that portable equipment must be registered with the California Air Resources Board (CARB) in the Portable Equipment Registration Program (PERP) as last two working days prior to commencing operation.

**Response:** Comment noted. The Project would be required to comply with all applicable MBARD permits and regulations.

##### Comment 2-4: Greenhouse Gas Emissions

The comment indicates that MBARD supports the project incorporating electric vehicle infrastructure and suggests including publicly available dual port Level 2 & DC fast-charge charging stations throughout the Project area.

**Response:** The comment is acknowledged but does not address analyses in the DEIR and no response is required. Furthermore, the Project will be required to comply with all current City and state code requirements regarding electrical vehicle charging stations prior to issuance of a building permit.

**Comment 2-5: Traffic Emissions Reduction**

The comments indicates that MBARD supports the use of roundabouts and Adaptive Traffic Control Systems (ATCS) or existing or new signalized intersections as mitigation measures to for traffic.

**Response:** The comment is acknowledged, however, the transportation analyses discussed in Appendix A of the Draft EIR did not identify any significant transportation impacts.



## SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION

1101 Pacific Avenue, Suite 250, Santa Cruz, CA 95060-4418 • (831)460-3200 • [info@sccrtc.org](mailto:info@sccrtc.org)

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Ryan Bane, Senior Planner  
City of Santa Cruz Planning and Community Development Department  
809 Center Street, Room 101  
Santa Cruz, CA 95060

RE: 908 Ocean Street Mixed-Use Development DEIR Notice of Availability

Dear Mr. Bane,

Thank you for sharing the Draft Environmental Impact Report (DEIR) for the 908 Ocean Street Mixed-Use Development. On behalf of the Santa Cruz County Regional Transportation Commission (RTC), we appreciate your efforts to align this report and project with the city's vision and community priorities. High-density mixed-use housing along the Ocean Street corridor could enhance the pedestrian experience, economic vitality, and multimodal transportation options in the area, which are critical for reducing greenhouse gas emissions.

This high-density infill project will help address Target 1.A in the Regional Transportation Plan (RTP) by increasing the percentage of people located within walking, biking, or transit access to employment centers and daily needs. It also focuses on transportation demand management (TDM) by providing secure bike parking for residents and retaining non-required commercial bike parking to encourage active transportation. Paired with vehicle-miles-traveled (VMT) reduction strategies, the RTC supports the addition of EV charging stations to reduce greenhouse gas emissions. We would also like to emphasize our support of this mixed-use development being near transit services.

The RTC recommends enhancing TDM strategies by implementing a program providing incentives for residents to use alternative modes of transportation. For example, the RTC's GO Santa Cruz County commute trip reduction program. We also recommend including a car share service on site. RTC staff are available to assist to develop TDM strategies, policies, and programs if needed.

The RTC recommends being mindful of bike lanes and sidewalks along Ocean Street and taking steps to reduce potential collisions between cyclists, pedestrians, and vehicles. One strategy identified by the RTC is removing driveways on Ocean Street. With over 2,200 daily projected vehicle trips and 800 additional residents moving around the development, basement parking leading out onto a main arterial could increase potential conflicts with pedestrians and bicyclists. Prioritizing pedestrian safety would address Target 2.A.1 in the RTP, which calls for an elimination of traffic fatalities and serious injuries by 2045 for all modes of transportation.

Overall, the RTC supports high density affordable housing, and the transportation options it provides. This development could create more opportunities for residents and visitors to access the San Lorenzo River Levee and nearby open spaces, reduce the need to drive to key destinations, and create an enjoyable environment with the addition of street trees, furniture, and ground floor retail offering various goods and services. If you have any questions regarding these comments, please feel free to contact Amanda Marino of the RTC staff at 831-460-3200 or [amarino@sccrtc.org](mailto:amarino@sccrtc.org).

Sincerely,

A handwritten signature in blue ink, appearing to read "Luis Mendez". The signature is fluid and cursive, with the first name "Luis" and last name "Mendez" clearly distinguishable.

Luis Mendez  
Director of Planning, Programming and Transportation Services

### 4.3.3 Comment Letter #3 – Santa Cruz County Regional Transportation Commission

#### Comment 3-1: Regional Transportation Plan

The comment supports the high-density infill project that will help address Target 1.A in the Regional Transportation Plan to improve mobility access including secured bicycle parking, access to transit and EV charging stations.

**Response:** The comment is acknowledged but does not address analyses in the DEIR and no response is required.

#### Comment 3-2: TDM Strategies

The comment recommends enhancing TDM strategies by implementing a program providing incentives for residents to use alternative modes of transportation such as the RTC's GO Santa Cruz County commute trip reduction program as well as including a car share service on site.

**Response:** The comment is acknowledged but does not address analyses in the DEIR and no response is required.

#### Comment 3-3: Bike Lanes and Sidewalks Along Ocean Street

The comment recommends removing the proposed driveways on Ocean Street to help reduce potential collisions between cyclists, pedestrians, and vehicles.

**Response:** The comment is acknowledged but does not address analyses in the DEIR and no response is required. However, as described in the Initial Study in Appendix A of the Draft EIR, the Project has been designed in accordance with standard City roadway design requirements and there are no access designs that would substantially increase hazards.

#### Comment 3-4: Support for High Density Affordable Housing

The comment notes RTC's support of high density affordable housing and the transportation options it provides including creating more opportunities for residents and visitors to access the San Lorenzo River Levee and nearby open spaces, reducing the need to drive to key destinations, and creating an enjoyable environment with the addition of street trees, furniture, and ground floor retail offering various goods and services.

**Response:** The comment is acknowledged but does not address analyses in the DEIR and no response is required.



November 14, 2024

Ryan Bane  
Senior Planner City of Santa Cruz  
809 Center Street, #107  
Santa Cruz, CA 95060

**RE: High Street Residential Comments to 908 Ocean Draft EIR**

Dear Ryan,

Thank you for the opportunity to review the Draft EIR for our proposed project at 908 Ocean Street ("Project") in Santa Cruz, CA. Our comments to the Draft EIR are below. Please let us know if you have any questions.

Section 1.2—14,962 sf (not 15,433 sf)

Section 1.4.1, Page 1-4—delete extra "were received"

Section 2.2—14,962 sf (not 15,433 sf)

Section 2.3.1 – Change "relocation" to "relocate"

Alternatives to protect or relocation ~~on~~ the eligible historic building at 130 Hubbard Street is discussed in Chapter 14 Alternatives.

Section 2.3.2

**2.3.2 Significant Impacts**

The following impacts were found to be potentially significant but could be reduced to a less-than-significant level with implementation of identified mitigation measures ~~should the City's decision-makers impose the measures~~ on the Project at the time of final action on the Project.

Section 3.3.2, Page 3-6—Include reference to 3,187 sf of impervious area

Stormwater and Utilities

The Project site is currently partially developed with impervious surface areas associated with the existing buildings and surface parking. Per Tier 3 retention requirements (described below) Project development would result in a total impervious area of 161,598 sf, or approximately 86% of the Project site.



Section 3.3.3, Page 3-7—Include construction hours

Section 3.5—Reference Tenant Relocation Plan

Section 5.3.1

- Page 5-30—Should the EIR show the location of the MEIR?
- Page 5-32

Based on the preceding considerations, because construction and operation of the Project would not result in the emissions of criteria air pollutants that would exceed the applicable MBARD significance thresholds, and because the MBARD thresholds are based on levels that the Air Basin can accommodate without affecting the attainment date for the NAAQS and CAAQS, and the NAAQS and CAAQS are established to protect public health and welfare, **it is anticipated that** the Project would not result in health effects associated with criteria air pollutants and the impact would be *less-than-significant*.

Section 6.3.1, Page 6-5—Should be General Plan 2030

Section 6.3.3, Page 6-11 – Discussion of commercial structures should mention 920 Ocean, the largest of the commercial structures

Section 7.3.2, Page 7-9—Confirm accuracy and source for estimated 3,726,100 annual VMT?

Section 7.3.3, Page 7-12 – add “of” to following sentence

Mobile sources from the Project would result in the use of approximately 16,656 gallons of diesel and 160,833 gallons of gasoline consumed per year. By comparison, Santa Cruz County as a

Section 8.4.2, Page 8-21—“City” should be Applicant?

**City**, or default model assumptions if Project specifics were unavailable. All assumptions and results are included in **Appendix B**. Impacts have been evaluated with respect to the thresholds of significance, as described above. In the event adverse environmental impacts would occur even with consideration of applicable policies and regulations, impacts would be potentially significant, and mitigation measures ~~are~~ provided to reduce impacts to less-than-significant. Additional information on how impacts were analyzed is provided below.

Section 8.4.3, Table 8-4, Page 8-25—Project is removing 16 heritage trees (not 13)

Section 10.4.2, Page 10-6—Add “plans or policies” after “adopted” and strike “Plan”

Thus, the Project would not conflict with adopted ~~for~~ the purpose of avoiding or mitigating an environmental effect, ~~Plan~~ and therefore impacts are considered *less-than-significant*.





