

4.9 Land Use, Agriculture and Forestry, and Mineral Resources

This section describes the existing land use, agriculture and forestry, and mineral resources conditions of the project site and vicinity, identifies associated regulatory requirements, evaluates potential project and cumulative impacts, and identifies mitigation measures for any significant or potentially significant impacts related to implementation of the of the Santa Cruz Water Rights Project (Proposed Project). The analysis is based on a review of the Proposed Project’s consistency with applicable plans, policies, and regulations, as well as on a review of the Proposed Project’s potential to affect agriculture and forestry, and mineral resources.

A summary of the comments received during the scoping period for this environmental impact report (EIR) is provided in Table 2-1 in Chapter 2, Introduction, and a complete list of comments is provided in Appendix A. There were no comments related to land use, agriculture and forestry, and mineral resources.

4.9.1 Existing Conditions

4.9.1.1 Study Area

The Proposed Project involves the water system and the areas served of the City of Santa Cruz (City) and the water service areas of San Lorenzo Valley Water District (SLVWD), Scotts Valley Water District (SVWD), Soquel Creek Water District (SqCWD), and Central Water District (CWD). The Proposed Project is located within Santa Cruz County and is generally bounded by the unincorporated communities of Aptos and Le Selva Beach on the east, Bonny Doon Road on the west, Boulder Creek on the north, and the Pacific Ocean on the south (see Chapter 3, Project Description, Figure 3-1, Regional Location). While the project area is much broader, the study area for land use and planning is focused on the proposed project and programmatic infrastructure component sites where construction and ground disturbance could occur and where new or upgraded facilities would be located (see Chapter 3, Project Description, Figure 3-4, Proposed New and Upgraded Infrastructure Components). These sites include the following: aquifer storage and recovery (ASR) sites where known, intertie improvement sites, the Felton Diversion fish passage improvement site, and the Tait Diversion and Coast Pump Station improvement site. ASR would include new ASR facilities at unidentified locations (referred to as “new ASR facilities” in this EIR) and Beltz ASR facilities at the existing Beltz well facilities (referred to as “Beltz ASR facilities” in this EIR). As there are no definitive sites identified to date for new ASR facilities, site-specific conditions are not available. The study area for agriculture and forestry resources and mineral resources is described more broadly to encompass the Santa Cruz Mid-County and Santa Margarita Groundwater Basins, where new ASR facilities could be located in the future with project implementation, shown on Figure 3-3 in Chapter 3, Project Description. Section 4.9.1.2, Infrastructure Component Site Land Use Conditions, describes the site conditions for each infrastructure component site.

4.9.1.2 Infrastructure Component Site Land Use Conditions

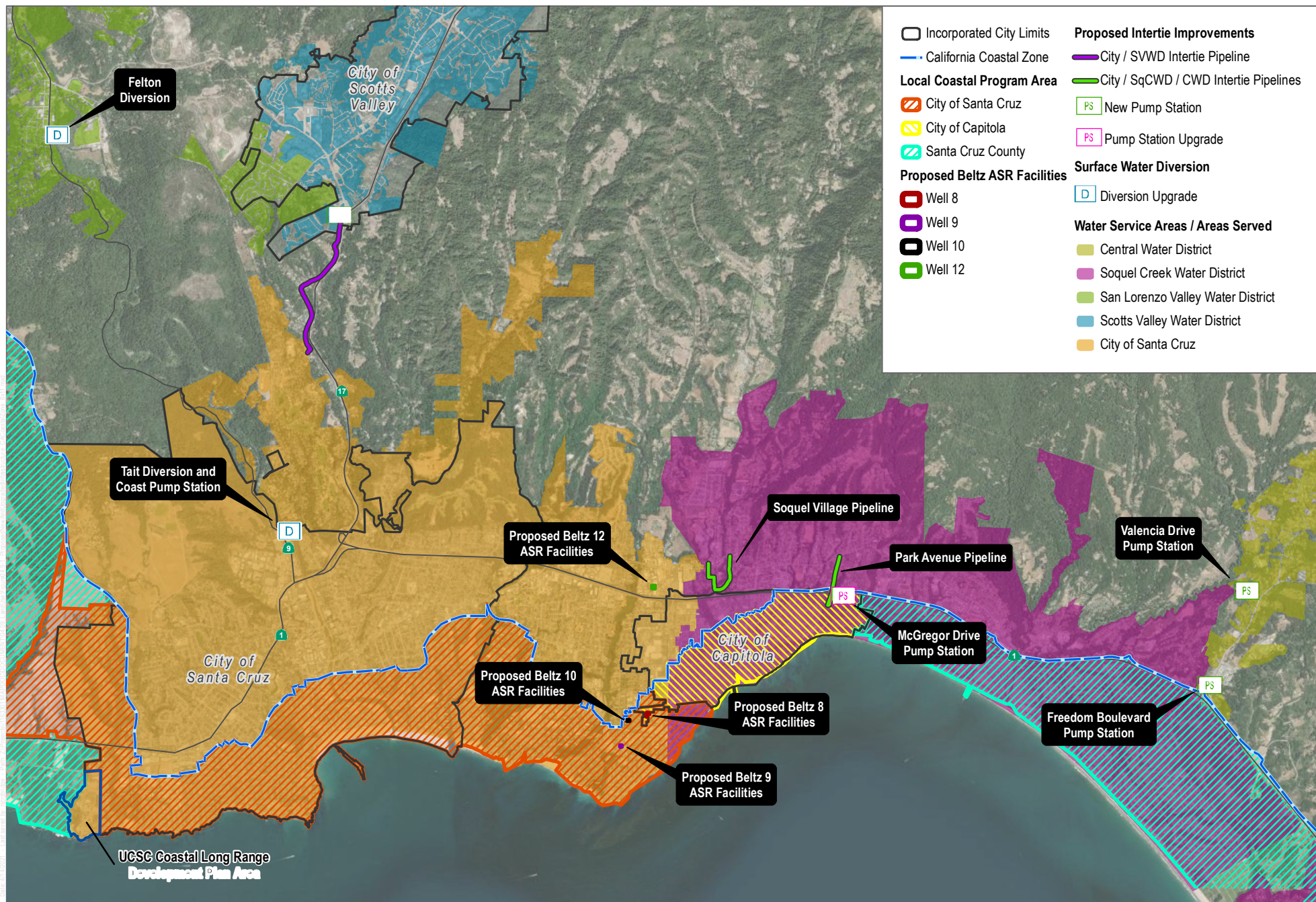
Land uses on and around each proposed infrastructure component site are described below, as identified in the County of Santa Cruz General Plan/Local Coastal Program (LCP) and on the County of Santa Cruz’s GISWeb online tool General Plan and Zoning overlays (County of Santa Cruz 2020a, 2020b), as well as maps of general plan land use designations and zone districts for the cities of Santa Cruz, Capitola, and Scotts Valley (City of Santa Cruz 2020a, 2020b; City of Capitola 2018, 2019b; City of Scotts Valley 2007). Table 4.9-1 provides an overview of the locations,

jurisdictions, and predominant land uses in and near each proposed infrastructure component site. Figure 4.9-1 shows the locations of the proposed infrastructure component sites relative to the California coastal zone boundary. Those proposed infrastructure component sites located within the coastal zone are subject to regulation by the California Coastal Act or applicable LCP. In unincorporated Santa Cruz County, coastal permitting authority is administered by the County pursuant to its certified LCP, as further described in Section 4.9.2, Regulatory Framework.

Table 4.9-1. Overview of Predominant Land Uses At and Near Proposed Facilities

Proposed Facility	Location	Jurisdiction	Land Uses
Aquifer Storage and Recovery Sites			
New ASR Facility Sites	Santa Cruz Mid-County and Santa Margarita Groundwater Basins	Potentially any of the jurisdictions in these Basins	Unknown
Beltz 8 ASR Facility Site	3701 Roland Drive	County of Santa Cruz (coastal zone)	Public facilities, multi-family residential, mobile homes
Beltz 9 ASR Facility Site	740 30th Avenue	County of Santa Cruz (coastal zone)	Multi-family residential
Beltz 10 ASR Facility Site	977 34th Avenue	County of Santa Cruz (coastal zone)	Single-family residential
Beltz 12 ASR Facility Site	2750 Research Park Drive	County of Santa Cruz	Service commercial/light industrial
Intertie Improvement Sites			
City/SVWD Intertie Site	La Madrona Drive from Sims Road to south of Alenitas Road	County of Santa Cruz, City of Scotts Valley	Rural residential/agricultural, special use, service commercial, public facilities
City/SqCWD/CWD Intertie Site	See components below	See components below	See components below
Soquel Village Pipeline Site	Daubenbiss Avenue, West Walnut Street, Porter Street	County of Santa Cruz	Community commercial, single- and multi-family residential, public facilities, parks/open space
Park Avenue Pipeline Site	Main Street, Park Avenue, Soquel Drive, and McGregor Drive	County of Santa Cruz, City of Capitola (coastal zone)	Community commercial, office, single- and multi-family residential, public facilities, parks/open space
McGregor Drive Pump Station Upgrade Site	McGregor Drive	City of Capitola (coastal zone)	Parks/open space (visitor-serving)
Freedom Boulevard Pump Station Site	Soquel Drive and Freedom Boulevard	County of Santa Cruz	Public facilities, special use, single-family residential, mobile homes
Valencia Road Pump Station Site	Huntington Drive and Valencia Road	County of Santa Cruz	Agriculture, rural residential
Surface Water Diversion Improvement Sites			
Felton Diversion Site	5800 Highway 9	County of Santa Cruz	Public facilities, single-family/mountain residential, residential agricultural, special use
Tait Diversion and Coast Pump Station Site	1214 River Street	City of Santa Cruz	Industrial, public facilities, multi-family residential

Sources: City of Capitola 2018, 2019b; City of Santa Cruz 2020a, 2020b; City of Scotts Valley 2007; County of Santa Cruz 2020b.



SOURCE: Bing Maps Accessed 2020, Kennedy/Jenks Consultants 2012 and 2014, URS 2013, County of Santa Cruz 2020

Aquifer Storage and Recovery Sites

New ASR Facility Sites

New ASR facility sites would be located in the Santa Cruz Mid-County and Santa Margarita Groundwater Basins. As indicated above, there are no definitive sites identified to date for new ASR facilities, and therefore site-specific conditions are not available or described.

Beltz ASR Facility Sites

Beltz 8 ASR Facility Site

The Beltz 8 ASR facility site is located in a developed urban residential area at 3701 Roland Drive within unincorporated Santa Cruz County. Beltz 8 ASR facility site is located on land designated as Public Facility/Institutional (P) within the Public and Community Facilities (PF) zone district. Beltz 8 ASR facility site is surrounded by land designated Urban High Density Residential (R-UH) and zoned Multi-Family Residential (RM) within unincorporated Santa Cruz County to the east, and land designated Mobile Home (R-MH) and zoned Mobile Home Exclusive (MHE) within the City of Capitola to the north, south, and west. As shown on Figure 4.9-1, Beltz 8 ASR facility site is located within the coastal zone.

Beltz 9 ASR Facility Site

The Beltz 9 ASR facility site is located in a developed urban residential area at 740 30th Avenue within unincorporated Santa Cruz County. Beltz 9 ASR facility site is located on land designated Urban High Density Residential (R-UH) in the General Plan/LCP and zoned Multi-Family Residential (RM). The lands surrounding Beltz 9 ASR facility site are within the same land use designation and zone district. As shown on Figure 4.9-1, Beltz 9 ASR facility site is located within the coastal zone.

Beltz 10 ASR Facility Site

The Beltz 10 ASR facility site is located in a developed residential area at 977 34th Avenue within unincorporated Santa Cruz County. Beltz 10 ASR facility site is located on land designated Urban Low Density Residential (R-UL) and zoned Single-Family Residential (R-1). The lands surrounding Beltz 10 ASR facility site are within the same land use designation and zone district. As shown on Figure 4.9-1, Beltz 10 ASR facility site is located within the coastal zone.

Beltz 12 ASR Facility Site

The Beltz 12 ASR facility site is located in a developed industrial and commercial area at 2750 Research Park Drive within unincorporated Santa Cruz County. Beltz 12 ASR facility site is located on land designated Service Commercial and Light Industrial (C-S) and zoned Light Industrial (M-1). The lands surrounding Beltz 12 ASR facility site are within the same land use designation and zone district.

