

4.2 Impacts Not Found to be Significant

CEQA Guidelines Section 15128 requires that an environmental impact report (EIR) contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR. For this EIR, issues related to aesthetics, agriculture and forestry resources, mineral resources, population and housing, public services, recreation, utilities and service systems, and wildfire were found not to be significant, as discussed below.

4.2.1 Aesthetics

Scenic Vistas. The project site contains the existing Laguna Creek Diversion Facility (Facility), which consists of a masonry dam and associated infrastructure such as the diversion flume, a control building, and access roads. The County of Santa Cruz General Plan/Local Coastal Program (LCP) indicates that visual and scenic resource areas are defined as areas having regional public importance for their natural beauty or rural agricultural character, including but not limited to, ocean views, agricultural fields, wooded forests, open meadows, mountain hillside views, and unique hydrologic, geologic, and paleontological features (County of Santa Cruz 2020a). While the project site is located in a wooded (redwood) forest and is in an area identified as “scenic” in the County’s Geographic Information System, public views of the site are limited to views from Smith Grade of dense forest along the road. The entrances to the site—unimproved access roads with gates and fencing—are also visible from Smith Grade.

The Proposed Project would entail retrofitting the existing dam, which is set back from the road, and may also include limited tree removal to accommodate road improvements to facilitate access to the site for construction equipment. Once complete, these project modifications would not likely be visible from Smith Grade or otherwise have a negative impact on the scenic views or characteristics along Smith Grade near the site. Therefore, the Proposed Project would have a less-than-significant impact on scenic views and vistas.

Scenic Roads/Resources. There are no state-designated scenic highways within the project vicinity. However, Smith Grade is identified as a County-designated scenic road in the General Plan/LCP (County of Santa Cruz 2020a). Public views of the project site from Smith Grade are limited due to dense tree cover. As described above, the existing unimproved access roads and Facility fencing and gates are visible from Smith Grade. The Proposed Project may entail limited tree removal to accommodate road improvements to facilitate access to the site for construction equipment. As indicated above, once complete the project modifications, including tree removal, would not likely be visible from Smith Grade or otherwise have a negative impact on the scenic resources along Smith Grade near the site. Therefore, the Proposed Project would have a less-than-significant impact on scenic resources within a scenic road.

Visual Character. The project site contains diversion infrastructure amid a redwood forest. Project-related improvements would consist of upgrades to diversion infrastructure at the existing Facility, which would be similar in character to the existing Facility. As described above, public views of the project site are limited due to dense tree cover. The majority of the project site is not visible to the public. Improvements to existing access roads, which are partially visible from Smith Grade leading into the site, would be similar to the existing visual character and would be consistent with the existing use of the site as a diversion facility. Therefore, the Proposed Project would have a less-than-significant impact on visual character or quality of the site.

Light and Glare. During construction, the Proposed Project would not create a substantial new source of light or glare as no nighttime construction work would occur and therefore nighttime lighting would not be required. During operations, the Proposed Project would include new lighting to provide for nighttime safety during emergency work.

This new lighting would be on project components that are set back from Smith Grade and would be on timers and switches to providing lighting only during emergency work. The Proposed Project would generally continue the existing operations on the project site and would not create a substantial new source of light or glare. Therefore, the Proposed Project would have a less-than-significant impact related to light or glare.

See Section 4.4, Biological Resources, for a discussion of the potential impact of new nighttime lighting on special-status wildlife.

4.2.2 Agriculture and Forestry Resources

Agricultural Land. No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is located on or near the project site. The project site and surrounding land are mapped as “Other Land” by the California Department of Conservation’s Farmland Mapping and Monitoring Program (California Department of Conservation 2016). The project site is not zoned for agricultural use. Additionally, neither the project site nor surrounding land is within a Williamson Act contract (County of Santa Cruz 2020b). Therefore, the Proposed Project would not result in the conversion of agricultural land or conflict with agricultural zoning.