Section 10.4.2, Page 10 – Add change “he” to “the” and change “project” to “Project”

As discussed in the Initial Study (Appendix A) of this EIR, the project site is not located adjacent to a water course or water body. The project would not result in new discharges or conflict with

Section 14.3.2

- Page 14-5—Estimated loss is 6 units (2 per floor) not 12 per Feb 2023 study

#### Project Description

Alternative 1 would retain the existing historical building at 130 Hubbard Street, which is eligible for listing in the City’s Historic Building Survey. This alternative would require a redesign to construct the Project around the building. This alternative would result in the loss of an estimated 12 units (four units per floor) of Building C, and a potentially minor relocation of the remaining portion of Building C to address setback requirements. Because Building C does not include any subterranean uses (e.g., a garage), excavation and foundation construction activities would be relatively minor and would not adversely impact the existing eligible historic building at 130 Hubbard Street.

- Page 14-5 Impacts. Delete “be”  
significant impacts would occur under this alternative. Other identified less-than-significant impacts would be remain the same as the Project or slightly reduced in magnitude due to a slight reduction in housing units.
- Page 14-6—Total should be 383 units (not 377) (see comment on page 14-5 above)

#### Ability to Meet Project Objectives

Under this alternative, there would be no change to the Project site layout, except that the building footprint and number of residential units associated with Building C would be reduced by 12, resulting in a total of 377 units. This alternative would meet all Project objectives, except it would not meet objectives 2 and 3 regarding supporting goals of the Housing Element and contributing to the City’s housing needs as well as the proposed Project.

- Page 14-8 – Add “be” after “would” and before “generally”  
building footprints would generally be the same as the Project (as shown in the Base Project plans, dated November 29, 2023), the existing eligible historical building at 130 Hubbard would be



Sincerely,

A handwritten signature in blue ink, appearing to read "Brian Pianca", with a long horizontal stroke extending to the right.

Brian Pianca  
Principal

#### 4.3.4 Comment Letter #4 – High Street Residential

##### Comment 4-1: Editorial Revisions to the Draft EIR

The commenter (the Project Applicant) provided a number of minor edits to the Draft EIR.

Response: Comment is noted and the applicable suggested edits have been made, as shown in [Chapter 3 Changes to the Draft EIR](#).

## **GRANT PARK NEIGHBORS**

*For direct correspondence, reply to Brad Angell*  
P.O. Box 5586, Santa Cruz, CA 95063  
grantpark95060@gmail.com / grantparkneighbors.org

Ryan Bane, Senior Planner  
Planning and Community Development Department  
809 Center Street, Room 101  
Santa Cruz, CA 95060  
Phone: 831/420-5141  
Email: RBane@santacruzca.gov

CC: Rick Hyman, bikerick@att.net

November 12, 2024

### **RE: COMMENTS ON THE DRAFT EIR, 908 OCEAN STREET MIXED-USE DEVELOPMENT**

Dear Mr. Bane:

I have attached previous correspondence regarding this project as it has evolved over the past five years: they include letters dated March 15, 2019; August 14, 2020; and the final one dated October 20, 2020. The community in direct adjacency to Grant Park are both supportive of an end to the blight that has been exacerbated over the past decade along May Street, but understandably anxious about the grand scale of the proposed project. It is entirely unknowable the impact this single project, driven by a single applicant-developer, this mixed-use development could have on this neighborhood that performs as the very gateway to all of Santa Cruz County.

I have worked with Rick Hyman, a long-standing resident and active member of the community, to codify comments regarding the Draft EIR as it has been submitted for review. Here are the comments he prepared after we discussed this project at length:

#### **Soil Contamination**

The Draft EIR acknowledges that site soils are contaminated. But the suggested mitigation measure is insufficient to address short- and long-term impacts of soil contamination. An implicit assumption is that the measure will be implemented in a complete, definitive, and timely manner. However, this is not always the case with such efforts. For example, soil contamination could be more extensive than testing to date has projected, remediation may take longer than projected and may not fully occur if the applicant delays or abandons the project, or remediation may not leave the site 100% contamination-free leading to health issues for the future residents.

The only guardrail contained in this mitigation is that it must occur prior to issuance of demolition permits. But over the last several years leases have not been renewed leading to abandoned and boarded-up buildings, some recent fencing has been inadequate to prevent site access, and the overall appearance of the site has deteriorated. Thus, there is a need to require a contingency plan that addresses safety measures prior to the start of remediation and access to and appearance of the site if remediation drags on, is halted, or is not totally successful.

Also, for future residents and employees there must be information and recourses available if issues arise regarding site contamination that was not fully eliminated.

### **Heritage Trees**

Although several heritage trees are proposed for removal, this issue is dismissed in the EIR by noting permits will be secured. These trees are concentrated in two locations -- the northwest and southeast portions of the property. The project could be redesigned to save several of these trees. This would have the further benefits of providing additional onsite open space (the project is deficient in the required open space), serving as continued habitat, and offering some shading in an area proposed to become a largely impervious heat island.

### **Public Services: Fire and Police**

The draft EIR takes a very narrow, incomplete, inadequate approach to public safety, by just indicating police and fire services will be available. Those who live in the City and especially the Grant Park neighborhood can testify to the deficiencies that will only be exacerbated by the scope and location of the proposed development. Some of the issues that need to be addressed if such a massive development is to proceed include:

- Especially on good weather afternoon weekends, traffic can be backed up along Ocean Street. This delays emergency vehicle access, which could be further hindered by the traffic generated by the proposed project. A potential mitigation measure is to convert on-street parking into a bus/bike/emergency vehicle lane.
- Disruptive, drug, and even criminal activities are prevalent at Grant Park. Upon learning this, new residents of the proposed project will be reluctant to use the park. A potential mitigation is to commit to a permanent police or ranger presence at the park.
- Emergency room capacity at Dominican Hospital is often overtaxed resulting in long delays before patients get seen and treated. The estimated 884 new residents of the proposed project will further overload emergency treatment capabilities, as well as put a further strain on other medical providers (it is already very difficult to find and make timely doctor appointments in Santa Cruz). Before such a massive new development is approved, there should be some

commitment on the part of Santa Cruz City and County decision-makers to develop strategies to bring more medical services to the County.

### **Public Services: Parks and Recreation**

The Draft EIR states a standard of review as, “The City’s standard is to provide neighborhood parks at a ratio of 2.0 acres per 1,000 people with a service radius of ½ mile.” It notes that Grant and Central Parks, which are a combined 2.52 acres, are within ½ mile of the project site. The Draft EIR lacks an analysis of whether this standard is met. But, given that these parks should serve a maximum of 1,250 people and the proposed project will add an estimated 884 people to the park service area, it clearly is exceeded.

The Draft EIR attempts to paper over this inadequacy by noting that the City has substantial park acreage (with no commitment to add more) and that facility improvements are proposed. And, indeed, qualitative park improvements are probably more beneficial than simply adding acreage. However, the Draft EIR fails to carry through any analysis of how the new as well as existing neighborhood residents can best be served given the resulting overburdened current parks and facilities.

It simply contains a laundry list of desired improvements throughout the city. Thus, a necessary mitigation measure is to specifically correlate a level of recreational enhancements in the project vicinity that will occur with the increase in population that will result. For example, improvements and enhancements to the Branciforte Creek pathway could be made in conjunction with project implementation.

Having convenient, usable, desirable sidewalks, paths, and bike lanes is necessary in order for residents to access parks and bus stops and forgo using cars. The Draft EIR states, “The Project also minimizes impacts to transportation through facilitation of alternate transportation modes due to the Project’s proximity to transit, bicycle and pedestrian facilities and through provision of onsite bicycle parking.” Unfortunately, the proposed project will not necessarily make walking, biking, and bus riding more attractive, and the resulting induced traffic and parking might make the situation worse. While the EIR does not address quantitative traffic generation affecting level of service because of State law restrictions, it needs to address potential impacts and impediments to walking and biking.

For example, the City’s Active Transportation Plan calls for May Avenue to be a neighborhood greenway. The project could be said to be “greening” May Avenue with its proposed sidewalk street tree planting. But greenways are described in the City’s Active Transportation Plan as, “low-traffic, low-speed residential streets that have been optimized to make bicycling and walking comfortable via relatively minor modifications that increase bicycle and pedestrian safety and convenience and discourage non-neighborhood car traffic. Traffic calming structures, pavement markings and signage are used to improve safety for all modes of transportation; bicyclists, pedestrians and motorists.”

The added traffic and parking on May Avenue will adversely impact implementation of this concept. The final EIR needs to address the attached Grant Park Neighbors letter of October 20, 2020 on traffic. Mitigation measures can include, for example: installing traffic calming features on May Avenue, enhancing and adding crosswalks, upgrading bus stops, constructing separate bicycle entry and exit ways into and through the buildings, converting on street parking to bike lanes, and preparing a neighborhood traffic management plan.