Intertie Improvement Sites

City/SVWD Intertie Site

The City/SVWD intertie site is a linear site primarily located in a rural residential/agricultural area within unincorporated Santa Cruz County, while the northernmost portion enters a more developed commercial area of the City of Scotts Valley. The proposed intertie would consist of approximately 8,000 linear feet of new piping extending south to north along La Madrona Drive from Sims Road in unincorporated Santa Cruz County to a new pump station the City of Scotts Valley. The proposed alignment traverses lands designated Rural Residential (R-R) and zoned Residential Agricultural (RA), Special Use (SU), and Single-Family Residential (R-1) in unincorporated Santa Cruz County, before entering the City of Scotts Valley where it traverses lands designated and zoned Service Commercial (C-S) and Public/Quasi Public (P).

City/SqCWD/CWD Intertie Site

The City/SqCWD/CWD intertie site consists of replacements of two distinct linear pipeline segments (the Soquel Village pipeline and the Park Avenue pipeline), upgrades to the existing McGregor Drive pump station, and construction of two new booster pump stations at Freedom Boulevard and Valencia Road.

The Soquel Village pipeline would consist of replacements along Daubenbiss Avenue, West Walnut Street, Porter Street, and Main Street in unincorporated Santa Cruz County. Predominant land uses along the proposed alignment consist of developed urban residential areas and urban parks/open space. The Soquel Village pipeline would traverse lands designated Community Commercial (C-C), Urban High Density Residential (R-UH), Urban Medium Density Residential (R-UM), Public Facility/Institutional (P), Urban Open Space (O-U), and Parks and Recreation (O-R), and zoned Community Commercial (C-2); Multi-Family Residential (RM); Single-Family Residential (R-1); Public and Community Facilities (PF); and Parks, Recreation, and Open Space (PR).

The Park Avenue pipeline would consist of replacements along Park Avenue south from the intersection with Soquel Drive to McGregor Drive south of Highway 1, and an upgrade to SqCWD's McGregor Drive pump station on McGregor Drive south of Highway 1. Predominant land uses along the proposed alignment consist of developed urban residential/commercial areas and parks/open space. The Park Avenue pipeline would traverse lands designated Community Commercial (C-C), Professional and Administrative Office (C-O), Urban High Density Residential (R-UH), Urban Medium Density Residential (R-UM), and Public Facility/Institutional (P) and zoned Neighborhood Commercial (C-1), Professional-Administrative Office (PA), Multi-Family Residential (RM), and Single-Family Residential (R-1) within unincorporated Santa Cruz County. South of Highway 1, the proposed alignment enters into the City of Capitola, where it would traverse lands designated Multi-Family Residential (R-M) and Parks and Open Space-Visitor Serving (P/OS-VS) and zoned Planned Development (PD) and Public Facility-Visitor Serving (PF-VS), where it would terminate at the McGregor Drive pump station. South of Highway 1, the proposed alignment and McGregor Drive pump station are within the coastal zone, as shown on Figure 4.9-1.

Two new booster pump stations would be constructed on SqCWD's two interties with the CWD, located on Soquel Drive near the intersection with Freedom Boulevard (Freedom Boulevard pump station), and on Huntington Drive near the intersection with Valencia Road (Valencia Road pump station). The Freedom Boulevard pump station site is generally located at or near the Soquel Drive/Freedom Boulevard intersection in a developed residential/commercial area within unincorporated Santa Cruz County. Surrounding land use designations consist of Public Facility/Institutional (P), Urban Low Density Residential (R-UL), Urban Very Low Density Residential (R-UVL), Service Commercial and Light Industrial (C-S), and Urban Medium Density Residential (R-UM) and are zoned

Public Facilities (PF), Special Use (SU), Single-Family Residential (R-1-10), and Multi-Family Residential-Mobile Home (RM-3-MH). The Valencia Road pump station site is generally located at or near the intersection of Huntington Drive and Valencia Road in a rural residential/agricultural area within unincorporated Santa Cruz County on land designated as Agriculture (AG) or Rural Residential (R-R) and zoned Agriculture (A), depending on the precise site ultimately identified. Surrounding land uses consist of land designated as Agriculture (AG) and Rural Residential (R-R) and zoned Commercial Agriculture (CA), Agriculture (A), Residential Agricultural (RA) and Rural Residential (RR).

Felton Diversion Site

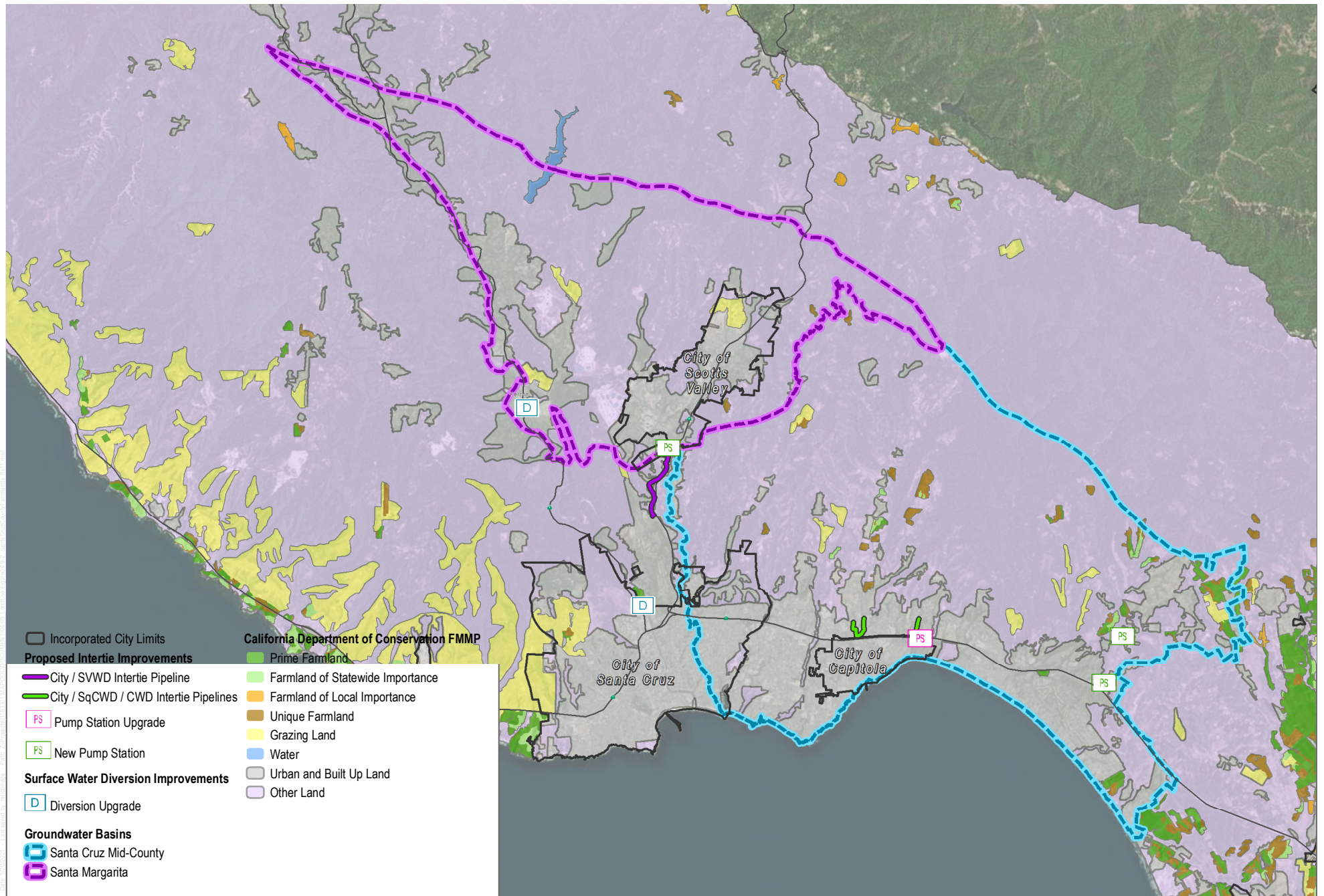
The Felton Diversion site is located at 5800 Highway 9 in a suburban residential area within unincorporated Santa Cruz County. The site is designated Public Facility/Institutional (P) and zoned Public Facilities-Geologic Hazards (PF-GH). Surrounding designations are Urban Low Density Residential (R-UL) to the west and north, Mountain Residential (R-M) to the north and east, and Suburban Residential (R-S) to the south. Surrounding zoning is Single-Family Residential (R-1) and Special Use (SU) to the north, Special Use (SU) to the east, Residential Agricultural (RA) to the south, and Special Use (SU) and Single-Family Residential (R-1-10) to the west. In addition, the site as well as the surrounding lands to the north, east, and south are within the Geologic Hazards (GH) overlay zone (as shown on Figure 4.5-3 in Section 4.5, Geology and Soils, the Felton Diversion site and surrounding lands are within a moderate liquefaction zone).

Tait Diversion and Coast Pump Station Site

The Tait Diversion and Coast Pump Station site is located at 1214 River Street in a developed industrial area within the City of Santa Cruz. The site's General Plan land use designation is Industrial and the zone district is General Industrial (IG). Surrounding lands are designated Natural Areas to the north and east, Community Facilities to the south, and Industrial and Low Medium Density Residential to the west. Surrounding zoning consists of Flood Plain (FP) to the north and east, Public Facilities (PF) to the south, and General Industrial (IG) and Multiple Residence Low Rise (RL) to the west.

4.9.1.3 Agricultural Resources

The City is largely developed and all lands within City limits and the City's existing Sphere of Influence are designated as Urban and Built-Up Land and Other Land in the State Farmland Mapping and Monitoring Program of the California Department of Conservation (City of Santa Cruz 2011). According to the California Department of Conservation, 38,711 acres of land in Santa Cruz County were classified as Agricultural Land in 2018, of which 19,150 acres were classified as Important Farmland. Important Farmland in Santa Cruz County is mapped on Figure 4.9-2. Of this land, 13,268 acres were classified as Prime Farmland, 2,263 acres were classified as Farmland of Statewide Importance, 3,374 acres were classified as Unique Farmland, and 245 acres were classified as Farmland of Local Importance (California Department of Conservation 2021). As shown on Figure 4.9-2, agricultural land within Santa Cruz County is concentrated primarily in the South County region, as well as along the North Coast. Lands enrolled in Williamson Act contracts are located throughout the County's unincorporated area.



SOURCE: Bing Maps 2020, County of Santa Cruz 2020, CA Dept. of Conservation 2012

FIGURE 4.9-2
Santa Cruz County Farmland
 Santa Cruz Water Rights Project

4.9.1.4 Forest and Timberland

The City is primarily developed, with open spaces within parks and City-owned greenbelt lands. There are no areas of protected timberland within the City or its existing Sphere of Influence, and there are no protected timberlands within the City's General Plan 2030 planning area (City of Santa Cruz 2011). However, forested lands and timberland occupy a substantial portion of Santa Cruz County, with large areas of timber production in the Santa Cruz Mountains and North Coast. Figure 4.9-3 shows timber resources in Santa Cruz County.

4.9.1.5 Mineral Resources

Mineral resources in Santa Cruz County are shown on Figure 4.9-4 and include four closed and four active quarries, five of which (three closed and two active) fall within the areas of the Santa Cruz Mid-County and Santa Margarita Groundwater Basins. The Felton Quarry, Bonny Doon Limestone and Shale Quarry, and Wilder Quarry are located outside of the two groundwater basins and are not discussed further. The quarries within the two groundwater basins are described below.

Olive Springs Quarry, operated by Olive Springs Quarry Inc., mines gneissic granodiorite (granitic rock) for construction aggregate. The mine contains a rock crushing and aggregate processing plant, and an asphaltic concrete plant. The permitted mining area encompasses approximately 48 acres. The mine is permitted to operate until at least 2044. The designated end use is open space. Reclamation of the mine will consist of establishment of a native species vegetative cover on the disturbed lands similar to naturally occurring habitats in the surrounding area. The mine is located west of Nisene Marks State Park and the Soquel Demonstration Forest (County of Santa Cruz 2021a).

Quail Hollow Quarry, operated by Granite Rock Company, mines sand from the Santa Margarita Sandstone for construction and industrial uses. The mine contains a sand processing plant and bulk sand dryer. The permitted area of the mine encompasses approximately 105 acres and mining is permitted to continue until the permitted reserves are exhausted. The designated end use is open space. Reclamation of the mine will consist of establishment of a native species vegetative cover on the disturbed lands similar to naturally occurring habitats in the surrounding area. Concurrent reclamation is in progress as mining ceases in some areas. The mine is located within the sensitive Sandhills habitat near Quail Hollow County Park (County of Santa Cruz 2021a).