Forestland. The project site is zoned Timber Production (TP) and is located in a heavily forested area. Local zoning ordinances are not applicable to the Proposed Project pursuant to California Government Code Section 53091(e), which provides that facilities for the production, generation, storage, treatment, and transmissions of water supplies are exempt. Nevertheless, the Proposed Project would be considered an allowed use (utilities) under Santa Cruz County Code Section 13.10.372(B) and would not conflict with TP zoning. The Proposed Project also meets the definition of a “Compatible Use” under California Government Code Section 51104(h), which includes “the erection, construction, alteration, or maintenance of gas, electric, water, or communication transmission facilities.” The Proposed Project does not include rezoning of forestland or timberland, as defined. Therefore, the Project would not conflict with existing zoning or result in rezoning related to forest lands.

The proposed removal of up to 14 trees, including redwoods, would constitute a Minor Conversion as defined in Chapter 16.52.195 of the Santa Cruz County Code. Minor Conversion permits are administered by the California Department of Forestry and Fire Protection (CAL FIRE; 14 California Code of Regulations [CCR] Section 1104[a][4]). As such, a tree inventory and protection plan has been developed for the Proposed Project and would require a minor conversion permit exemption prior to tree removal.

It is anticipated that a less than 3-acre conversion exemption (14 CCR Section 1104.1[a]) approved by CAL FIRE would be required to remove these redwood trees. Timber operations conducted under an exemption are exempt from conversion permit and timber harvesting plan requirements of the California Forest Practice Rules, although they are still required to comply with all other applicable provisions of the Z'berg-Nejedly Forest Practice Act, regulations of the Board of Forestry, and currently effective provisions of county general plans, zoning ordinances and any implementing ordinances. Although the Proposed Project would result in limited tree removal subject to the CAL FIRE permit process, it would not result in rezoning of forest land to non-forest use or the conversion of forest land to non-forest uses, as the forest canopy and forest land functions on the project site would be retained. Therefore, impacts related to loss or conversion of forest land would be less than significant.

See Section 4.4, Biological Resources, for additional detail regarding forestry resources.

4.2.3 Mineral Resources

The California Geological Survey is responsible for classifying land into Mineral Resource Zones (MRZs) under the Surface Mining Control and Reclamation Act. There are no areas classified by the State Geologist and designated by the State Mining and Geology Board as Regionally or Statewide Significant Mineral Resource Areas or areas classified by the State as MRZ-2 Zones (i.e., areas containing significant mineral deposits) on or adjacent to the project site (County of Santa Cruz 2020c). Therefore, the Proposed Project would have no impact on known or locally important mineral resources.

4.2.4 Population and Housing

The Proposed Project would consist of modifications to existing infrastructure and associated improvements at the existing Facility. No residential land uses are located on the project site and the Proposed Project would not include any new residential land uses or displace existing housing or people. Although the Proposed Project would generate a limited number of short-term construction jobs, these jobs could be accommodated within the regional workforce and would not require substantial relocation of workers for these jobs. The Proposed Project would not result in changes to permanent employment. The Proposed Project would not extend roads or other infrastructure or procure additional water supplies, and therefore, would not include activities that could result in indirect population growth. Therefore, the Proposed Project would have no impact on population and housing.

4.2.5 Public Services

The construction of the Proposed Project would occur over a limited duration of approximately 3 months and have a crew of approximately 5 workers and up to 10 workers during certain activities. Any temporary demand for services during construction could be accommodated by existing facilities and services and would not require new or physically altered public service facilities. The operation of the Proposed Project would not entail new land uses or activities that would generate additional demand for public services. As described above, the Proposed Project would not include residences or businesses and associated population or employees on site. Given that, the Proposed Project would not result in the need for new or physically altered public service facilities in order to maintain acceptable service ratios, response times, or other public service performance objectives. Therefore, the Proposed Project would have a less-than-significant impact on public services.