Furthermore, the Draft EIR does not adequately address construction impacts on existing neighborhood access. Obviously, some level of noise, dust, detouring and the like are expected during construction. But, the scale of this proposed project will mean a prolonged period of neighborhood inconvenience and disruption that needs to be acknowledged. Potential mitigation measures could include security and cleanup from now until project completion: project phasing; adequate sidewalk, bike lane, and possible street detour plans developed in consultation with neighbors; and a project manager liaison with Grant Park Neighbors.

### **Land Use**

The Draft EIR states, "Pursuant to State Density Bonus Law (Gov't Code Sections 65915 et. seq.), the Project is seeking a 42.5% density bonus above the allowable 1.75 Floor Area Ratio ("FAR"). Per the City's General Plan policies and zoning regulations, the Base Project allows 273 residential units with an average of 791 square feet per unit, at a density of 30 dwelling units/acre (du/ac)." The draft EIR states that the site is approximately 4.15 acres, which would result in a base density of 124 units, not 273. A 42.6 density bonus would allow for 177 units. If 177 units cannot be accommodated within a FAR of 1.75, then a bonus could be given.

### **Demolition Plan and Alternatives Analysis**

The Draft EIR notes that five residential structures are no longer occupied. However, they were all recently occupied and the fact that owners have not renewed leases should be recognized. The EIR is deficient in not addressing relocation of previous and current tenants and buildings.

The analysis of retaining 130 Hubbard Street is deficient. First, it states that retention will lose 12 residential units. But, less units would be lost because the building can accommodate two or more units. Second, the resulting number of total units - 379 or so - still more than meets "objectives 2 and 3 regarding supporting goals of the Housing Element and contributing to the City's housing needs." 379 units is more than contemplated or planned for under the General Plan and more than a previous proposal for the site.

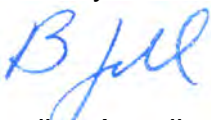
In terms of relocating 130 Hubbard Street, there is substantial underdeveloped land on the east side of May Avenue. Since under city law, the existing homes have to be

offered for relocation several could be moved across the street. Although the historical evaluation for the project site recommended that no other homes needed to be preserved, conclusions about these were subjective and not definitive ("does not appear to be eligible"), even though the five fronting Ocean Street are all over 100 years old.

### **Previous Comments**

In conclusion, it is disingenuous and misleading to state that no public comments were received on the EIR scoping. There was a previous, similar-in-scope project proposed for the subject site. There was extensive public comment on that project. At the time of this new submittal, the previous project application had not been withdrawn and much background analysis used for this revised project was originally prepared for the previous design. In fact, this project's webpage has a link to the previous project's page, although that link is now broken. As part of these comments, we request that our previous comments also be responded to. And, to the extent that they raise issues beyond the scope of environmental review, please enter them into the record for future Planning Commission and City Council considerations of this proposed project.

Sincerely,



Bradley Angell  
Executive Director, Grant Park Neighbors



Bradley E. Angell  
236 Coulson Avenue, Santa Cruz, CA 95060  
architectatlaw@gmail.com  
831/419-9720

**TO:** Salvatore Caruso, Salvatore Caruso Design Corporation  
Mike Ferry, Senior Planner, City of Santa Cruz  
**CC:** Ryan Stone, Salvatore Caruso Design Corporation  
Tony Elliot, Parks & Recreation Department

March 15, 2019

**RE: PRE-APPLICATION MEETING OF FEB. 27, 2019, 908 OCEAN STREET**

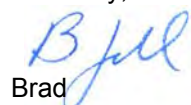
I appreciate your attention to many of the neighbor's concerns, including my earlier request to host the meeting in a much larger space. Your presentation was well delivered and well received; I personally look forward to your project's forward progress.

I am the Director of the Grant Park Neighbors, and I wish to advocate for our neighborhood parks' (Grant and Central Park) important role in the local community. Due to a host of community pressures, the neighborhood parks have at times become unsafe, and we are working hard to remedy that circumstance. My comments are directed at bolstering the role of our parks in the neighborhood, and include my request that you do the following:

- (1) Provide the "first step" in creating a pedestrian boulevard that begins at Grant Park, follows May Street south across Water Street to Central Park, and turns west on Dakota Avenue to eventually lead to downtown's Pacific Avenue. I would suggest looking to Santa Cruz's Walnut Avenue between Ricon Street and Cedar Street as urban design precedence.
  - This "first step" in creating a pedestrian boulevard is selecting an appropriate street tree species that can visually and emotionally connect from your project both north and south. I ask you coordinate with Public Works, Parks & Recreation Department, Planning & Community Development, and our membership to stitch an appropriate urban tree canopy into the fabric on May Street.
- (2) Work with Grant Park Neighbors and the Parks & Recreation Department to enhance the resident experience for not only your future occupants, but as well for the changing Grant Park Neighborhood. I was interested to hear that some local neighbors at your meeting did not feel that our two local neighborhood parks were positive green spaces for their needs. I believe a portion of your permit/entitlement fees will require some measure of financial outlay for park/open space development. I wish to assure you that as advocates for Grant Park, any funds that find their way to our neighborhood park will be appreciated; further, if we are to think optimistically, those enhancements will be a measure of your project's success in our neighborhood.

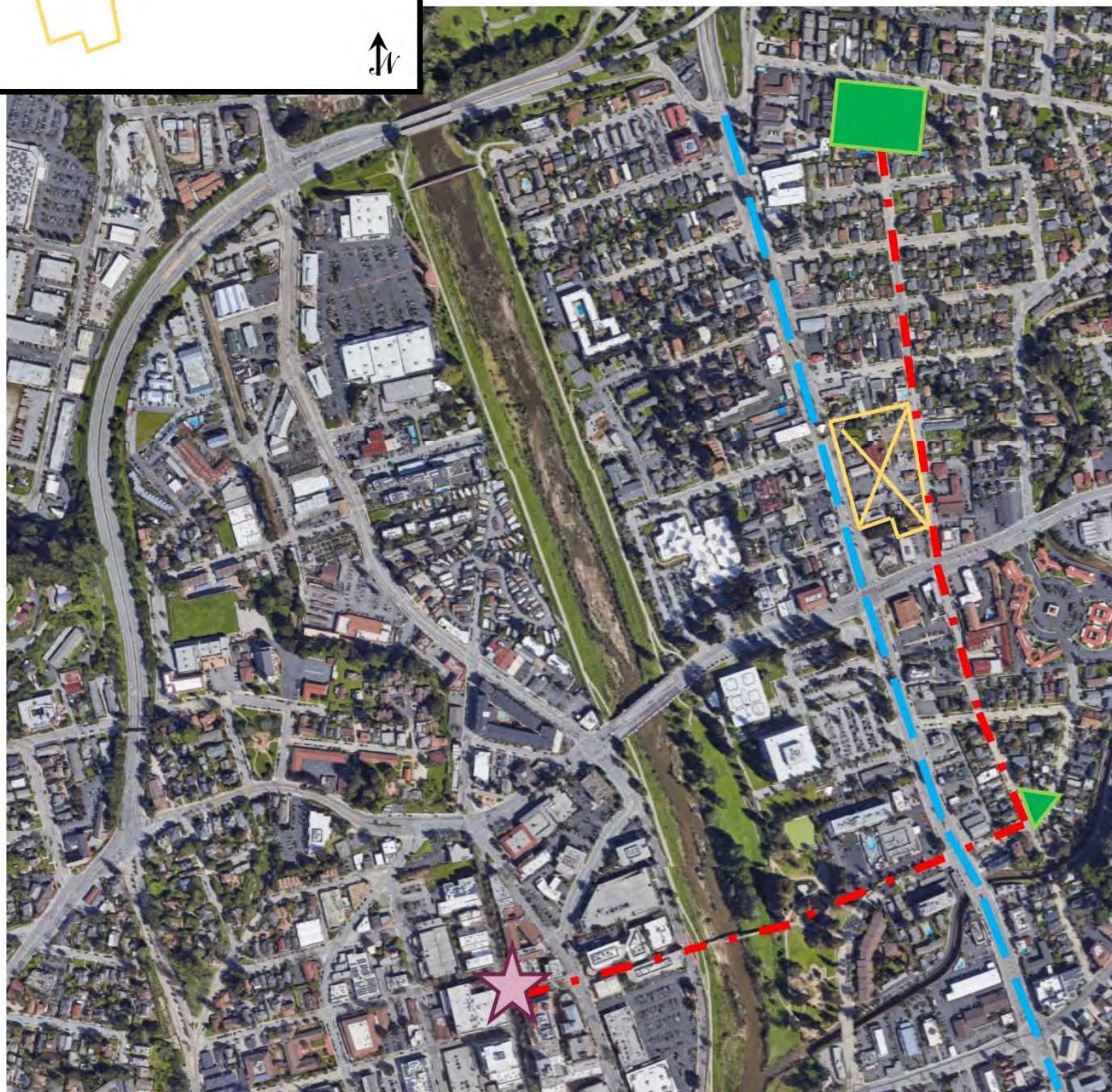
I have attached an urban-scale plan schematic that outlines my proposed pedestrian boulevard. If you have any questions, comments, or responses regarding my comments, please do not hesitate to contact me at your convenience.