Hanson Quarry (also known as Kaiser Quarry), operated by Hanson Aggregates, mined sand from the Santa Margarita Sandstone for construction sand. The mined area encompasses approximately 200 acres. The mine ceased operation in 2003. All former mineral processing facilities have been removed and disturbed areas are being reclaimed to open space with a native species vegetative cover on the disturbed lands similar to naturally occurring habitats in the surrounding area. The mine is located within the sensitive Sandhills habitat west of the City of Scotts Valley (County of Santa Cruz 2021a).

Olympia Quarry (also known as Lonestar Quarry), operated by CEMEX, mined sand from the Santa Margarita Sandstone for construction sand. The mined area encompasses approximately 70 acres. The mine ceased operation in 2002. All former mineral processing facilities have been removed and disturbed areas are being reclaimed to open space with a native species vegetative cover on the disturbed lands similar to naturally occurring habitats in the surrounding area. The mine is located within the sensitive Sandhills habitat west of the City of Scotts Valley (County of Santa Cruz 2021a).

Cabrillo Sand and Gravel, operated by Cabrillo Sand and Gravel, mined sand and gravel from the Aromas Formation for construction and landscape uses. The mined area encompasses approximately 4 acres. By 2005, all on-site excavation of sand had ceased. The Aptos Landscape Supply business has operated on the site since the mid-1960s and has become the primary activity on the parcel as mining activity has ceased. The mined areas are being reclaimed to open space with a native species vegetative cover on the disturbed lands similar to naturally occurring habitats in the surrounding area. The mine is located on Freedom Boulevard in Aptos (County of Santa Cruz 2021a).

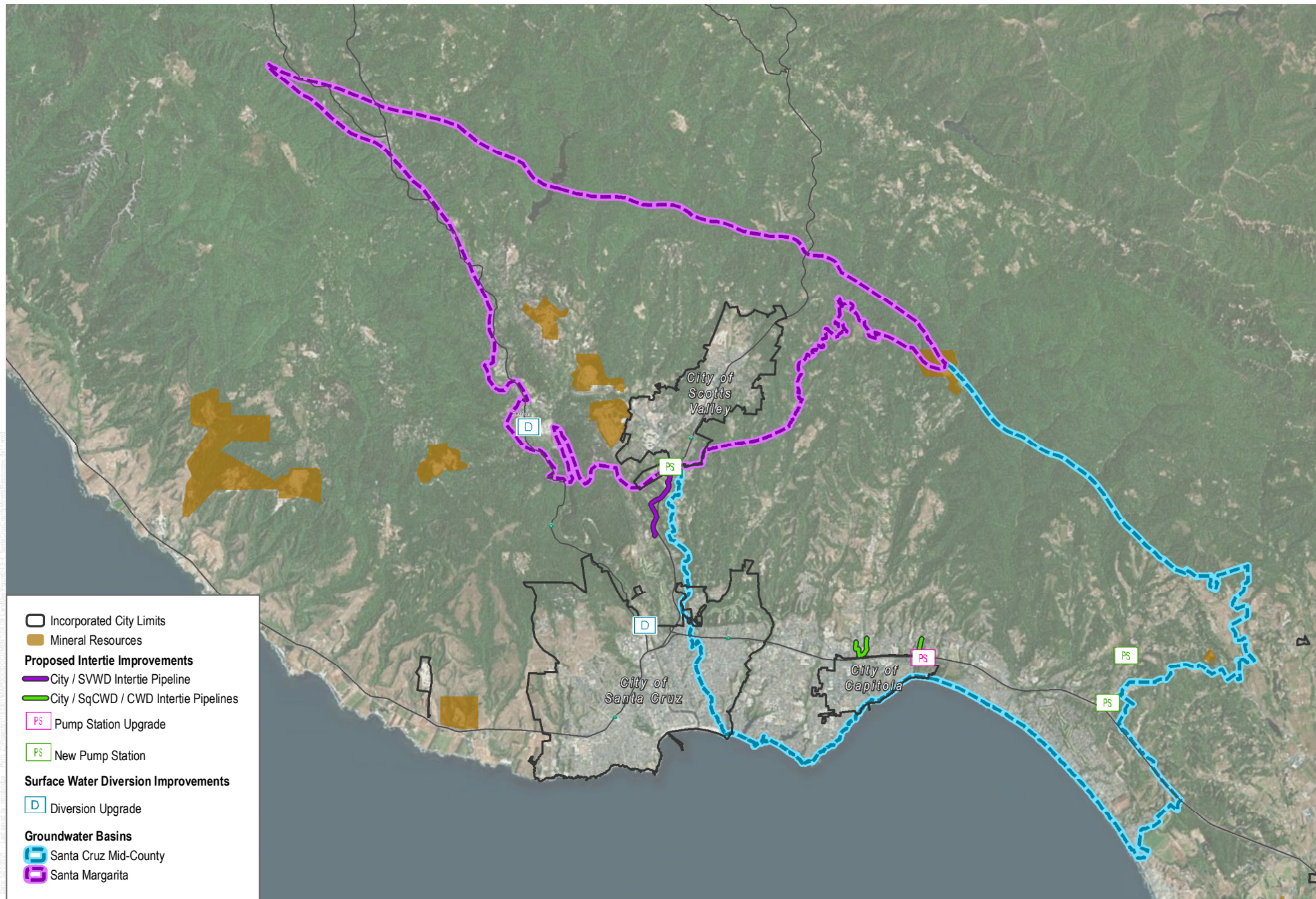


SOURCE: Bing Maps 2020, County of Santa Cruz 2020

FIGURE 4.9-3

Santa Cruz County Timber Resources

Santa Cruz Water Rights Project



SOURCE: Bing Maps 2020, County of Santa Cruz 2020

FIGURE 4.9-4

Santa Cruz County Mineral Resources

Santa Cruz Water Rights Project

4.9.2 Regulatory Framework

4.9.2.1 Federal

Coastal Zone Management Act

The Coastal Zone Management Act (CZMA) of 1972 provides the management of the nation's coastal resources, including the Great Lakes. CZMA provides management to balance economic development with environmental conservation. The California Coastal Commission (CCC) has jurisdiction for CZMA implementation throughout the state.¹ The California Coastal Act (description below) enforces numerous policies to protect and restore coastal resources. Applicants for coastal development permits (CDPs) must adhere to the California Coastal Act policies, which is regulated by the CCC. The CCC will apply additional land use policies when reviewing federally licensed and permitted activities, ensuring consistency with California's coastal management programs in accordance with the CZMA federal consistency provision.

4.9.2.2 State

California Coastal Act

In 1976, the California State Legislature enacted the California Coastal Act (Public Resources Code Section 30000 et seq.) to provide long-term protection of the state's 1,100-mile coastline for the benefit of current and future generations. The California Coastal Act provides for the management of lands within California's coastal zone boundary, as established by the Legislature and defined in the California Coastal Act (Section 30103). The boundary of the coastal zone varies across the state and varies from a couple hundred feet to 5 miles inland of the shore. The coastal zone boundary also extends approximately 3 miles offshore.

The goals of the California Coastal Act, per Public Resources Code Section 30001.5, are to:

- a. Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.
- b. Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
- c. Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sounds resources conservation principles and constitutionally protected rights of private property owners.
- d. Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- e. Encourage state and local initiative and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

Furthermore, the California Coastal Act includes specific policies to achieve these goals within the coastal zone (see Division 20 of the Public Resources Code). These policies include the legal standards applied to coastal planning and regulatory decisions made by the CCC pursuant to the California Coastal Act. The California Coastal Act requires that individual jurisdictions adopt a LCP to implement the California Coastal Act at the local level. After the CCC

¹ Except within the San Francisco Bay-Delta where the Bay Conservation and Development Commission has authority for implementation of CZMA within its jurisdiction area.

certifies an LCP, the local government becomes the CDP permitting authority, subject to appeals to the CCC. See Section 4.9.2.3, Local, for information about Santa Cruz County's LCP.

California Government Code Section 53901

California Government Code Section 53091 (d) and (e) provides that facilities for the production, generation, storage, treatment, and transmissions of water supplies are exempt from local (i.e., county and city) building and zoning ordinances. The project and programmatic components evaluated in this EIR relate to operation, utilization, and storage of water resources; therefore, these facilities are legally exempt from County of Santa Cruz, City of Scotts Valley, City of Santa Cruz, and City of Capitola building and zoning ordinances. However, these facilities are not exempt from the California Coastal Act or relevant LCP, as discussed below.

California Department of Conservation Farmland Mapping and Monitoring Program

Important Farmland in California is classified and mapped according to the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP). Authority for the FMMP comes from Government Code Section 65570(b) and Public Resources Code Section 612. Government Code Section 65570(b) requires the Department of Conservation to collect or acquire information on the amount of land converted to or from agricultural use for every mapped county and to report this information to the Legislature. Public Resources Code Section 612 requires the Department of Conservation to prepare, update, and maintain Important Farmland Series Maps and other soils and land capability information. The FMMP monitors the conversion of the State's farmland to and from agricultural use. The FMMP maintains an inventory of state agricultural land and updates the Important Farmland Series Maps every two years. The maps do not necessarily reflect general plan or zoning designations, city limit lines, changing economic or market conditions, or other land use policies, although developed areas are designated as such.

Agricultural land is rated according to several variables, including soil quality and irrigation status. The FMMP rating system classifies farmland according to the following criteria:

- **Prime Farmland.** Farmland with the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. These are Class I and Class II soils.
- **Farmland of Statewide Importance.** Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- **Unique Farmland.** Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climactic zones in California.
- **Urban and Built-Up Land.** Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.
- **Other Land.** Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas, not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

The California Land Conservation Act of 1965

The California Land Conservation Act of 1965, or Williamson Act, preserves agricultural and open space lands through property tax incentives and voluntary restrictive use contracts. Private landowners voluntarily restrict their land to agricultural and compatible open-space uses under minimum 10-year rolling term contracts. In return, restricted parcels are assessed for property tax purposes at a rate consistent with their actual use, rather than potential market value.

California Public Resources Code

Agricultural land, forest land, and timberland within California are defined by the Public Resources Code as follows:

- Section 21060.1(a) defines “agricultural land” as prime farmland, farmland of statewide importance, or unique farmland, as defined by the United States Department of Agriculture land inventory and monitoring criteria, as modified for California.
- Section 12220(g) defines “forest land” as land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.
- Section 4526 defines “timberland” as land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis.

Section 21095 provides lead agencies with an optional methodology, the Land Evaluation and Site Assessment (LESA) model, to ensure that significant effects on the environment of agricultural land conversions are quantitatively and consistently considered in the environmental review process. The LESA model evaluates measures of soil resource quality, a given project’s size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. For a given project, the factors are rated, weighted, and combined, resulting in a single numeric score that becomes the basis for making a determination of a project’s potential significance.

California Timberland Productivity Act of 1982

The California Timberland Productivity Act (Government Code Section 51100 et seq.) establishes the statewide basis for timberland production zoning. A county may zone lands for timberland production and thereby qualify the landowner for the preferential taxation provided for under the Forest Taxation Reform Act. Land within a timberland production zone (TPZ) is restricted to growing and harvesting timber and other compatible uses approved by the county. The use of this land must be “enforceably restricted” to growing and harvesting timber in order to qualify for preferential taxation.

The California Government Code includes definitions applicable to timber production and timber harvest, including the following:

- Section 51104(e) defines “timber” as trees of any species maintained for eventual harvest for forest products purposes, whether planted or of natural growth, standing or down, on privately or publicly owned land, including Christmas trees, but not nursery stock.
- Section 51104(f) defines “timberland” as privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre.
- Section 51104(g) defines “timberland production zone” to mean an area that has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses as defined under Section 51104(h).
- Section 51112 identifies situations that would warrant a decision that a parcel is not devoted to and used for growing and harvesting timber or for growing and harvesting timber and compatible uses.
- Section 51113 allows the opportunity for a landowner to petition that his or her land be zoned for timberland production.

Z'berg-Nejedly Forest Practice Act of 1973

Commercial harvesting of timber on non-federal lands in California, whether or not the property is under timberland contract, is regulated under the state's Z'berg-Nejedly Forest Practice Act (Public Resources Code Section 4511 et seq.) and the related Forest Practice Rules (Title 14, California Code of Regulations Chapters 4, 4.5, and 10). Through this legislation, the state has established a comprehensive and specialized program for reviewing and regulating the harvesting of timber. Harvest is strictly regulated through the review and approval of plans (e.g., Timber Harvesting Plan) by the California Department of Forestry and Fire Protection (CAL FIRE). An approved Timber Harvesting Plan would be required prior to timber operations (as defined in Section 4527 of the Act) conducted in support of Project-related activities.