See also Section, 4.9, Hazards and Hazardous Materials, for discussion related to wildfire hazards.

4.2.6 Recreation

The Proposed Project would not involve the construction of parks or recreational facilities, would not create a need for the construction or expansion of recreational facilities, and would not increase the use of existing recreational facilities such that substantial deterioration would occur. The Proposed Project would not include new residences or permanent employment; therefore, there would be no population increase that could generate increased demand for or use of parks and recreational facilities as a result of the Proposed Project. Furthermore, the project site is private property, is fenced, and is not open to the public for recreational uses. Therefore, the Proposed Project would have no impact on parks and recreational facilities.

4.2.7 Utilities and Service Systems

The Proposed Project would involve improvements to existing water supply facilities and infrastructure. The Proposed Project would not increase demand for electricity and water, as well as generation of wastewater or stormwater, and no change in the number of residences or permanent employment would occur with implementation of the Proposed Project.

Construction activities would generate solid waste. Excavation during construction would generate spoils, some of which would be reused on the project site as fill material. It is estimated that approximately 30 cubic yards of spoils may require off-site disposal. Spoils that could not be accommodated on the project site would be hauled to the City of Santa Cruz Resource Recovery Facility (landfill) at 650 Dimeo Lane in Santa Cruz, located approximately 10 miles from the project site. Based on the most recent facility capacity evaluation in May 2017, the landfill had a remaining capacity of approximately 4.8 million cubic yards and an estimated closure date of January 2058 (CalRecycle 2019). Therefore, the City's landfill would have adequate capacity to serve the Proposed Project and impacts would be less than significant.

4.2.8 Wildfire

The project site is located within a state responsibility area and CAL FIRE has designated the project site and surrounding area as a High Fire Hazard Severity Zone (CAL FIRE 2007). The Proposed Project would include upgrades to an existing dam and associated infrastructure. Construction and operation of the Proposed Project would not exacerbate wildfire risks or include habitable structures that could expose people or structures to wildfire. The Proposed Project would not include drainage changes or other features that could exacerbate wildfire risk or wildfire-related hazards such as flooding or landslides. The Proposed Project would not interfere with emergency response or evacuation in the event of a wildfire, as no change in public roadways or access would occur as part of the Proposed Project. Therefore, the Proposed Project would have a less-than-significant impact related to wildfire.

See also Section, 4.9, Hazards and Hazardous Materials, for an additional discussion of hazards related to wildfire and Section 4.13, Transportation, for a discussion of emergency access and response.

4.2.9 References

CAL FIRE (California Department of Forestry and Fire Protection). 2007. *Santa Cruz County Fire Hazard Severity Zones in SRA*. November 7, 2007. Accessed April 23, 2020 at https://osfm.fire.ca.gov/media/6768/fhszs_map44.pdf.

California Department of Conservation. 2016. Farmland Mapping and Monitoring Program. *Santa Cruz County Important Farmland 2016*. Accessed May 11, 2020 at <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/scr16.pdf>.

CalRecycle. 2019. SWIS Facility Detail: City of Santa Cruz Resource Recovery Center (44-AA-0001). Accessed April 23, 2020 at <https://www2.calrecycle.ca.gov/swfacilities/Directory/44-AA-0001/>.

County of Santa Cruz. 2020a. *1994 General Plan and Local Coastal Program for the County of Santa Cruz, California*. Chapter 5, Conservation and Open Space. Effective December 19, 1994; updated February 18, 2020.

County of Santa Cruz. 2020b. “Geographic Information Services: Agricultural Resource Areas.” Accessed May 11, 2020 at https://opendata-sccgis.opendata.arcgis.com/datasets/a7c71c5aecdb461eaa5cb05f6c34ec61_103.

County of Santa Cruz. 2020c. “Geographic Information Services: Mineral Resources.” Accessed May 12, 2020 at https://opendata-sccgis.opendata.arcgis.com/datasets/89058cb760164c7da9ebbf9eea644d37_62.

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