Sincerely,

  
Brad



## Grant Park Neighborhood, Santa Cruz





## **GRANT PARK NEIGHBORS**

*For direct correspondence, reply to Brad Angell*  
236 Coulson Avenue, Santa Cruz, CA 95060  
grantpark95060@gmail.com / grantparkneighbors.org

Salvatore Caruso, Salvatore Caruso Design Corporation  
Mike Ferry, Senior Planner, City of Santa Cruz

Ryan Stone, Salvatore Caruso Design Corporation  
Claire Fliesler, Transportation Planner

Justin Cummings, Mayor of City of Santa Cruz  
Donna Meyers, City of Santa Cruz Vice Mayor  
Katherine Beiers, City of Santa Cruz Councilmember  
Sandy Brown, City of Santa Cruz Councilmember  
Renee Golder, City of Santa Cruz Councilmember  
Cynthia Mathews, City of Santa Cruz Councilmember  
Martine Watkins, City of Santa Cruz Councilmember

John Leapold, 1<sup>st</sup> District, County of Santa Cruz Supervisor  
Bruce McPhearson, 5<sup>th</sup> District, County of Santa Cruz Supervisor

August 14, 2020

### **RE: COMMUNITY MEETING OF JUNE 24, 2020, 908 OCEAN STREET**

Dear Mr. Caruso and Mr. Ferry:

Grant Park Neighbors (GPN) is an organized neighborhood group with an active email list of just over 130 members and includes more than 30 active stakeholders who meet every two weeks in Grant Park. Since we formed in December 2018, GPN has built strong relationships with both the City administration and the County to advocate for the safety, hospitality, and collective enjoyment of our neighborhood. Many GPN members have attended all of the community meetings jointly hosted by the Salvatore Caruso Design Corporation and the City's planning staff. While we appreciate the work that you, Mr. Caruso, have put into the project, we continue to have concerns about the impacts that this, or any other large development will have on our neighborhood.

We hope to be able to address these concerns either in the design updates, environmental mitigation, or with actions directed by the City administration. For the sake of clarity and brevity, I have generalized our concerns into four categories: transportation, construction, operations, and neighborhood character.

#### Transportation

- Although parking is assured within the complex, the technology required to provide that parking is quite advanced and suspect to value engineering.

- Even if adequate parking is hypothetically provided, GPN advocates for assurances that when on-street parking does not overwhelm the neighborhood residents who already have inadequate street parking.
- At the very first public meeting held on the project, you, Mr. Caruso, stated that it was a bad idea to have an exit on May, that it would have a substantial impact on traffic in the area. Everyone in the room agreed. The May Avenue exit was added in subsequent iterations of site planning; many at GPN still believe this addition will cause unacceptable traffic on both May Avenue and Water Street, similar to traffic nightmares in San Jose born of similar project types.
- A common alternative route for those attempting to avoid Hwy.17 or Ocean Street traffic runs through this neighborhood (usually along Emeline and/or Grant, on to May or Market, and on to Water); this route is already a serious danger and nuisance to the neighborhood, this complex will only exacerbate this problem.
- This neighborhood has a high walkability and active transportation potential, an opportunity that has not been realized due to the City's lack of attention to providing the infrastructure and basic capital program in the Grant Park Neighborhood. GPN strongly advocates for assured updates, including clear bike lanes, improved pedestrian corridors, and vehicular-traffic calming measures.

This is only the start of a long list of potential traffic and parking issues that have are regularly discussed among community members; GPN advocates for assurances that the City and Developer will work with our neighbors on the traffic study, as well as any other analysis or reports necessary in the planning and circulation design of the complex.

### Construction

- Noise, fumes, vibrations, roadway stoppages, general ugliness, and utility breaks are likely with the project; GPN advocates that these nuisances will be limited to as short a period as possible during construction.
- Construction equipment, staging, cement trucks, earth-moving equipment, etc. will remain at the construction site. Neighborhood streets should not become parking places for equipment, soil, or employee parking.
- Dewatering of the site is a serious activity for such a massive project; dewatering could cause subsidence, an impacted water table, and other un-foreseeable impacts to the neighborhood.

It has been assured by Mr. Caruso during the last community meeting that the footprint of construction activities will be held to the site itself. Many neighborhood members are very skeptical that holding this footprint for such an expansive project is possible. GPN advocates for assurances that the City and Developer will work with our neighbors to minimize the serious disruption this project will cause.

### Operations

- After completion, the intensity of this project lends itself to extensive delivery and pick-ups of foodstuff, uniforms, and generally, resources required to operate the complex.
- In many meetings with the architect and city planners, the water required to supply this development has been questioned without an adequate response. Measures beyond just specifying drought tolerant landscapes is necessary to assure the neighborhood that this project will not be a major detriment to meeting our local water supply needs.
- Further, what goes in must come out; intense resource recovery (waste) and other clean-up services could become a burden and nuisance to the existing, relatively quiet neighborhood.

- Those that work and hopefully thrive at the complex will necessarily require employee support including parking, staging/break areas, and other ancillary activities; this needs to be planned with the neighbors' insights and assurances of civility.

Neighbors generally are concerned regarding the long-term impacts of such a large complex. As these can be characterized as "operational" impacts, in essence, these issues are largely outside the control of the developer and necessitate a commitment from City administration. GPN advocates for such an assurance from the City administration to safeguard the quiet enjoyment currently experienced in the neighborhood; further, GPN asks that the local community not suffer a tragedy of urban practice with this Ocean Street project.

#### Neighborhood Character

- On the Ocean Street elevation, starkly giant mass structures are proposed within a one- and two-story neighborhood. Most neighbors believe the height on Ocean Street is clearly too high.
- Arguably already underway, this project has and will displace a number of individuals and families already living on the massive project site; loss of these community members is already causing irreversible changes to the neighborhood.
- The elevations for Hubbard Street and the interior Water Street ends of the development are not clear on the plans.
- There is a clear lack of family-oriented residential units. Without two- and three-bedroom units, the project sends a message that runs counter to the nature of the current community. GPN suggests a separate project of two and three bedroom units on the May Avenue "leg" of the residential complex to complement the SOU project on the Ocean Street side.
- City administration has allowed other SOU projects to convert to strictly rental housing; If the project is permitted for SOU consistent with the SOU ordinance then the Conditions for Approval need to assure the community that the project cannot be changed to a rental housing project at any stage before, during or after construction.

Neighbors worry that the high density character of this complex won't fit in with the rest of the neighborhood. GPN advocates for assurances of sensitivity from both the developer and the City administration to lessen this stark contrast between the complex and her neighbors, especially in terms of height, opportunities for family occupancies, and for community spaces for the complex residents and neighborhood to integrate with success.

This is not the final or complete list of our concerns, but instead of a beginning point of discussion. Our group cares deeply for this neighborhood, and we hope with our input on this project, we can improve the character, resilience, and enjoyment in our part of Santa Cruz.

Sincerely,



Brad Angell

Director, Grant Park Neighbors

CC: Grant Park Neighbors 908 Ocean Street Project Subcommittee

## **GRANT PARK NEIGHBORS**

*For direct correspondence, reply to Brad Angell*  
236 Coulson Avenue, Santa Cruz, CA 95060  
grantpark95060@gmail.com / grantparkneighbors.org

Mike Ferry, Senior Planner, City of Santa Cruz  
Claire Fliesler, Transportation Planner  
Salvatore Caruso, Salvatore Caruso Design Corporation

Justin Cummings, Mayor of City of Santa Cruz  
Donna Meyers, City of Santa Cruz Vice Mayor  
Katherine Beiers, City of Santa Cruz Councilmember  
Sandy Brown, City of Santa Cruz Councilmember  
Renee Golder, City of Santa Cruz Councilmember  
Cynthia Mathews, City of Santa Cruz Councilmember  
Martine Watkins, City of Santa Cruz Councilmember

John Leapold, 1<sup>st</sup> District, County of Santa Cruz Supervisor  
Bruce McPhearson, 5<sup>th</sup> District, County of Santa Cruz Supervisor

October 20, 2020

### **RE: 908 OCEAN STREET TRANSIT STUDY**

Dear Mr. Ferry:

The sheer size of the proposed Ocean Plan development along with its location at the City's most congested intersection pose some challenging traffic issues that are not often present in standard traffic studies that the City commissions. Thus, we want to make sure that the following points are covered in the traffic study.

#### **Motor vehicle parking:**

##### **Analysis to perform:**

- Consider the project's parking needs and proposed accommodations in order to have base information for modeling travel patterns by determining, for example:
  - The likely number and types (e.g. standard autos, pickup trucks, RVs, motorcycles) of motor vehicles that the likely number of residents will own;
  - The reliability and convenience of using the Klaus parking system and entrance/exit gates considering, for example, wait times, malfunctions, electric outages, flooding;
  - On street or other off-street locations available for parking;
  - The convenience and adequacy of garage parking for patrons and service vehicles and alternatives that might be used or available.