Surface Mining and Reclamation Act

The California State Legislature enacted the Surface Mining and Reclamation Act (SMARA) of 1975 (Public Resources Code Section 2710 et seq.) in response to land use conflicts between urban growth and mineral resource extraction. The intent of SMARA is to: 1) assure reclamation of mined lands, 2) encourage production and conservation of minerals, and 3) create and maintain surface mining and reclamation policy (regulations). The SMARA also requires the prevention of adverse environmental effects caused by mining, the reclamation of mined lands for alternative land uses, and the elimination of public health and safety hazards from the effects of mining activities. One of the principal requirements of SMARA is the preparation of a reclamation plan and annual mine inspections, as well as the maintenance of a financial assurances cost estimate to guarantee post-mining reclamation of the mine site. The reclamation plan must be prepared by a mining applicant prior to initiation of mining activities and amendments to such plans are required for plan modifications. Reclamation plans must be approved by the SMARA lead agency (usually counties or cities) and the California Department of Conservation, Office of Mine Reclamation and are subject to environmental review under CEQA.

At the same time, SMARA encourages both the conservation and production of extractive mineral resources, requiring the State Geologist to classify land according to the presence or absence of significant mineral deposits. Local governments must consider this information before committing land with important mineral deposits to land uses incompatible with mining. The California Geological Survey is responsible for classifying land into Mineral Resource Zones (MRZs) as follows:

- MRZ-1: Areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- MRZ-2: Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence.
- MRZ-3: Areas containing mineral deposits, the significance of which cannot be evaluated.
- MRZ-4: Areas where available information is inadequate for assignment to any other zone.

Sections 2762 and 2763 of the SMARA require that jurisdictions issue a Statement of Reasons when projects would result in the elimination of the potential to extract minerals in the areas containing regionally significant mineral resources. SMARA requires that the local agency decision makers consider this elimination of extraction potential in their decision on land use. The Statement of Reasons lists potential reasons to approve the proposed project and to include elimination of the potential for extraction of all this resource; decision makers may adopt or modify any of these. The Statement of Reasons must be submitted to the State Geologist and California State Mining and Geology Board for their review for a period of 60 days in conjunction with the environmental review of the proposed project.

4.9.2.3 Local

County of Santa Cruz

General Plan and Local Coastal Program

The County of Santa Cruz General Plan and LCP is a comprehensive, long-term planning document for the unincorporated areas of the County and includes the County's LCP, which was certified by the CCC in 1994. The County General Plan and LCP provides policies and programs to establish guidelines for future growth and all types of physical developments. The Land Use element in the County General Plan and LCP provides for the designation and location of land uses and zoning uses throughout the unincorporated areas in the County. The County General Plan and LCP are part of the regulatory framework for the Proposed Project's ASR components because some of those components will require coastal development permits from the County to the extent that they are located in the coastal zone.

The County's certified LCP that applies to activities within the coastal zone is administered by the County Planning Department, pursuant to the California Coastal Act, and includes: (1) the LCP land use plan consisting of the policies and adopted land use, resource, constraint and shoreline access maps and charts contained in the General Plan/LCP document; and (2) the implementing ordinances.

As the Proposed Project contains some infrastructure components within the coastal zone in unincorporated Santa Cruz County (i.e., Beltz 8, 9, and 10 ASR facilities) and could include new ASR facilities at as yet unidentified locations within the coastal zone, it is possible that Beltz ASR facilities and new ASR facilities would require compliance with the LCP. The LCP implementing ordinances in Santa Cruz County Code (SCCC) Chapter 13.03 include the following sections that are relevant to the Proposed Project:

- Zoning Regulations (Chapter 13.10)
- Coastal Zone Regulations (Chapter 13.20)
- Geologic Hazards (Chapter 16.10)
- Grading Regulations (Chapter 16.20)

- Erosion Control (Chapter 16.22)
- Riparian Corridor and Wetlands Protection (Chapter 16.30)
- Sensitive Habitat Protection (Chapter 16.32)
- Significant Trees Protection (Chapter 16.34)
- Native American Cultural Sites (Chapter 16.40)
- Paleontological Resource Protection (Chapter 16.44)
- Agricultural Land Preservation and Protection (Chapter 16.50)
- Timber Harvesting Regulations (Chapter 16.52)
- Mining Regulations (Chapter 15.54)
- Permit and Approval Procedures (Chapter 18.10)

The relevant LCP policies and ordinances are addressed through the CDP findings made by the County and not through separate approvals (e.g., Riparian Exception). The SCCC requires the following CDP findings for approval of a CDP in accordance with Chapter 18.10:

- (A) That the project is a use allowed in one of the basic zone districts that are listed in LCP Section 13.10.170(D) as consistent with the LCP Land Use Plan designation of the site.
- (B) That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.
- (C) That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to SCCC 13.20.130 and 13.20.140 et seq.
- (D) That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the LCP Land Use Plan, including Chapter 2: Section 2.5 and Chapter 7.
- (E) That the project conforms to all other applicable standards of the certified LCP.
- (F) If the project is located between the nearest through public road and the sea or the shoreline of any body of water located within the coastal zone, that the project conforms to the public access and public recreation policies of Chapter 3 of the California Coastal Act.
- (G) In the event of any conflicts between or among the required findings, required findings in subsections (E) and (F) of this section shall prevail. [Ord. 5182 § 1, 2014; Ord. 4346 §§ 54, 55, 1994; Ord. 3435 § 1, 1983].

The consistency of new ASR facilities and Beltz 8, 9, and 10 ASR facilities with relevant LCP policies and implementing ordinances is analyzed below.

Santa Cruz County Code

Planning and Zoning Regulations, Title 13 of the SCCC, set forth zoning regulations and identify allowable uses within the project and programmatic infrastructure component sites located in unincorporated Santa Cruz County. Per Chapter 13.10, public utility facilities are identified with zoning classifications of the County site for which project and programmatic infrastructure components are proposed with a use permit unless exempt by federal or state law. As indicated in Section 4.9.2.2, State, the project and programmatic infrastructure components would be exempt from these zoning regulations. However, pursuant to Chapter 13.20, all infrastructure components located in the coastal zone would require a CDP, as discussed above.

The County's agricultural zoning districts include Commercial Agriculture (CA), Agriculture (A), and Agricultural Preserve (AP). The intent of the CA zoning district is to preserve commercial agricultural lands and their economic integrity. The A zoning district provides for non-commercial agricultural uses, such as family farming and animal raising, and allows limited commercial agricultural activities. Such non-commercial agricultural lands are identified by the County in order to recognize that they are still productive lands and have other values associated with large lot open space characteristics. The AP zoning district permits commercial agricultural uses for agricultural and open lands under an agricultural preserve contract; the AP designation is used as an overlay to indicate parcels with Williamson Act agricultural preservation or open space contracts, or similar preservation easements. In addition, the Residential Agriculture (RA) zoning district is defined by the SCCC as a residential use zone that permits both single-family residential and small-scale, secondary-use commercial agricultural uses.

The intent of the Timber Production (TP) zoning district is to protect and maintain the County's larger tracks of timberland, and to preserve agriculture and other open space uses where they are compatible with timberland uses. Separate from the TP zoning district are areas identified by the County as "Timber Resources." These timber resources have been mapped as defined by the General Plan, and in addition to TP lands, if they are on lands zoned CA or Mineral Extraction (M3).

The intent of the M3 zoning district is to identify the location of rock, sand, gravel, and other mineral resources within the County which are valuable to the orderly and economic development of the County and region; to conserve mineral resources for future use, and to ensure that the recovery of these resources is not preempted by other uses of the land on which they are located, or by the introduction of noncompatible uses on other lands in the immediate vicinity; to give public notice of the intent to preserve and plan for the continued or ultimate use of mineral resources and proposed access thereto; and to allow the orderly economic extraction of minerals by designating the sites of existing and potential mines and allowing for the establishment, operation, expansion and reclamation of mineral extraction facilities and sites with minimum adverse impacts on aquifers, streams, scenic values, and surrounding land uses.

Sustainable Santa Cruz County Plan

The Sustainable Santa Cruz County Plan is a planning study that suggests a vision, guiding principles, and strategies to facilitate sustainable development through Santa Cruz County (County of Santa Cruz 2014). The Plan's primary objective is to reduce the production of greenhouse gas emissions, especially from automobiles, which contribute to the highest levels of emissions in Santa Cruz County. Recommended strategies include designing the location of housing, employment, and community services within proximity of each other; developing in pre-existing developed areas; providing more accessibility for pedestrians and bicyclists; and improving the regional economy. Included in the Plan are suggestions for amendments to the General Plan and zoning regulations to encourage sustainable development, which are currently being developed by the County Planning Department.

City of Santa Cruz

General Plan and Local Coastal Program

The General Plan for the City of Santa Cruz was adopted in 2012 (City of Santa Cruz 2012). The City's General Plan addresses state-mandated topics, as well as community design and economic development, in the following chapters: Historic Preservation, Arts, and Culture; Community Design; Land Use; Mobility; Economic Development; Civic and Community Facilities; Hazards, Safety, and Noise; Parks, Recreation, and Open Space; and Natural Resources and Conservation. *General Plan 2030* contains goals, policies, and actions that guide the planning, development, and

preservation of the City through 2030. The Land Use Element of the General Plan includes a brief discussion of current land uses and provides the allowable uses within land use designations identified on the City's Land Use Map.

The City's LCP was originally prepared and adopted as part of its 1990-2005 General Plan and is now being updated as a separate document. The updated document is expected to be approved by fall 2021. The *City of Santa Cruz Local Coastal Program and Coastal Land Use Policies and Maps* was adopted in 1992 and was last amended in 2007 with the addition of the Citywide Creeks and Wetlands Management Plan. The LCP contains three components: General Plan policies and maps, Area Plan and Specific Plan policies and maps, and a Coastal Access Plan. The LCP includes designated coastal policies, regulations, and maps applicable to the coastal zone portions of the City (City of Santa Cruz 2007). The infrastructure components of the Proposed Project are not located within the coastal zone of the City and therefore the City's LCP does not apply, as further described below.

Municipal Code

The City of Santa Cruz's Municipal Code, Title 24, Zoning, sets forth the planning and zoning regulations for the City. Per Chapter 24.10, public utility facilities are identified as allowable uses with the zoning classification of the site for which the project and programmatic infrastructure components are proposed with special use permit, unless exempt by federal or state law. As indicated in Section 4.9.2.2, State, the project and programmatic infrastructure components would be exempt from these zoning regulations. As there are no project or programmatic infrastructure components in the City that are located in the coastal zone, the City would not be required to obtain a CDP pursuant to Chapter 24.08. Per Chapter 15.28, an encroachment permit would be required for the installation of pipelines within City-maintained roads and rights-of-way.

City of Scotts Valley

General Plan

The City of Scotts Valley's General Plan is the official document which is used by the City and other jurisdictional agencies to guide the City's long-range plans for development of land and conservation of natural resources (City of Scotts Valley 1999). It is made up of eight elements: (1) Land Use, (2) Circulation, (3) Housing (2015-2023), (4) Open Space and Conservation, (5) Noise, (6) Safety, (7) Public Services and Facilities, and (8) Parks and Recreation. The Plan includes methods to improve public facilities and services to meet community needs and establish a framework within which zoning, subdivision, and other government regulations are implemented. Specifically, the Plan's Land Use Element provides existing zoning and permitted uses for all the lands in the City. The Land Use Element contains text, policies, and maps to indicate designated land uses, protect natural resources, provide aesthetics and character of the Valley, provide urban development near the core of the City, and ensure adequate housing. The City is currently working on an update to the General Plan and will include common visions and provide goals and policies to accommodate future growth through the year of 2040 (City of Scotts Valley 2020).

Municipal Code

The City of Scotts Valley Municipal Code, Title 17 Zoning, established comprehensive zoning regulations for the City, which governs the use or land and placement of buildings and improvements throughout the City. The purpose of Title 17 is to encourage appropriate land use, while promoting efficient traffic systems, conserving open space, and stabilizing the value of property. As indicated in Section 4.9.2.2, State, the project and programmatic infrastructure components would be exempt from these zoning regulations.

City of Capitola

General Plan and Local Coastal Program

The City of Capitola's General Plan, adopted in 2014, is intended to guide development and conservation in the City of Capitola through 2035 (City of Capitola 2019a). The General Plan provides the basis for Capitola's land use and development policy and represents the basic community values, ideals, and aspirations. The General Plan outlines guiding principles for community identity, community connections, neighborhoods and housing, environmental resources, economy, fiscal responsibility, mobility, and health and safety. The Capitola General Plan contains five elements addressing the state-mandated topics of land use, circulation, housing, open space, conservation, safety, and noise, supplemented with the optional economic development element.