*(rationale: if every vehicle that arrives at the project does not enter or has to leave the garage without parking based on any identified constraints, then where they will be driven to park needs to be accounted for in determining traffic patterns generated by the project).*

**Possible recommendations:**

- Maintenance and back up plans for Klaus parking system, other garage features run by electricity, and possible winter flooding.
- Program to accommodate residential units with either no car owners (e.g., allow transfers of allocated parking spaces) or with owners having multiple cars.
- Program for employee parking.
- Financial and other incentives for residents not to own motor vehicles.

**Motor vehicle traffic:**

**Analysis to perform:**

- Analyze two scenarios: (1) one with a May Avenue exit-only from the garage plus the two Ocean Street exits/entrances and (2) one without the May Avenue exit-only *(rationale: the general sentiment of the Grant Street neighborhood is that the May Ave exit is unnecessary and will add unnecessary traffic to the neighborhood)*
  - For the May Avenue exit-only alternative, even with the proposed diverter, assume some percentage of the exiting traffic will turn left not right and hence what would be their route *(rationale: neighbors have observed non-compliance with other right-turn only exits, including one next door at O'Reilly Auto Parts)*
  - For the May Avenue exit-only alternative, factor in its juxtaposition with the adjacent right turn only exit from the O'Reilly Auto Parts parking lot.
  - For the no-May Avenue exit alternative, determine route(s) that exiting vehicles will take to reach Water Street *(rationale: only some ways to U-turn on Ocean Street are signalized, congestion on Ocean Street may make U-turns problematic, and side neighborhood streets may appear inviting to use as cut-throughs)*
- Account for cut-through traffic between the project site and O'Reilly Auto Parts and Santa Cruz Vac & Sew *(rationale: it is possible that vehicles bound for or leaving the project may use this cut-through).*
- Examine and account for traffic signal operation and synchronization *(rationale: Ocean Street signals are reportedly timed for through traffic to move along at the speed limit without stopping; the signal timing also apparently changes depending on time of day; the traffic generated by the project may necessitate changes to the signalization programming).*
- Determine traffic routes for vehicles trying to enter or leave the project that are prohibited from making a desired left turn *(rationale: given exiting the project from either May Avenue or Ocean Street does not allow left turns and, similarly, entering the project garage from southbound Ocean Street cannot be by a direct*

*left turn motorists will have to choose indirect routes based on perceptions of which will be fastest and/or least congested).*

- Regarding May Avenue, which is proposed to be a neighborhood greenway and is currently a “Slow Street,” obtain some traffic data during and after the Slow Street program (assuming it ends). Also, prepare one or more Neighborhood Greenway concepts for May Avenue and then perform traffic modeling assuming that they are in place (*rationale: May Avenue is designated a Neighborhood Greenway; therefore, it is important that the project account for that fact and not generate a pattern or level of traffic that would prevent implementation of the Greenway. Additionally, this exercise would generate recommendations for how the project’s streetscape should be designed*).
- Account for Santa Cruz’s tight housing situation in predicting traffic generation (*rationale: the project may contain more residents or drivers than typical studio and small one bedroom units do; e.g., couples, small families, student groups that may own and drive multiple vehicles*).
- Account for the fact that there are times that Ocean Street is quite congested when determining traffic patterns, including review of the Central Park neighborhood streets for traffic attempting to bypass the Ocean/Water intersection(*rationale: traffic studies usually focus on peak commuter hour traffic but Ocean Street is more congested during peak visitor times, such as summer weekends, which may force motorists to seek alternative routes to the project site, including on streets that they may be unfamiliar with and don’t lead to their destinations*).
- Account for parking occurring both on and off site in determining traffic patterns (pursuant to the above suggested parking analysis).
- Account for the anomaly of significantly current lower volumes due to Covid19 in determining traffic counts and future estimates.

#### **Possible recommendations:**

- A streetscape plan for a May Avenue greenway.
- Eliminate the garage exit onto May Avenue.
- For the option of a garage exit onto May Avenue: an operational plan to have it open only on summer weekends or when Ocean Street is closed for some reason.
- For the option of retaining a garage exit onto May Avenue: a street and driveway plan integrating the exit and its traffic directional components with the Greenway design and the O'Reilly Auto Parts and Santa Cruz Vac & Sew parking lot exits; including consideration of a traffic diverter just north of the exits (to prevent exiting vehicles from just going around the southbound lane diverter).A neighborhood traffic plan consisting of possibly:
  - Traffic diverters or semi diverters or other traffic calming devices at the beginnings of Hubbard, Washburn, Glenwood off of Ocean Street beyond any commercial driveways and any other neighborhood streets found to be impacted by cut-through traffic;



- Enhanced May Avenue, Coulson Avenue and Market Street intersection treatments to slow traffic and discourage cut-through traffic (e.g., traffic circles, diverters);
- Designation of one-way street segments;
- Signing directing through, non-neighborhood traffic off of neighborhood streets.
- Adjustments to Ocean Street traffic signal timings.
- Financial and other incentives for residents to limit motor vehicle use and take transit, walk, or bike.

### **Construction vehicle traffic and storage:**

#### **Analysis to perform:**

- Determine routes that construction vehicles will use.
- Survey neighborhood street conditions that could constrain use by or be disrupted by construction vehicles (e.g., width, pavement condition, turn radii, one ways, underground gas lines) and any resultant conflicts.
- Determine storage locations of construction vehicles.

#### **Possible recommendations:**

- Construction vehicle routing that doesn't impact residential neighborhoods.
- Designated safe and secure construction vehicle storage that doesn't impact residential neighborhoods.
- Speed and traffic controls for construction vehicles.
- Repair requirements for any road, sidewalk and other infrastructure damage during construction.

### **Transit:**

#### **Analysis to perform:**

- Determine walking time and safe routes from project units to at least the four nearest transit stops (i.e., on nb & sb Ocean and eb & wb Water Streets) taking in consideration time spent using elevators, walking to crosswalks with traffic lights, and waiting for walk lights to be green (*rationale: as noted below, traffic lights are timed for smooth motor vehicle flow, thereby resulting in long wait times to cross the streets*).
- Determine what percentage of likely destinations are served by the transit routes available on Ocean and Water Streets (*rationale: although six Metro bus routes pass through the nearby Ocean/Water Streets intersection, service is limited and they don't lead to all major destinations; for example, no bus from there goes directly to UCSC or the beach; therefore, transit utilization may be less than desired and correspondingly personal auto use may be greater*).
- Review transit routes in terms of effective service, given traffic patterns and congestion (*rationale: transit can get stuck in the same traffic cars; on some summer weekends transit is diverted off of Ocean Street, therefore it is unavailable to project residents, these factors may affect ridership*).

- Account for corporate transit (*rationale: the project SOUs may be attracted to workers at the large Silicon Valley companies, such as Netflix who run their own employee buses to and from Santa Cruz and hence need locations to load, unload, and park*).
- Account for other transportation such as ride sharing and independent ride providers. (*rationale: although the site is served by a few Metro routes, residents may shun using them for automobile based alternatives given Metro's limited destinations and schedules, the convenience of Uber and similar services, and the effects of Covid-19*).

#### **Possible recommendations:**

- Improvements to and/or relocations of current transit stops in the vicinity of the project.
- Additions of and/or improvements to sidewalks and crosswalks to access transit stops.
- Transit-only (or shared with bikes) lanes.
- Accommodations for all transit vehicles.

#### **Pedestrians:**

##### **Analysis to perform:**

- Analyze sidewalk conditions in the vicinity of the project.
- Analyze Ocean Street signal operation and timing with respect to ease of and frequency of pedestrian crossing.
- Observe current pedestrian behavior (*rationale: given the paucity of crosswalks and the waiting time at them, pedestrian crossing and attempted crossings should be observed to obtain a sense of how future residents and patrons may behave*).

##### **Possible recommendations:**

- Improvements to area sidewalks.
- Changes to signal operations along Ocean St. to reduce wait times for pedestrians.
- Additional marked crosswalks and pedestrian activated caution lights across Ocean St.
- Enhanced Water Street crosswalk at May Avenue.

#### **Bicycles:**

##### **Analysis to perform:**

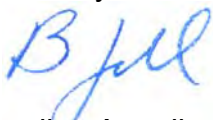
- Determine both current and potential bicycle routes to and from the project site (*rationale: as noted Water and Ocean Street medians prevent some direct desired movements to or from the project site; the available movements may prove even more problematic to cyclists who have to cross multiple travel lanes to make left or U-turns; consequently they may seek or could be afforded alternatives or project residents and patrons may choose to not bike*).