Development and conservation in Capitola's coastal areas is also regulated by Capitola's LCP (City of Capitola 2005), which was originally certified by the CCC in 1981 and amended in 2001 and 2005. An update to Capitola's LCP is currently in progress. Capitola's Local Coastal Land Use Plan is a comprehensive long-term plan for land use and physical development within the City's coastal zone. Prior to the issuance of any permit for development within the coastal zone, the City of Capitola is required to prepare necessary findings that the development meets the standards set forth in all applicable land use policies. Some programmatic infrastructure components of the Proposed Project are located within the coastal zone of the City of Capitola and therefore the City's LCP does apply, as further described below.

Municipal Code

The City of Capitola sets forth planning and zoning regulations through the City's Municipal Code, Title 17, Zoning. The City's zoning regulations identify public utility facilities as allowable uses within the zoning classification of the site for which the project and programmatic infrastructure components are proposed with a conditional use permit, unless exempt by federal or state law. As indicated in Section 4.9.2.2, State, the project and programmatic infrastructure components would be exempt from these zoning regulations. However, per Chapter 17.46, a CDP would be required for those programmatic infrastructure components of the Proposed Project within the coastal zone (i.e., the McGregor Drive pump station upgrade, and part of the Park Avenue pipeline south of State Highway 1). Per Chapter 15.28, an encroachment permit would be required for the installation of pipelines within City-maintained roads and right-of-way.

4.9.3 Impacts and Mitigation Measures

This section contains the evaluation of potential environmental impacts associated with the Proposed Project related to land use, agriculture and forestry, and mineral resources. The section identifies the standards of significance used in evaluating the impacts, describes the methods used in conducting the analysis, and evaluates the Proposed Project's impacts and contribution to significant cumulative impacts, if any are identified.

4.9.3.1 Standards of Significance

The standards of significance used to evaluate the impacts of the Proposed Project related to land use, agriculture and forestry, and mineral resources are based on Appendix G of the CEQA Guidelines and the City of Santa Cruz CEQA Guidelines, as listed below. A significant impact would occur if the Proposed Project would:

- A. Physically divide an established community.
- B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

- C. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use unless conversion is determined not to be significant as a result of application of the LESA model pursuant to Public Resources Code Section 21095.
- D. Conflict with existing zoning for agricultural use, or a Williamson Act contract.
- E. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g]).
- F. Result in the loss of forest land or conversion of forest land to non-forest use.
- G. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use.
- H. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.
- I. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

4.9.3.2 Analytical Methods

This section evaluates the potential land use, agriculture and forestry, and mineral resources impacts associated with construction and operation of the Proposed Project. The analysis of potential impacts addresses the various project and programmatic components listed in Table 4.9-2, which are described in detail in Chapter 3, Project Description.

Table 4.9-2. Project and Programmatic Components

Proposed Project Components	Project Components	Programmatic Components
WATER RIGHTS MODIFICATIONS		
Place of Use	✓	
Points of Diversion	✓	
Underground Storage and Purpose of Use	✓	
Method of Diversion	✓	
Extension of Time	✓	
Bypass Requirement (Agreed Flows)	✓	
INFRASTRUCTURE COMPONENTS		
<i>Water Supply Augmentation</i>		
Aquifer Storage and Recovery (ASR)		✓
New ASR Facilities at Unidentified Locations		✓
Beltz ASR Facilities at Existing Beltz Well Facilities	✓	
Water Transfers and Exchanges and Intertie Improvements		✓
<i>Surface Water Diversion Improvements</i>		
Felton Diversion Fish Passage Improvements		✓
Tait Diversion and Coast Pump Station Improvements		✓

The methodology applied to assess and evaluate impacts related to land use, agriculture and forestry, and mineral resources is based on information obtained from review of existing and proposed land uses and development on the project and programmatic infrastructure component sites, review of existing surrounding land uses and development, review of the Proposed Project's potential for conflicts with the applicable LCP of the City of Capitola and County of Santa Cruz, and review of maps of agricultural land, timberland, and mineral resources.

As indicated in Section 4.9.2.2, State, the project and programmatic infrastructure components would be exempt from local building and zoning regulations. However, as the Proposed Project contains some components within the coastal zone in unincorporated Santa Cruz County (i.e., Beltz 8, 9, and 10 ASR facilities) and the City of Capitola (i.e., McGregor Drive pump station upgrade and part of the Park Avenue pipeline south of State Highway 1) and is not exempt from the applicable LCP, it would require compliance with the applicable LCP. Additionally, it is possible that new ASR facilities could also be located within the coastal zone in unincorporated Santa Cruz County and would require compliance with the LCP.

Application of Relevant Practices

The Proposed Project includes standard construction practices (see Section 3.4.5.2, Standard Construction Practices), that the City or its contractors would implement to avoid or minimize effects related to erosion and sedimentation, development in streams and drainages, and inadvertent discovery of cultural resources during construction. These practices and their effectiveness in avoiding and minimizing effects are described in Sections 4.3, Biological Resources, Section 4.4, Cultural Resources, and Section 4.8, Hydrology and Water Quality.

4.9.3.3 Project Impact Analysis

Areas of No Impact

The Proposed Project would not **physically divide an established community (Significance Standard A)**. The Proposed Project consists of modifications to the City's existing water rights to enhance operational flexibility and stream flows, installation and operation of ASR facilities using existing and potential new infrastructure, construction of new or improvements to existing interties (i.e., pipelines and pump stations) between the City and neighboring water systems, and improvements to existing surface water diversions. Upgrades and modifications to existing water supply infrastructure would continue the existing land uses on the respective sites and would not result in physical division of an established community. While the locations of some potential new infrastructure components are not known at this time (i.e., new ASR facilities), they would not introduce barriers or linear features that could physically divide an established community. The Proposed Project would not introduce a new linear element within the landscape, such as a freeway or other type of barrier that could divide an existing community. All linear facilities that are included in the Proposed Project (i.e., pipelines) would be located below ground, and the overlying areas would be restored after construction. Therefore, the Proposed Project would have no impact related to physically dividing an established community and this standard is not further evaluated.

Impacts

This section provides a detailed evaluation of land use, agriculture and forestry, and mineral resources impacts associated with the Proposed Project.

Impact LU-1: Conflicts with Land Use Plans, Policies, or Regulations (Significance Standard B). Construction and operation of the Proposed Project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **(Less than Significant)**

This discussion focuses on land use plans, policies, and regulations relevant to the Proposed Project that relate to avoiding or mitigating environmental effects, and whether any potential conflicts could create a significant physical impact on the environment. As indicated in Section 4.9.2.2, State, under California Government Code Section 53091 (d) and (e) facilities for the production, generation, storage, treatment, and transmissions of water supplies, such as the project and programmatic infrastructure components of the Proposed Project, are exempt from local building and zoning regulations. However, the Proposed Project is not exempt from the Coastal Act or applicable LCP. As the Proposed Project contains some components within the coastal zone in unincorporated Santa Cruz County (i.e., Beltz 8, 9, and 10 ASR facilities) and the City of Capitola (i.e., McGregor Drive pump station upgrade and the Park Avenue pipeline south of State Highway 1), it would require compliance with the applicable LCP. Additionally, it is possible that new ASR facilities could also be located within the coastal zone in unincorporated Santa Cruz County and would require compliance with the LCP. Table 4.9-3 includes an analysis of these specific project and programmatic infrastructure components of the Proposed Project and their potential for conflicts with the applicable LCP and related policies and ordinances. References to the Proposed Project standard construction practices are included in the table, which are described in detail in Chapter 3, Project Description and identified in Section 4.9.3.2, Analytical Methods.

Table 4.9-3. Review of Applicable Land Use Plans, Policies, and Regulations

Policy/Ordinance	Potential for Proposed Project to Conflict
County of Santa Cruz General Plan and Local Coastal Program	
5.1.6, Development Within Sensitive Habitats. Sensitive habitats shall be protected against any significant disruption of habitat values; and any proposed development within or adjacent to these areas must maintain or enhance the functional capacity of the habitat. Reduce in scale, redesign, or, if no other alternatives exist, deny any project which cannot sufficiently mitigate significant adverse impacts on sensitive habitats unless approval of a project is legally necessary to allow a reasonable use of the land (County Code Section 16.32.050[B]).	No Conflict. The Beltz 8, 9, and 10 ASR facilities would not conflict with this policy and related ordinance, as there are no sensitive habitats at these sites. Any new ASR facilities in the coastal zone of unincorporated Santa Cruz County would be required to comply with this policy and related code through the process of obtaining a CDP.
5.1.11, Wildlife Resources Beyond Sensitive Habitats. For areas which may not meet the definition of sensitive habitat contained in policy 5.1.2, yet contain valuable wildlife resources (such as migration corridors or exceptional species diversity), protect these wildlife habitat values and species using the techniques outlined in policies 5.1.5 and 5.1.7 and use other mitigation measures identified through the environmental review process (County Code Sections 16.32.060 – 16.32.070).	No Conflict. The Beltz 8, 9, and 10 ASR facilities would not conflict with this policy and related ordinance, as there are no wildlife corridors at these sites. Any new ASR facilities in the coastal zone of unincorporated Santa Cruz County would be required to comply with this policy and related code through the process of obtaining a CDP. The EIR did not identify areas of “exceptional species diversity” as referenced in this policy, and thus the Proposed Project would not conflict with policies to protect valuable wildlife resources. As indicated in Section 4.3, Biological Resources (Impacts BIO-1A, 1B, 1C, and 2), construction impacts to special status species and sensitive habitat areas would be reduced to a less-than-significant level with identified mitigation measures.

Table 4.9-3. Review of Applicable Land Use Plans, Policies, and Regulations (continued)

Policy/Ordinance	Potential for Proposed Project to Conflict
<p>5.2.2, Riparian Corridor and Wetland Protection Ordinance. Implement the protection of Riparian Corridors and Wetlands through the Riparian Corridor and Wetland Protection ordinance to ensure no net loss of riparian corridors and riparian wetlands. The ordinance identifies and defines riparian corridors and wetlands, determines the uses which are allowed in and adjacent to these habitats, and specifies required buffer setbacks and performance standards for land in and adjacent to these areas. Any amendments to this ordinance shall require a finding that riparian corridors and wetlands shall be afforded equal or greater protection by the amended language (County Code Section 16.30.040).</p>	<p>No Conflict. The Beltz 8, 9, and 10 ASR facilities would not conflict with this policy and related ordinance, as there are no wetlands or riparian corridors at these sites. Standard Construction Practice #10 requires that new ASR facilities shall avoid streams and drainages, which will minimize the potential that these facilities could cause impacts to riparian habitat and wetlands. Additionally, any new ASR facilities in the coastal zone of unincorporated Santa Cruz County would be required to comply with this policy and related code through the process of obtaining a CDP.</p>
<p>5.2.3, Activities Within Riparian Corridors and Wetlands. Development activities, land alteration and vegetation disturbance within riparian corridors and wetlands and required buffers shall be prohibited unless an exception is granted per the Riparian Corridor and Wetlands Protection ordinance. As a condition of riparian exception, require evidence of approval for development from the U.S. Army Corps of Engineers, California Department of Fish and Game, and other federal or state agencies that may have regulatory authority over activities within riparian corridors and wetlands (County Code Sections 16.30.040 – 16.30.070).</p>	<p>No Conflict. The Beltz 8, 9, and 10 ASR facilities would not conflict with this policy and related ordinance, as there are no wetlands or riparian corridors at these sites. Standard Construction Practice #10 requires that new ASR facilities shall avoid streams and drainages, which will minimize the potential that these facilities could cause impacts to riparian habitat and wetlands. Additionally, any new ASR facilities in the coastal zone of unincorporated Santa Cruz County would be required to comply with this policy and related code through the process of obtaining a CDP.</p>
<p>5.6.1, Minimum Stream Flows for Anadromous Fish Runs. Pending determination based on a biologic assessment, preserve perennial stream flows at 95% of normal levels during summer months, and at 70% of the normal winter baseflow levels. Oppose new water rights applications and time extensions, change petitions, or transfer of existing water rights which would individually diminish or cumulatively contribute to the diminishment of the instream flows necessary to maintain fish runs and riparian vegetation below the 95%/70% standard.</p>	<p>No Conflict. The underlying purpose of the Proposed Project, including the Beltz 8, 9, and 10 ASR and new ASR facilities, is to improve flexibility in operation of the City's water system while enhancing stream flows for local anadromous fisheries. This is accomplished with the implementation of the Agreed Flows as part of the Proposed Project, which were developed based on extensive biological analyses and consultation with the California Department of Fish and Wildlife and the National Marine Fisheries Service. The Proposed Project with the Agreed Flows would not individually diminish or cumulatively contribute to the diminishment of instream flows. Provision of the Agreed Flows would generally require reduced diversions from the North Coast sources and from the San Lorenzo River at Tait at certain times and would benefit instream flows for salmonid habitat. Specifically, as indicated in Section 4.3, Biological Resources, and Appendix D-3, the majority of the effects of the Proposed Project involve an improvement in habitat conditions for steelhead and coho salmon, as well as other special-status fish species, compared to the 2018 baseline condition. The only negative effect is a 2.7% decline in the rearing habitat index in wet years for coho salmon in Laguna Creek, which is actually a result of higher flows</p>

Table 4.9-3. Review of Applicable Land Use Plans, Policies, and Regulations (continued)

Policy/Ordinance	Potential for Proposed Project to Conflict
	in April provided for steelhead adult migration under the Agreed Flows. Higher flows marginally reduce coho rearing habitat, which is at optimum levels at lower flows than those provided for adult migration. Even with this effect, the wet year coho salmon rearing index remains at 90% of the peak level in Laguna Creek. This minor effect on rearing habitat is not likely to be biologically meaningful and would not be considered “substantial” under CEQA standards of significance. As indicated in Section 4.3, Biological Resources, operation of the Proposed Project would result in beneficial or less-than-significant effects on local fisheries.
<p>5.6.2, Designation of Critical Water Supply Streams. Designate the following streams, currently utilized at full capacity, as Critical Water Supply Streams: Laguna. Majors, Liddell, San Vicente, Mill and Reggiardo Creeks; San Lorenzo River and its tributaries above the City of Santa Cruz; Soquel Creek and its tributaries; Corralitos Creek and Browns Valley Creek and their tributaries upstream of the City of Watsonville diversion points. Oppose or prohibit as legal authority allows, new or expanded water diversion from Critical Water Supply Streams. Prohibit new riparian or off stream development, or increases in the intensity of use, which require an increase in water diversions from Critical Water Supply Streams. Seek to restore in-stream flows where full allocation may harm the full range of beneficial uses. (County Code Section 16.30.040)</p>	<p>No Conflict. The Proposed Project, including the Beltz 8, 9, and 10 ASR and new ASR facilities, would not result in new or expanded water diversion from Critical Water Supply Streams over and above that already authorized by the City’s water rights permits and licenses. In addition, one of the purposes of the Proposed Project is to enhance stream flows for local anadromous fisheries. This is accomplished with the implementation of the Agreed Flows as part of the Proposed Project.</p>
<p>5.6.3, New Major Water Supply Projects. Ensure the development of new major water supply projects are adequately conditioned to protect beneficial instream uses and riparian habitat. For new major water supply projects located in the Coastal Zone, ensure that no development proceeds unless such projects are adequately conditioned to protect beneficial instream uses and riparian habitat with minimal reliance on technologically-based mitigation measures (e.g., relying on hatchery-raised fish instead of maintaining spawning grounds). (County Code Chapter 16.30)</p>	<p>No Conflict. The underlying purpose of the Proposed Project, including the Beltz 8, 9, and 10 ASR and new ASR facilities, is to improve flexibility in operation of the City’s water system while enhancing stream flows for local anadromous fisheries. This is accomplished with the implementation of the Agreed Flows as part of the Proposed Project. As indicated in Section 4.3, Biological Resources, operation of the Proposed Project would result in beneficial or less-than-significant effects on local fisheries.</p>
<p>5.7.3, Erosion Control For Stream and Lagoon Protection. For all new and existing development and land disturbances, require the installation and maintenance of sediment basins, and/or other strict erosion control measures, as needed to prevent siltation of streams and coastal lagoons. (County Code Sections 16.22.060 – 16.22.070)</p>	<p>No Conflict. The Proposed Project includes Standard Construction Practices #1 through #4 related to erosion control. Beltz 8, 9, and 10 ASR facility sites are not located near streams or coastal lagoons. Additionally, Standard Construction Practice #10 requires that new ASR facilities avoid streams and drainages, which will minimize the potential that these facilities could cause erosion near streams and lagoons.</p>

Table 4.9-3. Review of Applicable Land Use Plans, Policies, and Regulations (continued)

Policy/Ordinance	Potential for Proposed Project to Conflict
<p>5.9.1, Protection and Designation of Significant Resources. Protect significant geological features such as caves, large rock outcrops, inland cliffs and special formations of scenic or scientific value, hydrological features such as major waterfalls or springs, and paleontological features, through the environmental review process. Designate such sites on the General Plan and LCP Resources and Constraints Maps where identified. Currently identified sites of Significant Hydrological, Geological and Paleontological Features are as follows:</p> <ul style="list-style-type: none"> (a) Majors Creek Canyon: The cliffs and exposed rocks of this canyon to the east of Highway 1 are outstanding scenic features. (b) Martin Road: East and west of Martin Road, encompassed in the botanical sites, are unusual sandhill outcroppings. (c) Wilder Creek: This area contains a concentration of limestone caves worth protecting. (d) Table Rock: Highly scenic coastal rock formations (sedimentary intrusive bodies) can be found in the vicinity of Table Rock and Yellow Bank Creek. <p>(County Code Chapter 16.44)</p>	<p>No Conflict. As described in Section 4.5, Geology and Soils, the Beltz 8, 9, and 10 ASR facility sites are not located in an area of known significant hydrological, geological, and paleontological resources. However, the Beltz ASR facility sites are located on sites that have high paleontological resources sensitivity. As indicated in Section 4.5.3.3 (Impact GEO-4), however, impacts to unique paleontological resources would be reduced to a less-than-significant level with identified mitigation measures.</p> <p>As discussed in Section 4.5, Geology and Soils, City wells are typically located on flat-lying topography that is not susceptible to landslides or other forms of slope failure and given that it is expected that new ASR facilities would be located in similar conditions and therefore would not be located on significant geological features. However, new ASR facilities could be located on sites that have paleontological resources sensitivity, but such impacts would be reduced to a less-than-significant level with identified mitigation measures, as indicated above.</p>
<p>5.10.2, Development Within Visual Resource Areas. Recognize that visual resources of Santa Cruz County possess diverse characteristics and that the resources worthy of protection may include, but are not limited to, ocean views, agricultural fields, wooded forests, open meadows, and mountain hillside views. Require projects to be evaluated against the context of their unique environment and regulate structure height, setbacks and design to protect these resources consistent with the objectives and policies of this section. Require discretionary review for all development within the visual resource area of Highway One, outside the Urban/Rural boundary, as designated on the GP/LCP Visual Resources Map and apply the design criteria of Section 13.20.130 of the County's zoning ordinance to such development. (County Code Section 13.20.130)</p>	<p>No Conflict. As described in Section 4.1, Impacts Not Found to be Significant, Beltz 8, 9, and 10 ASR and new ASR facilities would have a less-than-significant impact on visual resources.</p>
<p>5.10.3, Protection of Public Vistas. Protect significant public vistas as described in policy 5.10.2 from all publicly used roads and vista points by minimizing disruption of landform and aesthetic character caused by grading operations, timber harvests, utility wires and poles, signs, inappropriate landscaping and structure design. Provide necessary landscaping to screen development which is unavoidably sited within these vistas. (County Code Section 13.20.130)</p>	<p>No Conflict. As described in Section 4.1, Impacts Not Found to be Significant, Beltz 8, 9, and 10 ASR and new ASR facilities would have a less-than-significant impact on public vistas.</p>

Table 4.9-3. Review of Applicable Land Use Plans, Policies, and Regulations (continued)

Policy/Ordinance	Potential for Proposed Project to Conflict
5.10.8, Significant Tree Removal Ordinance. Maintain the standards in the County’s existing ordinance which regulates the removal of significant trees and other major vegetation in the Coastal Zone, and provide appropriate protection for significant trees and other major vegetation in areas of the County located within the Urban Services Line. (County Code Chapter 16.34)	No Conflict. Due to the developed nature of the Beltz 8, 9, and 10 ASR facility sites, removal of significant trees would not be required. Any new ASR facilities in the coastal zone of unincorporated Santa Cruz County would be required to comply with this policy and related code through the process of obtaining a CDP.
5.10.10, Designation of Scenic Roads. The following roads and highways are valued for their vistas. The public vistas from these roads shall be afforded the highest level of protection. (County Code Section 13.20.130)	No Conflict. As described in Section 4.1, Impacts Not Found to be Significant, Beltz 8, 9, and 10 ASR and new ASR facilities would have a less-than-significant impact on scenic roads.
5.19.1, Evaluation of Native American Cultural Sites. Protect all archaeological resources until they can be evaluated. Prohibit any disturbance of Native American Cultural Sites without an appropriate permit. Maintain the Native American Cultural Sites ordinance. (County Code Chapter 16.40)	No Conflict. Standard Construction Practices #24 and #25 described , and MM CUL-2 identified in Section 4.4, Cultural Resources and Tribal Cultural Resources, would provide for the proper handling and protection of archaeological resources and tribal cultural resources at the Beltz 8, 9, and 10 ASR and new ASR facility sites.
6.1.1, Geologic Review for Development in Designated Fault Zones. Require a review of geologic hazards for all discretionary development projects in designated fault zones. (County Code Chapter 16.10)	No Conflict. This policy and code chapter will be addressed through the CDP process for Beltz 8, 9, and 10 ASR and new ASR facilities, as applicable. As indicated in Section 4.5, Geology and Soils, Beltz 8, 9, and 10 ASR facilities sites are not located in a designated fault zone.
6.1.8, Design Standards for New Public Facilities. Require all new public facilities and critical structures to be designed to withstand the expected ground shaking during the design earthquake on the San Andreas Fault. (County Code Chapter 16.10)	No Conflict. This policy and code chapter will be addressed through the CDP process for Beltz 8, 9, and 10 ASR and new ASR facilities, as applicable. As indicated in Section 4.5, Geology and Soils, Beltz 8, 9, and 10 ASR facility sites are not located in a designated fault zone and all the design and construction of the facility infrastructure would be completed in accordance with California Building Code regulations.
6.3.4, Erosion Control Plan Approval Required for Development. Require approval of an erosion control plan for all development, as specified in the Erosion Control ordinance. Vegetation removal shall be minimized and limited to that amount indicated on the approved development plans, but shall be consistent with fire safety requirements. (County Code Section 16.22.060)	No Conflicts. During construction of Beltz 8, 9, and 10 ASR, and new ASR facilities erosion and sediment control best management practices identified in Standard Construction Practices #1 through #4 would be implemented in areas of disturbed soils. Given the developed nature of the Beltz ASR facility sites, vegetation removal, if any, would be minimal. Any new ASR facilities in the coastal zone of unincorporated Santa Cruz County would be required to comply with this policy and related code through the process of obtaining a CDP.
6.3.8, On-site Sediment Containment. Require containment of all sediment on the site during construction and require drainage improvements for the completed development that will provide runoff control, including onsite retention or detention where downstream drainage facilities have limited capacity. Runoff control systems or Best Management Practices shall be adequate to prevent any significant increase in site runoff over pre-existing volumes and velocities and to maximize on-site collection of non-point source pollutants. (County Code Section 16.22.070)	No Conflict. During construction of Beltz 8, 9, and 10 ASR and new ASR facilities erosion and sediment control best management practices identified in Standard Construction Practices #1 through #4 would be implemented in areas of disturbed soils.