- Determine bike parking needs (amount, location, type, access to) for different user groups, e.g., patrons, employees, residents, residents' guests (*rationale: short-term guests and patrons may desire more convenient, visible bike parking while employees, residents and overnight guests may desire indoor, less visible bike parking but also convenient to where they will be working or staying; mixing bike circulation to parking with auto circulation in the garage may result in conflicts*).

**Possible recommendations:**

- Parking removal on northbound Ocean Street to allow for wider bike lane (possible summer weekend dual transit lane) and less conflict with parking cars.
- Enhanced May Avenue crosswalk on Water Street to accommodate bicycles.
- Marked crossings on Ocean Street at Blaine Street, Hubbard Streets and/or mid-block that accommodate bicycles.
- A separate garage entrance/exit for bikes.
- A garage lighting and circulation plan for bikes to avoid conflicts with motor vehicles and lead to convenient, safe and adequate bike parking.

Sincerely,



Bradley Angell  
Director, Grant Park Neighbors

#### 4.3.5 Comment Letter #5: Grant Park Neighbors

##### Comment 5-1: Soil Contamination

The comment indicates that implementation of mitigation measure **MM HAZ-1-1 Soil and Groundwater Management Plan** is insufficient to address short- and long-term impacts of soil contamination. The comment indicates there is a need for a contingency plan that addresses safety measures prior to the start of remediation and access to and appearance of the site if remediation drags on, is halted, or is not totally successful.

**Response:** As noted in **Impact HAZ-2/4: Release of Hazardous Materials**, site investigations found a small residual petroleum hydrocarbon groundwater plume and elevated fuel constituent VOCs and chlorinated VOCs in soil vapor associated with the former operations of an automobile repair station, and that stained soil, poor housekeeping, former and current hazardous materials use and storage, and a former UST were observed. Given the Project site's known petroleum hydrocarbon and VOC-impacted subsurface conditions, Mitigation measure **MM HAZ-1-1 Soil and Groundwater Management Plan requires preparation and implementation of a** Soil and Groundwater Management Plan to address the special handling and disposal of the soil, groundwater, and unanticipated subsurface features (i.e., USTs) that could be encountered during future construction (Haley & Aldrich, October 2023 and August 2023).

Implementation of this measure would avoid a significant hazard to the public or environment by addressing the special handling and disposal of the soil, groundwater, and unanticipated subsurface features (i.e., USTs) to be encountered during future construction activities. These measures will include preparing a Site Management, Safety, and Dust Monitoring Plan which will be submitted to the County for review and approval. In addition, a Soil and Groundwater Management Plan (SGMP) will be prepared for the Project which will be incorporated into the Project's approved construction plans. The SGMP will specify required procedures in the event additional soil contamination or suspected potential environmental concerns are discovered during the construction activities.

As indicated on page 3-8 of the Draft EIR, the County of Santa Cruz Environmental Health Department would provide the regulatory oversight agency review for characterization and potential remediation of onsite hazardous materials pursuant to sections 101480 through 101490 of the California Health and Safety Code, including review and approval of the SGMP. The Mitigation and Monitoring Reporting Plan (MMRP) specifies that the SGMP be prepared prior to issuance of the demolition permits.

##### Comment 5-2: Heritage Trees

The comment indicates that the issue of heritage tree removal is dismissed in the EIR and notes that several of the heritage trees proposed for removal could be saved by redesigning the Project. The comment further notes that the Project is deficient in the required open space.

**Response:** Heritage tree removal impacts are discussed in Appendix A of the Draft EIR (pages 28-29), and the review is based on whether the Project conflicts with local tree ordinances. As discussed, the Project does not conflict with heritage regulations and provides replacement trees in excess of City requirements for the 16 heritage trees removed, thus fulfilling the City's tree replacement requirements with replanting, consistent with the City's Heritage Tree Ordinance in Chapter 9.56 of the City's Municipal Code. The Project proposes to plant 100 new trees. Removal of 16 heritage trees would require planting of sixteen (16) 24-inch size trees, and thus, the proposed landscaping plan would exceed the City's heritage tree replacement requirement by 87 trees.

Regarding the provision of open space, the comment is acknowledged but does not address analyses in the DEIR and no response is required. It is noted that the Project is using one of its two allowed concessions (for providing 13% Very-Low Income units of the Base Project) to reduce the private open space requirements.

#### **Comment 5-3: Public Services (Fire and Police)**

The comment indicates that the EIR takes an inadequate approach to public safety and identifies several concerns related to adequate fire and police protection, particularly related to delayed emergency vehicle access, an increase in criminal activity at Grant Park, and adequacy of emergency treatment capabilities.

**Response:** Impacts to fire and police protection services are discussed in the Section 11 in the Draft EIR. As described in **Impact PUB-1a: Fire Protection**, the Project would result in a potential increase in service calls that would be partially offset by existing calls from existing onsite development that would be removed with the Project, but based on review with the City's Fire Department, it is not expected that the Project would reduce response times. Furthermore, the threshold under CEQA is whether a Project would result in substantial adverse physical impacts associated with provision of new or altered facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response or other performance objectives. As indicated in the EIR, the Fire Department has identified a need for an expanded or new fire station, and the Project would contribute to this need. However, as reported in the Draft EIR, potential known locations for a new or expanded fire station are within developed areas that would not be expected to result in substantial or significant physical impacts.

As described in **Impact PUB-1b: Police Protection**, according to the City's Police Department, there are adequate police protection facilities to serve the growth accommodated by the Project. No additional equipment or facilities will be needed to maintain acceptable response times and service levels.

Therefore, the Draft EIR analyses concluded that the impacts to fire and police protection services and new for new or expanded facilities would be *less-than-significant*.

Potential emergency services at Dominican Hospital are not public services that require analysis under CEQA.

**Comment 5-4: Public Services (Parks and Recreation)**

The comment indicates that the Draft EIR did not adequately address the provision of additional park demand associated with the Project and recommends a mitigation measure to correlate the level of recreational enhancements in the Project vicinity in correlation to additional Project demand.

**Response:** As described in **Impact PUB-1c: Parks and Recreation**, Project residents would have access to several nearby parks and other recreational facilities, including San Lorenzo Park and Grant Park, the parks closest to the Project site. The City also has current plans for a redesign at San Lorenzo Park and facility upgrades at Grant Park. City staff have indicated that these parks would be adequate to serve the Project. The Draft EIR also found that the increased population resulting from the Project would not, in and of itself, trigger the need for a new park based on City park standards. Furthermore, the City imposes a “Parks and Recreation Facilities Tax” that are placed into a special fund, and “shall be used and expended solely for the acquisition, improvement and expansion of public park, playground and recreational facilities in the city.” In addition, as described in **Impact PUB-2: Parks and Recreation**, the use of these and other parks and recreational facilities Project residents would not lead to a level of use that would result in substantial deterioration of any one park or facility. Therefore, the analyses concluded that the impact related to increased park demands and park use and potential substantial deterioration of existing parks and recreational facilities would be *less-than-significant*.

**Comment 5-5: Traffic and Parking Impacts on May Avenue**

The comment indicates that the proposed Project will not necessarily make walking, biking, and bus riding more attractive, and the resulting induced traffic and parking might make the situation worse, particularly on May Avenue and that the EIR needs to address potential impacts to walking and biking. The commenter recommends “mitigation measures” such as traffic calming features for pedestrians and bicycles and preparing a neighborhood traffic management plan and indicates that additional traffic and parking on May Avenue will adversely impact implementation of a greenway as recommended in the City’s Active Transportation Plan.

**Response:** As described in **Appendix A Initial Study of the Draft EIR**, the CEQA analyses consider whether the Project conflicts with a plan, ordinance or policy addressing the circulation system. The analysis did not identify any conflicts as the Project provides required bicycle parking, sidewalk improvements, and given its location in proximity to transit services, would facilitate use of alternative modes of transportation.

Improvements to May Avenue proposed by the Project include installing a new sidewalk on the west side of May Avenue, constructing a new driveway to access the project and intersection improvements at Hubbard Street and Water Street. Additionally, the proposed Paseo will

improve pedestrian connectivity between May Avenue and Ocean Street and the proposed retail plaza on Ocean Street will enhance pedestrian options along Ocean Street.

The evaluation in the Initial Study also noted that the transportation study prepared for the Project recommends some minor improvements to improve vehicular, pedestrian and bicycle circulation that will be considered by the City and included as Project Conditions of Approval as applicable. The environmental analysis in Appendix A of the Draft EIR also found that the Project has been designed in accordance with standard City roadway design requirements, and there are no access designs that would substantially increase hazards.

The final Project Transportation Study also found that the Project: would eliminate eight existing driveways along Ocean Street, nine existing driveways along May Avenue, and two existing driveways along Hubbard Street; would add two new right-turn-only driveways on Ocean Street and one new full-access driveway on May Avenue; and would widen the sidewalk along its frontage on Ocean Street to 12 feet. Pedestrian access from Ocean Street would be provided via a resident lobby, sidewalks, and crosswalks adjacent to the northern driveway, as well as two stairway entrances. The Transportation Study concluded that the Project would reduce the number of conflict points between pedestrians and vehicles and have a beneficial impact on pedestrian circulation (Hexagon Transportation Consultants, Inc., 908 Ocean Street Mixed-Use Development Transportation Study, May 24, 2024). Similarly, the Transportation did not identify impacts to bicyclists with proposed improvements.