Table 4.9-3. Review of Applicable Land Use Plans, Policies, and Regulations (continued)

Policy/Ordinance	Potential for Proposed Project to Conflict
<p>6.3.9, Site Design to Minimize Grading. Require site design in all areas to minimize grading activities and reduce vegetation removal based on the following guidelines:</p> <ul style="list-style-type: none"> (a) Structures should be clustered; (b) Access roads and driveways shall not cross slopes greater than 30 percent; cuts and fills should not exceed 10 feet, unless they are wholly underneath the footprint and adequately retained; (c) Foundation designs should minimize excavation or fill; (d) Building and access envelopes should be designated on the basis of site inspection to avoid particularly erodible areas; (e) Require all fill and sidecast material to be recompacted to engineered standards, reseeded, and mulched and/or burlap covered. <p>(County Code Section 16.20.050[F])</p>	<p>No Conflict. Given that Beltz 8, 9, and 10 ASR facility sites are already developed and paved sites located on relatively flat topography, grading, excavation, and vegetation removal for the proposed improvements would be minimized. Any new ASR facilities in the coastal zone of unincorporated Santa Cruz County would be required to comply with this policy and related code through the process of obtaining a CDP.</p>
<p>6.3.11, Sensitive Habitat Considerations for Land Clearing Permits. Require a permit for any land clearing in a sensitive habitat area and for clearing more than one quarter acre in Water Supply Watershed, Least Disturbed Watershed, very high and high erosion hazard areas no matter what the parcel size. Require that any land clearing be consistent with all General Plan and LCP Land Use policies (County Code Chapter 16.22)</p>	<p>No Conflict. Given that Beltz 8, 9, and 10 ASR facility sites are already developed and paved sites located on relatively flat topography, grading, excavation, and vegetation removal for the proposed improvements would be minimized. Additionally, grading on these sites would not take place in a sensitive habitat, a Water Supply Watershed, Least Disturbed Watershed, or very high and high erosion hazard areas. Any new ASR facilities in the coastal zone of unincorporated Santa Cruz County would be required to comply with this policy and related code through the process of obtaining a CDP.</p>
<p>7.7.4, Maintaining Recreation Oriented Uses. Protect the coastal blufftop areas and beaches from intrusion by nonrecreational structures and incompatible uses to the extent legally possible without impairing the constitutional rights of the property owner (County Code Sections 13.20.110[D] and [E])</p>	<p>No Conflict. Given that Beltz 8, 9, and 10 ASR facility sites are not located between the ocean and the nearest public road, these project components would not interfere with coastal blufftop areas and beaches. New ASR facilities sites would also not interfere with coastal blufftop areas and beaches, as these facilities would be setback from blufftops and beaches to avoid potential impacts associated with seawater intrusion in the Santa Cruz Mid-County Groundwater Basin.</p>
<p>7.7.10, Protect Existing Beach Access. Protect existing pedestrian, and, where appropriate, equestrians and bicycle access to all beaches to which the public has a right of access, whether acquired by grant or through use, as established through judicial determination of prescriptive rights, and acquisition through appropriate legal proceedings. (County Code Sections 13.20.110[D] and [E])</p>	<p>No Conflict. Given that Beltz 8, 9, and 10 ASR facility sites are not located between the ocean and the nearest public road, these project components would not interfere with pedestrian, equestrian, or bicycle access to beaches. New ASR facilities sites would also not interfere with access to beaches, as these facilities would be setback from the coastline and beaches to avoid potential impacts associated with seawater intrusion in the Santa Cruz Mid-County Groundwater Basin.</p>

Table 4.9-3. Review of Applicable Land Use Plans, Policies, and Regulations (continued)

Policy/Ordinance	Potential for Proposed Project to Conflict
<p>8.6.6, Protecting Ridgetops and Natural Landforms. Protect ridgetops and prominent natural landforms such as cliffs, bluffs, dunes, rock outcroppings and other significant natural features from development. In connection with discretionary review, apply the following criteria:</p> <ul style="list-style-type: none"> (a) Development on ridgetops shall be avoided if other developable land exists on the property. (b) Prohibit the removal of tree masses when such removal would erode the silhouette of the ridgeline form. Consider the cumulative effects of tree removal on the ridgeline silhouette. (c) Restrict the height and placement of buildings and structures to prevent their projection above the ridgeline or treeline. Restrict structures and structural projections adjacent to prominent natural land forms. Prohibit the creation of new parcels which would require structures to project above the ridgeline, treeline or along the edge of prominent natural landforms. (d) Require exterior materials and colors to blend with the natural landform and tree backdrops. <p>(County Code Sections 13.20.110[D] and [E])</p>	<p>No Conflict. Given that Beltz 8, 9, and 10 ASR facility sites are not located on a ridgetop or prominent natural landform, these project components would not erode the silhouette of ridgeline forms. As discussed in Section 4.5, Geology and Soils, City wells are typically located on flat-lying topography that is not be susceptible to landslides or other forms of slope failure and given that it is expected that new ASR facilities would be located in similar conditions and therefore would not be located on ridgetops or prominent natural landforms.</p>
City of Capitola Local Coastal Program Land Use Plan	
<p>Policy III-4. It shall be the policy of the City of Capitola to require the planting of trees in new development and to protect existing trees by allowing removal only in accordance with the City's Tree Ordinance. The City should encourage new developments to be designed to preserve significant vegetation. (Municipal Code Chapter 12.12)</p>	<p>No Conflict. As discussed in Section 4.3, Biological Resources, the McGregor Drive pump station and the segment of the Park Avenue pipeline south of State Highway 1 would be completed in conformance with local policies and ordinances, including the City's Tree Ordinance.</p>
<p>Policy III-5. Permitted development shall not block or detract from public views to and along Capitola's shoreline. (Municipal Code Section 17.46.090)</p>	<p>No Conflict. As described in Section 4.1, Impacts Not Found to be Significant, the McGregor Drive pump station and the segment of the Park Avenue pipeline south of State Highway 1 would have a less-than-significant impact on public views.</p>
<p>Policy VI-2. It shall be the policy of the City of Capitola to protect, maintain and, where possible, enhance the environmentally sensitive and locally unique habitats within its coastal zone, including dedication and/or acquisition of scenic conservation easements for protection of the natural environment. All developments approved by the City within or adjacent to these areas must be found to be protective of the long-term maintenances of these habitats. (Municipal Code Chapter 17.46)</p>	<p>No Conflict. The McGregor Drive pump station and segment of the Park Avenue pipeline south of State Highway 1 are not located in areas of environmentally sensitive and locally unique habitats, as described in Section 4.3, Biological Resources.</p>

Table 4.9-3. Review of Applicable Land Use Plans, Policies, and Regulations (continued)

Policy/Ordinance	Potential for Proposed Project to Conflict
Policy VI-5. The City shall, as a condition of new development, ensure that run-off does not significantly impact the water quality of Capitola's creeks and wetlands through increased sedimentation, biochemical degradation or thermal pollution. (Municipal Code Section 13.16)	No Conflict. As described above, the Proposed Project would implement Standard Construction Practices #1 through #4 related to control of erosion and runoff, as well as water quality protection.
Policy VII-1. It shall be the policy of the City of Capitola to adequately plan for natural hazards in new development, reduce risks to life and property, and revise all plans and Zoning Ordinances to be in conformance with all the policies of the Coastal Act relating to hazards and shoreline structures. (Municipal Code Chapter 16.24)	No Conflict. As discussed in Section 4.5, Geology and Soils, the McGregor Drive pump station site is in an area of low liquefaction potential, while portions of the Park Avenue pipeline segment south of State Highway 1 are in an area of very high liquefaction potential, associated with shallow groundwater beneath a tributary drainage to Tannery Gulch. Design and construction of the intertie would be completed in accordance with standard, site-specific geotechnical investigations, in accordance with California Building Code and California Division of Occupational Safety and Health regulations, thus minimizing the potential for damage and safety impacts. As discussed in Section 4.8, Hydrology and Water Quality, the McGregor Drive pump station upgrade and Park Avenue pipeline segment would have less-than-significant impacts related to flood or tsunami hazards.

As summarized in Table 4.9-3, these specific project and programmatic infrastructure components of the Proposed Project would not conflict with applicable LCP policies and implementing ordinances. Therefore, the Proposed Project would have a less-than-significant impact related to conflicts with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect.

Mitigation Measures

As described above, the Proposed Project would not result in significant land use impacts, and therefore, no mitigation measures are required.

Impact LU-2: Conversion or Loss of Farmland or Forest Land and Conflicts with Zoning for Agricultural Land, Forest Land, or Timberland (Significance Standards C D, E, F, and G). Construction of the Proposed Project could convert prime, unique, or important agricultural land to non-agricultural use, convert forest land to non-forest land, conflict with existing zoning for agricultural or timber production uses or conflict with a Williamson Act contract. *(Less than Significant with Mitigation)*

Water Rights Modifications

The water rights modifications of the Proposed Project would not directly result in construction of new facilities and therefore would not have the potential to directly convert agricultural lands to non-agricultural uses. Additionally, while the water rights modifications could result in limitations on the availability of water for agricultural use during drier hydrological conditions, as described in Chapter 3, Project Description, it would not have the potential to

indirectly convert agricultural lands to non-agricultural uses with adverse environmental effects. This project component also would not result in any conflicts with existing zoning for agricultural use or with a Williamson Act contract, as it would not change zoning or result in new land uses that could cause such conflicts. Therefore, this project component would have no direct adverse impact on agricultural resources.

Similar to agricultural land above, the water rights modifications of the Proposed Project would not directly result in construction of new facilities and therefore would not have the potential to convert forest land to non-forest uses. This project component also would not result in any conflicts with existing zoning for forest land or timberland, as it would not change zoning or result in new land uses that could cause such conflicts. Therefore, this project component would have no direct impact on forest resources.

The following analysis evaluates the potential indirect impacts to Farmland and forest land as a result of the proposed water rights modifications that, once approved, could result in the implementation of the project and programmatic infrastructure components of the Proposed Project.

Infrastructure Components

Aquifer Storage and Recovery Facilities

New ASR Facilities. As no definitive sites have been identified to date for new ASR facilities, the setting of such facility sites is unknown. Up to four new ASR facilities would be constructed within the Santa Cruz Mid-County and/or Santa Margarita Groundwater Basins; while specific sites have not been identified at this time, a typical facility would require a site approximately 0.25 acres in size. As described in Section 4.9.1.3, Agricultural Resources, and Section 4.9.1.4, Forest and Timberland, and shown on Figure 4.9-2 and Figure 4.9-3, there are both agricultural and timber resources located within the lands overlying the two groundwater basins. Depending on the specific locations of future facilities, new ASR facilities could result in the conversion of Farmland or forest land to non-agricultural use or non-forest use, or conflict with zoning for agricultural use, forest land, or timberland for sites located in the coastal zone.

If lands are designated as Farmland (i.e., prime, unique, or important farmland under the State Farmland Mapping and Monitoring Program), conversion to non-agricultural uses would be considered a significant impact. Likewise, if future sites include parcels that are zoned CA or A in the County, new ASR facilities could be in conflict with allowable and conditional uses in these zone districts if facilities are located in the coastal zone.² Given that the four new ASR facilities would comprise a total of approximately 1 acre of land it is possible that the siting of one or more of these facilities could convert Farmland to non-agricultural use and/or conflict with allowable and conditional uses in the CA or A zone districts in the coastal zone and the impact would be potentially significant.

Implementation of MM LU-1 would avoid conversion of Farmland and conflicts with agricultural zoning by requiring that new ASR facilities avoid sites with Farmland and sites with CA or A zoning in the coastal zone. Given that the areas of prime, unique, and important farmlands shown on Figure 4.9-2 are limited, especially in the Santa Margarita Groundwater Basin, and given the small parcel size required for new ASR facilities, future siting of these facilities could likely avoid Farmlands. Alternatively, MM LU-1 allows for the use of Farmland if site-specific application of the LESA model determines that the site would not result in a significant impact to agricultural lands.

² Outside of the coastal zone, new ASR facilities would not result in conflicts with existing zoning as the City is not subject to County zoning requirements because California Government Code Section 53091 (d) and (e) provides that facilities for the production, generation, storage, treatment, and transmissions of water supplies are exempt from local (i.e., county and city) building and zoning ordinances, as described in Section 4.9.2.2, State.

As indicated in Section 4.9.2.2, State, CEQA provides lead agencies with an optional methodology, the LESA model, to assess impacts to agricultural lands. The LESA model evaluates measures of soil resource quality, project size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. For a given project, the factors are rated, weighted, and combined, resulting in a single numeric score that becomes the basis for making a determination of a project's potential significance based on scoring totals identified in the model. Therefore, with the implementation of this mitigation measure the impact of this programmatic component related to agricultural resources would be reduced to a less-than-significant level.

Future new ASR facilities on sites with forest/timberland resources would result in a significant impact if such uses are converted to non-forest uses. As shown on Figure 4.9-3, areas of timber resources are present on portions of both groundwater basins. There do not appear to be parcels in the coastal zone that are zoned for timber production uses by the County, and therefore, the Proposed Project would not conflict with County zoning regarding timber resources in the coastal zone. Given that the four new ASR facilities would comprise a total of approximately 1 acre of land it is possible that the siting of one or more of these facilities could convert forest/timberland resources to non-uses and the impact would be potentially significant.

Implementation of MM LU-1 would avoid conversion of forest/timberland resources by requiring that new ASR facilities avoid sites with such resources. Given that the areas of timber resources shown on Figure 4.9-3 are limited and given the small parcel size required for new ASR facilities, future siting of these facilities could likely avoid forest/timberland resources. Therefore, with the implementation of this mitigation measure the impact of this programmatic component related to forest resources would be reduced to a less-than-significant level.