The commenter is correct that the City's Active Transportation Plan identifies a "neighborhood greenway" on May Avenue between Soquel Ave to Grant St Park in the Plan's list of potential projects. The Plan does not provide a specific design but includes description of a variety of tools that can be used in developing a greenway, including road modifications, medians and barriers. The proposed Project would not conflict with City implementation of a neighborhood greenway along May Avenue, which is not currently proposed or designed, and which would typically include modifications to the roadway itself.

#### **Comment 5-6: Construction Impacts on Existing Neighborhoods**

The comment indicates that the Draft EIR does not adequately address construction impacts on existing neighborhood access and that some level of noise, dust, and detouring are expected during construction. The commenter recommends "mitigation measures," including security and cleanup, providing adequate pedestrian and bike improvements, and coordination with Grant Park Neighbors.

**Response:** Any construction activity that would result in partial street closures would require approval of an encroachment permit by the City Public Works Department in which plans for traffic controls and/or detours would be specified. As discussed in the Draft EIR Section 5 Air Quality, Project construction would not result in PM<sub>10</sub> (dust) emissions that would exceed Monterey Bay Air Resources District emissions thresholds, and thus, would not result in a significant impact.

**Comment 5-7: Land Use**

The comment indicates that given the 4.15 acre size, the Project should result in a base density of 124 units and not 273 as stated in the Draft EIR.

**Response:** The comment is acknowledged but does not address analyses in the DEIR. However, the base density was reviewed by the City and determined to be 273 units. Base density is calculated by determining the maximum number of units that would be permitted under the City's zoning code. In areas where there is no density range, Section 24.16.255(6) of the Zoning Ordinance requires an applicant to submit base plans, or plans showing a project that fully conforms to objective standards, in order to determine the number of units that could be constructed on the site, thus establishing the base density. The Project Applicant has provided plans for a base project that meets all of the CC zone district development standards, including height, setbacks, open space, etc., and the determined base density is 273 units.

**Comment 5-8: Demolition Plan and Alternatives Analysis**

The comment indicates that the Draft EIR is deficient in not addressing the relocation of previous and current tenants and buildings and that the proposed 389 units is more than contemplated or planned for under the General Plan. The comment also indicates that the analysis regarding retaining or relocating the structure at 130 Hubbard Street is deficient, and that the conclusions of the historical evaluation were subjective and not definitive.

**Response:** The current/past occupancy status of the current buildings is acknowledged but does not address analyses in the DEIR and no response is required.

Regarding the historic evaluation, the DEIR evaluated all of the existing structures on the Project site (see DEIR section **6.3.3 Project Site Conditions**). Based on the analysis (including three separate historic reports), none of the structures are listed on the City of Santa Cruz Historic Building Survey nor listed on the California Register of Historical Resources (CRHR) or the National Register of Historic Places (NRHP). DEIR **Impact CUL-1: Historical Resources** determined that the Project would result in the demolition of one existing structure (130 Hubbard Street) that is considered a historical resource under CEQA as it is eligible for listing in the City's Historical Building Survey. The DEIR concluded that implementation of **Mitigation Measures CUL-1.1** would reduce the impact, but not to a less-than-significant level; therefore, the impact would remain significant and unavoidable. The Draft EIR Section 14 Alternatives evaluations options of retaining or relocating the structure at 130 Hubbard Street.

**Comment 5-9: Previous Comments**

The comment states that it is misleading to state that no public comments were received on the EIR scoping and refers to previously submitted public comments on a previously proposed project. The commenter requests that previous comments be responded to and where not relevant to the DEIR, they be entered into the record for future Planning Commission and City Council consideration.



**Response:** As described in section 1.4.1 **Scoping** of the DEIR, the Notice of Preparation (NOP) for the EIR was circulated for a 30-day comment period from March 14, 2024, to April 15, 2024, and a website link to the supporting Initial Study was provided (see **Appendix A** of the DEIR). The NOP was circulated to the State Clearinghouse and to local, regional, and federal agencies in accordance with the CEQA Guidelines. The NOP also was sent to organizations and interested citizens that have requested notification for City projects. A virtual public scoping meeting was held on April 10, 2024. Due to a problem with submittal to the State Clearinghouse, the NOP was re-submitted to the State Clearinghouse for circulation to state agencies from May 13, 2024, to June 11, 2024.). No public comments were received during the public scoping period (including the public scoping meeting) in response to the NOP.

Regarding comments submitted on the previously proposed project at the site, the comments include letters to City staff, City Council members and/or County Supervisors, dating from 2019 and 2020. These comments are acknowledged and included as part of the public record for further consideration by the City, but the comments do not address analyses in the DEIR, do not raise substantial new environmental issues pursuant to CEQA, and no responses to a previously submitted project are required.

**From:** Susan Lambrecht <[susan.lambrecht@sjsu.edu](mailto:susan.lambrecht@sjsu.edu)>

**Sent:** Sunday, October 27, 2024 3:52 PM

**To:** Ryan Bane <[RBane@santacruzca.gov](mailto:RBane@santacruzca.gov)>

**Subject:** question/comment regarding 908 Ocean development

Dear Ryan,

First of all, I am so pleased to see the development at 908 Ocean finally move forward. As someone who lives nearby, I look forward to improvements in the area.

I've read through the EIR, and have only one concern. There does not appear to be any plan to handle increased storm flow in the area, given the increase in impermeable surfaces. Currently, there are no storm drains on May St between Hubbard and Water. So, those intersections frequently flood, even with mild rain. Although those areas are downstream of where I live (220 Glenwood Ave), I am concerned with the potential impacts of flooding in the neighborhood. This is a low-lying area that has experienced floods in the past. This development, along with several others proposed for the area, is going to impact drainage, and we need to plan for future climate scenarios.

Thank you,

Susan

**Dr. Susan LAMBRECHT** (she/her)

Professor of Biology | Department of Biological Sciences

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website: <https://susanlambrecht2.wixsite.com/my-site>

#### 4.3.6 Comment Letter #6 – Susan Lambrecht

##### Comment 6-1: Stormwater Improvements

The comment indicates that there does not appear to be any plan to handle increase storm flow in the area given the increase in impermeable surfaces and that there are no storm drains on May Avenue between Hubbard and Water streets, which frequently floods.

**Response:** Potential impacts associated with storm drainage was addressed in the Initial Study, which is included in [Appendix A](#) of the DEIR. As described in [section 10 Hydrology and Water Quality](#) of the Initial Study, Project development would result in a net increase of 3,909 sf of impervious area on the Project site for a total impervious area of 162,320 sf. A stormwater control plan (SWCP) has been prepared for the Project that details drainage features to collect and treat stormwater runoff. Stormwater would be controlled with a rainwater harvesting system which would include 24 bioretention areas allowing stormwater to permeate into the ground. Due to the high groundwater of five feet below existing grade, underground storage chambers are not feasible. Therefore, during high-flow events, excess stormwater from each biorientation area would overflow through a drain to the curb before discharging into new eight- and twelve-inch storm drains, and ultimately into the existing May Avenue storm drain.

The Project's stormwater system is designed so that the Project stormwater flows would not exceed the capacity of storm water facilities or result in substantial erosion. The Project would not result in alteration of existing drainage patterns. The Project would result in a minimal slight increase in stormwater runoff but would not exceed capacity of storm drainage systems with the planned stormwater management system.

As concluded in the Initial Study, based on the Project plans and the City's mandatory water quality/discharge regulations, stormwater runoff as a result of the Project would not result in adverse impacts to water quality as the planned stormwater management system meets City requirements for stormwater treatment, resulting in a *less-than-significant impact*.

**Appendix A**

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**Mitigation Monitoring and Reporting Program**

**APPENDIX A**  
**908 OCEAN STREET MIXED-USE DEVELOPMENT**  
**MITIGATION MONITORING AND REPORTING PROGRAM**

This Mitigation Monitoring and Reporting Program (MMRP) for the 908 Ocean Street Mixed-Use Development Project has been prepared pursuant to the California Environmental Quality Act (CEQA – Public Resources Code, Section 21000 *et seq.*), the CEQA Guidelines (Cal. Code Regs., Title 14, Chapter 3, Sections 15074 and 15097). A master copy of this MMRP shall be kept in the office of the City of Santa Cruz Planning and Community Development Department and shall be available for viewing upon request.

Mitigation Measure	Implementation Actions	Monitoring / Reporting Responsibility	Timing Requirements	Reporting Requirements	Verification of Compliance
<b>Cultural Resources</b>					
<p><b>Mitigation Measure CUL-1.1 Historic Documentation of the Structure at 130 Hubbard Street</b></p> <p>Complete documentation of the historic building at 130 Hubbard Street prior to alteration or demolition in accordance with Historic American Buildings Survey (HABS) standards, which includes the following:</p> <ul style="list-style-type: none"> <li>Project proponent shall work with a qualified architectural historian to prepare local- level HABS documentation, as detailed below. HABS level photographs must be completed prior to demolition and construction of the Project. The full HABS documentation must be complete prior to completion of the Project. Copies of the HABS shall be provided to local Santa Cruz repositories.</li> <li><b>Measured Drawings:</b> Select existing drawings, where available, should be reproduced on mylar. If existing historic drawings do not exist, a digital and hard copy set of measured drawings that depict the existing size, scale, and dimension of the subject property shall be produced. The measured drawing set shall include a site plan, sections, and other drawings as needed to depict existing conditions of the property. The scope of the drawing package will be reviewed and approved by local Planning Department staff prior to commencement of the task. All drawings shall be created according to the latest HABS Drawings Guidelines by the National Park Service. The measured drawings shall be produced by a qualified professional who meets the standards for architecture set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61).</li> <li><b>HABS-Level Photographs:</b> Black and white large format negatives and prints of the interior, exterior, and setting of the subject property shall be produced. The photographs must adequately document the character-defining features</li> </ul>	<ul style="list-style-type: none"> <li>Include measure as a Project Condition of Approval.</li> <li>Implementation actions are specified in measure.</li> </ul>	<ul style="list-style-type: none"> <li>Applicant is responsible for preparation of the documentation specified in measure and submitting to Planning and Community Development Department for review and approval.</li> <li>City Planning and Community Development Department staff are responsible for review and approval of submitted documentation.</li> </ul>	<ul style="list-style-type: none"> <li>Prior to issuance of a demolition permit.</li> </ul>		

Mitigation Measure	Implementation Actions	Monitoring / Reporting Responsibility	Timing Requirements	Reporting Requirements	Verification of Compliance
<p>and setting of the historic resource. Planning Department staff will review and approve the scope (including views and number) of photographs required prior to the commencement of this task. All photography shall be conducted according to the latest HABS Photography Guidelines by the National Park Service. The photographs shall be produced by a qualified professional photographer with demonstrated experience in HABS photography.</p> <ul style="list-style-type: none"> <li>▪ <b>HABS Historical Report:</b> A written narrative historical report, per HABS Historic Report Guidelines, shall be produced. The report shall include historical information, including the physical history and historic context of the building, and an architectural description of the site setting, exterior, and interior of the building. The report shall be prepared by a qualified professional who meets the standards for history or architectural history set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61). Archival copies of the drawings, photographs, and report shall be submitted to the Planning Department, and to repositories including but not limited to the San Francisco Public Library, Northwest Information Center, and California Historical Society. This mitigation measure would create a collection of reference materials that would be available to the public and inform future research.</li> </ul>					
<p><b>Mitigation Measure CUL-2.1 Tribal Monitoring and Cultural Sensitivity Training</b> Require Native American monitoring by a representative of the Amah Mutsun Tribal Band to include cultural sensitivity training for construction workers and tribal monitoring during ground disturbing construction on the Project site and require monitoring during excavation by a qualified archaeologist.</p>	<ul style="list-style-type: none"> <li>▪ Include measure as a Project Condition of Approval.</li> <li>▪ Implementation actions are specified in measure.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Applicant is responsible for: <ul style="list-style-type: none"> <li>- Hiring a representative of the Amah Mutsun Tribal Band to provide training and monitoring during ground disturbing construction.</li> <li>- Hiring a qualified archaeologist for</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Prior to issuance of demolition and building permits for including monitoring requirements in construction specifications; prior to</li> </ul>	<ul style="list-style-type: none"> <li>▪ Applicant to submit evidence of training and monitoring compliance to Planning and Community</li> </ul>	

Mitigation Measure	Implementation Actions	Monitoring / Reporting Responsibility	Timing Requirements	Reporting Requirements	Verification of Compliance
		<p>monitoring during excavation.</p> <ul style="list-style-type: none"> <li>- Including monitoring requirements in construction specifications in building plans.</li> <li>■ City Planning and Community Development Department staff are responsible for review of construction specifications to ensure that monitoring requirements are included.</li> </ul>	excavation for training, and during ground disturbance activities for monitoring.	Development Department.	
<b>Hazards and Hazardous Materials</b>					
<p><b>Mitigation Measure HAZ-1-1 Soil and Groundwater Management Plan</b></p> <p>Prior to issuance of Residential and Non-Residential Demolition Authorization Permits, a Soil and Groundwater Management Plan (SGMP) shall be prepared and implemented for management of impacted (contaminated) soils that are encountered during construction and excavation activities. The SGMP should outline soil handling, testing, and disposal requirements. The SGMP should also include health and safety procedures for onsite workers, transportation requirements, dust control techniques, and monitoring and reporting requirements. The SGMP and subsequent soil removal work should be overseen by an environmental remediation professional with experience in contaminated soil removal and disposal. Records of removal and final disposition of soil, including but not limited to analytical reports, trucking logs, onsite monitoring and field logs, and dump receipts, shall be maintained by the Project Applicant.</p>	<ul style="list-style-type: none"> <li>■ Include as Project Condition of Approval.</li> <li>■ Implementation actions are outlined in the mitigation measure.</li> </ul>	<ul style="list-style-type: none"> <li>■ Applicant is responsible for preparation of the documentation specified in measure and submitting to Planning and Community Development Department and Santa Cruz County Environmental Health Department for review and approval.</li> <li>■ City Planning and Community Development Department staff are responsible for review and approval of submitted documentation.</li> </ul>	<ul style="list-style-type: none"> <li>■ Prior to issuance of demolition and building permits.</li> <li>■ During construction for implementation of measures as may be specified in the SGMP.</li> </ul>	<ul style="list-style-type: none"> <li>■ Applicant to submit evidence of soil remediation to Planning and Community Development Department and Santa Cruz County Health Department.</li> </ul>	



Mitigation Measure	Implementation Actions	Monitoring / Reporting Responsibility	Timing Requirements	Reporting Requirements	Verification of Compliance
<p><b>MM HAZ-1-2 Pre-Demolition Survey of Lead-Based Paints and Asbestos</b></p> <p>Prior to issuance of Residential and Non-Residential Demolition Authorization Permits, buildings on the Project site shall be surveyed and evaluated for the presence of lead-based paints (LBPs) and/or asbestos containing materials (ACM). Any buildings that contains LBPs or ACM above applicable regulatory levels shall be properly abated in accordance with rules and regulations applicable for asbestos removal and disposal. The following best management practices are recommended:</p> <ul style="list-style-type: none"> <li>■ Remove and dispose of ACM prior to renovation using a licensed abatement contractor in accordance with federal, state, and local regulations and ordinances. <ul style="list-style-type: none"> <li>○ Bid packages should include specifications for renovation to control ACM and ensure appropriate removal techniques.</li> <li>○ Third party oversight should be contracted to document appropriate abatement techniques and equipment are used, and proper disposal is achieved.</li> </ul> </li> <li>■ Maintenance and renovation activities involving less than 100 square feet of ACM would include the following precautions: <ul style="list-style-type: none"> <li>○ No cutting, sanding, or drilling of ACM or suspect ACM.</li> <li>○ Wetting ACM or suspect ACM prior to activities which could disturb the material.</li> <li>○ Dust removal with HEPA filtration vacuums or wet wiping with disposable towels.</li> <li>○ Adherence to federal, state, and local regulations for property ACM disposal.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>■ Include measure as a Project Condition of Approval.</li> <li>■ Implementation actions are specified in measure.</li> </ul>	<ul style="list-style-type: none"> <li>■ Applicant responsible for hiring a qualified consultant to survey and evaluate the Project site for presence of lead-based paints and asbestos and providing written documentation of abatement in accordance with applicable rules and regulations to Planning and Community Development Department for review and approval.</li> <li>■ Applicant responsible for obtaining permits as may be needed from regulatory agencies, including Monterey Bay Air Resources District for asbestos removal.</li> <li>■ City Planning and Community Development Department and County Environmental Health Department staff are responsible for review and approval of submitted documentation.</li> </ul>	<ul style="list-style-type: none"> <li>■ Prior to issuance of demolition and building permits.</li> </ul>		

Mitigation Measure	Implementation Actions	Monitoring / Reporting Responsibility	Timing Requirements	Reporting Requirements	Verification of Compliance
<ul style="list-style-type: none"><li>■ Flaking or peeling LBP should be removed by a licensed lead abatement contractor following applicable federal, state, and local regulations.<ul style="list-style-type: none"><li>○ The renovation contractor should implement health and safety according to OSHA 29 CFR 1926.62, Lead in Construction.</li><li>○ Dispose of all painted material as construction debris in accordance with federal, state, and local regulations; debris containing LBP should not be recycled.</li></ul></li></ul>					