Beltz ASR Facilities. No Farmland or forest land is located on or near the Beltz ASR facility sites, nor are the sites zoned for agricultural use or forest/timberland or enrolled in a Williamson Act contract (County of Santa Cruz 2019a, 2021b). The Beltz ASR facility sites are mapped as Urban and Built-Up Land by the California Department of Conservation, and the surrounding lands are also Urban and Built-Up Land (California Department of Conservation 2018). Therefore, the Beltz ASR facilities would have no impact on Farmland or forest land.

Water Transfers and Exchanges and Intertie Improvements

City/SVWD Intertie. No Farmland or forest land is located on the City/SVWD intertie pipeline site, nor is the site zoned for forest/timberland or enrolled in a Williamson Act contract (County of Santa Cruz 2019a, 2021b). The City/SVWD intertie site is mapped as Urban and Built-Up Land by the California Department of Conservation, and the surrounding lands are also Urban and Built-Up Land (California Department of Conservation 2018). The City/SVWD intertie pipeline site would traverse some lands zoned for residential agricultural uses by the County of Santa Cruz; however, the City/SVWD intertie would not conflict with such zoning given that the facility would be exempt from local zoning under California Government Code Section 53091 (d) and (e). Regardless, the pipeline would be installed in the public roadway along Sims Road and La Madrona Drive, and therefore this programmatic component would not convert agricultural or forest land and there would be no impact.

City/SqCWD/CWD Intertie – Soquel Village and Park Avenue Pipelines and McGregor Drive Pump Station Upgrade. No Farmland or forest land is located near the Soquel Village and Park Avenue pipelines or McGregor Drive pump station upgrade sites for the City/SqCWD/CWD intertie, nor are the sites zoned for forest/timberland or enrolled in a Williamson Act contract (County of Santa Cruz 2019a, 2021b). The sites are mapped as Urban and Built-Up Land by the California Department of Conservation, and the surrounding lands are also Urban and Built-Up Land (California Department of Conservation 2018). Therefore, this programmatic component would not convert agricultural or forest land and there would be no impact.

City/SqCWD/CWD Intertie – New Pump Stations. No Farmland or forest land is located near the new pump station sites for the City/SqCWD/CWD intertie, nor are the sites zoned for forest/timberland or enrolled in a Williamson Act contract (County of Santa Cruz 2019a, 2021b). The areas of the proposed pump station sites are mapped as Urban and Built-Up Land and Other Land by the California Department of Conservation, and the surrounding lands are also Urban and Built-Up Land and Other Land (California Department of Conservation 2018). Therefore, construction of new pump stations would not result in conversion of farmland or forest/timberland as none exists in the general area where these facilities may be located.

Although the Valencia Road pump station is not located in an area where designated Farmland occurs, the facility could be located on land zoned for agriculture (A), depending on the precise site ultimately identified. However, the Valencia Road pump station would not conflict with such zoning given that the facility would be exempt from local zoning under California Government Code Section 53091 (d) and (e), as it is not in the coastal zone. Therefore, this programmatic component would not convert agricultural or forest land or conflict with zoning for agricultural land, and there would be no impact.

Felton Diversion Improvements

No Farmland or forest land is located on or near the Felton Diversion improvements site, nor is the site zoned for agricultural use or forest/timberland or enrolled in a Williamson Act contract (County of Santa Cruz 2019a, 2021b). The Felton Diversion site is mapped as Other Land, which includes low-density rural developments, brush, timber, wetland, and riparian areas, and the surrounding lands are also Other Land and Urban and Built-Up Land (California Department of Conservation 2018). Therefore, the Felton Diversion improvements would have no impact on Farmland or forest land.

Tait Diversion and Coast Pump Station Improvements

No Farmland or forest land is located on or near the Tait Diversion and Coast Pump Station improvements site, nor is the site zoned for agricultural use or forest/timberland or enrolled in a Williamson Act contract (County of Santa Cruz 2019a, 2021b). The Tait Diversion and Coast Pump Station improvements site is mapped as Urban and Built-Up Land by the California Department of Conservation, and the surrounding lands are also Urban and Built-Up Land (California Department of Conservation 2018). Therefore, the Tait Diversion and Coast Pump Station improvements would have no impact on Farmland or forest land.

Mitigation Measures

Implementation of the following mitigation measure would reduce potentially significant agriculture and forest land impacts of the Proposed Project to a less-than-significant level, as described above.

MM LU-1: Avoidance of Agricultural and Forest Lands (Applies to New Aquifer Storage and Recovery [ASR] Facilities). The following measures shall be implemented to avoid conversion of Farmland or forest/timberland, and/or conflicts with agricultural zoning in the coastal zone:

- a. Locate new ASR facilities on sites that do not contain Farmland (i.e., prime, unique, or important farmland under the State Farmland Mapping and Monitoring Program) unless site-specific application of the Land Evaluation and Site Assessment model determines that the site would not result in a significant impact to agricultural lands.
- b. Locate new ASR facilities on sites that do not contain forest/timber land.
- c. Locate new ASR facilities on sites that are not zoned for agricultural uses in the coastal zone.

Impact LU-3: Loss of Mineral Resources (Significance Standards H and I). Construction of the Proposed Project could potentially result in the location of infrastructure components on lands containing mineral resources in existing quarries; however, the Proposed Project would not result in the loss of availability of a mineral resource. *(Less than Significant)*

Water Rights Modifications

The water rights modifications would not have the potential to result in direct mineral resources impacts, as these modifications would not directly result in construction of new facilities that result in the loss of availability of a known mineral resource or locally important mineral resource recovery site. Therefore, the water rights modifications would have no direct impact on mineral resources.

The following analysis evaluates the potential indirect impacts to mineral resources as a result of the proposed water rights modifications that, once approved, could result in the implementation of the project and programmatic infrastructure components of the Proposed Project.

Infrastructure Components

No known mineral resources or aggregate production are located on or in the immediate proximity to the known project and programmatic infrastructure component sites (California Geological Survey 2018). The Beltz ASR facility sites are classified as MRZ-4, indicating areas of unknown mineral resource significance (no known mineral occurrence). The City/SqCWD/CWD intertie improvement site is classified as MRZ-1, indicating no mineral significance, and MRZ-4. The City/SVWD intertie improvement site is classified as MRZ-3(a) and MRZ-3(d), indicating inferred mineral deposits that have undetermined mineral resource significance; however, the pipeline alignment would be located in an existing public roadway and therefore would not result in the loss of availability of a known mineral resource or locally important mineral resource recovery site. The Felton Diversion improvement site is classified MRZ-1, which is a designated area where no significant mineral deposits are present (County of Santa Cruz 2019b). The Tait Diversion and Coast Pump Station improvement site is classified MRZ-1 and MRZ-3(d) (County of Santa Cruz 2019b). However, as there is no aggregate production along the San Lorenzo River and given that the Tait Diversion and Coast Pump Station is an existing facility, this programmatic component would not result in the loss of availability of a known mineral resource or locally important mineral resource recovery site.

As no definitive sites have been identified to date for new ASR facilities, the setting of such facility sites is unknown; however, there are lands in existing quarries with known mineral resources or locally important mineral resource recovery sites overlying the Santa Cruz Mid-County and Santa Margarita Groundwater Basins where new ASR facilities would be sited. Therefore, such facilities could potentially be located on lands containing mineral resources. However, given that up to four new ASR facilities would comprise a total of approximately 1 acre of land, the area that could be impacted by new ASR facilities would comprise a negligible portion of mineral resource lands. Furthermore, the reclamation plans for each of the existing quarries in the County designate the end use as some form of open space. If uses other than open space are proposed, an amendment to the quarry's reclamation plan would be required to modify closure plans to allow for new ASR facilities. Consequently, quarries may accommodate new ASR facilities following closure of active quarry operations with amendments to quarry reclamation plans. These existing regulations and standards would ensure that new ASR facilities are consistent with quarry reclamation plans and do not adversely affect the availability of mineral resources in the County, and the impact would be less than significant.

Mitigation Measures

As described above, the Proposed Project would not result in significant impacts on mineral resources, and therefore, no mitigation measures are required.

4.9.3.4 Cumulative Impacts Analysis

This section provides an evaluation of cumulative land use, agriculture and forestry, and mineral resources impacts associated with the Proposed Project and past, present, and reasonably foreseeable future projects, as identified in Table 4.0-2 in Section 4.0, Introduction to Analyses, and as relevant to this topic. The geographic area considered in the cumulative analysis for this topic is Santa Cruz County.

The Proposed Project would not contribute to cumulative impacts related to **physical division of an established community (Significance Standard A)** because it would have no impact related to this standard, as described above. Therefore, this significance standard is not further evaluated.

Impact LU-4: Cumulative Land Use Impacts (Significance Standard B). Construction and operation of the Proposed Project, in combination with past, present, and reasonably foreseeable future development, would not result in a significant cumulative impact related to conflicts with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. *(Less than Significant)*

Although cumulative projects could have conflicts with established land use and planning documents and land use policies, they would be subject to review and approval by the County of Santa Cruz, the City of Santa Cruz, the City of Scotts Valley, and the City of Capitola, as applicable.³ During the review and approval process, each of these projects would be required to be designed or otherwise conditioned to avoid conflicts with adopted land use plans and ordinances. In addition, as discussed above in Impact LU-1, the project and programmatic infrastructure components located in the coastal zone would not conflict with the relevant policies and implementing ordinances of the applicable LCP. Therefore, the Proposed Project, in combination with the past, present, and reasonably foreseeable future projects in Santa Cruz County, would result in less-than-significant cumulative impacts related to conflicts with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect.

Impact LU-5: Cumulative Agriculture and Forestry Impacts (Significance Standards C, D, E, F, and G). Construction of the Proposed Project, in combination with past, present, and reasonably foreseeable future development, would result in a significant cumulative impact related to loss of Farmland and forest land, but the Proposed Project's contribution would not be cumulatively considerable. *(Less than Significant)*

Most cumulative projects identified in Table 4.0-2 would not result in conversion of Farmland. Cumulative projects consist primarily of water and transportation infrastructure improvement projects, and infill development projects, as well as growth at the University of California, Santa Cruz (UCSC) campus. In general, these projects would tend to be located at existing facilities, along existing transportation corridors, and within developed, urban areas, rather than on Farmland. While growth under the 2021 Long Range Development Plan (LRDP) would result in the

³ The exception to this is the University of California, Santa Cruz (UCSC) 2021 Long Range Development Plan, which will be subject to review and approval by the University of California Board of Regents. Projects pursued under the pending 2021 LRDP would conform with the 2021 LRDP land use plan and policies or would be required to pursue an amendment to the pending 2021 LRDP land use plan, if warranted.

conversion of approximately 2 acres of Farmland to nonagricultural uses, the 2021 LRDP EIR indicated that this 2-acre area is not a significant agricultural resource due to its limited acreage and water supply as well as its relative isolation compared to other agricultural lands in the region as determined through application of the LESA model (UCSC 2021). The Proposed Project could convert up to approximately 1-acre of Farmland as discussed in Impact LU-2, but the impact would be avoided with implementation of MM LU-1. Therefore, cumulative impacts related to potential conversion of Farmland would be less than significant.

Cumulative projects could result in conversion of forest land, although most cumulative projects identified in Table 4.0-2 would not result in conversion of forest land. Conversion of forest lands could occur with the Newell Creek Dam Inlet/Outlet Replacement Project (approximately 15 acres) and development as part of the UCSC LRDP (approximately 123 acres), resulting in a potentially significant cumulative impact on forest resources, even though there are substantial amounts of remaining forest lands throughout the County. The Proposed Project could convert forest land as discussed in Impact LU-2, but the impact would be avoided with implementation of MM LU-1. Therefore, the Proposed Project's contribution to cumulative forest resources impacts would not be cumulatively considerable.

Impact LU-6: Cumulative Mineral Resource Impacts (Significance Standards H and I). Construction of the Proposed Project, in combination with past, present, and reasonably foreseeable future development, would not result in a significant cumulative impact related to loss of availability of mineral resources. *(Less than Significant)*

Cumulative projects listed in Table 4.0-2 consist primarily of water and transportation infrastructure improvement projects, infill development projects, and growth at the UCSC campus. These projects would tend to be located at existing water facilities, along existing transportation corridors, and within developed, urban areas, rather than on lands containing important mineral resources. While the Proposed Project could potentially impact a maximum of approximately 1 acre of land area that could encompass mineral resources due to the location of new ASR facilities at an existing quarry, this would constitute a negligible area of mineral resource lands and Proposed Project impacts would further be minimized through amendments to reclamation plans for existing quarries to modify closure plans to allow for new ASR facilities, as described in Impact LU-3. Therefore, the Proposed Project, in combination with the past, present, and reasonably foreseeable future projects in Santa Cruz County, would result in less-than-significant cumulative impacts related to loss of availability of mineral resources.

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