



CITY OF SANTA CRUZ WATER DEPARTMENT
212 Locust Street • Suite C • Santa Cruz, CA 95060 • www.cityofsantacruz.com

October 15, 2018

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

RE: Santa Cruz Water Rights Project

To Interested Agencies and Persons:

The City of Santa Cruz (City) as the Lead Agency for the Santa Cruz Water Rights Project (Proposed Project) has issued this Notice of Preparation (NOP) and prepared an Initial Study (IS) pursuant to the California Environmental Quality Act (CEQA) to notify interested parties of the preparation of an Environmental Impact Report (EIR). The EIR will evaluate potential environmental impacts of the Proposed Project. The City is soliciting public input regarding the scope and content of environmental information to be included in the EIR.

Two public scoping meetings regarding the Proposed Project and EIR will be held as follows:

- Wednesday, November 7 at 6:30 at the Harvey West Scouthouse, 326 Evergreen Street, Santa Cruz CA 95060
- Thursday, November 8 at 6:30 at the Highlands Park House, 8500 Highway 9, Ben Lomond CA 95005

Written comments received in response to this NOP will be considered during preparation of the EIR. Comments can be submitted at the public scoping meetings or mailed to the following address. Comments must be received in writing by 5 pm on November 14, 2018.

Sarah Easley Perez, Associate Planner
City of Santa Cruz Water Department
212 Locust Street, Suite C
Santa Cruz, CA 95060
seasleyperez@cityofsantacruz.com

Ms. Perez is the project contact and can be reached by phone at (831)420-5327, or via the email address listed above.

The IS/NOP is available online at:

<https://www.cityofsantacruz.com/government/city-departments/water/online-reports/environmental-documents>

The IS/ NOP is also available for public review during regular business hours at the following locations:

- City of Santa Cruz Water Department; 212 Locust Street, Suite C, Santa Cruz, CA, 95060
- Santa Cruz Public Library Aptos Branch; 7695 Soquel Drive, Aptos, CA, 95003
- Santa Cruz Public Library Central Branch; 224 Church Street, Santa Cruz, CA, 95060-38
- Santa Cruz Public Library, Felton Branch ; 6299 Gushee Street, Felton, CA 95018-9140

Project Location. The Proposed Project involves the City's water system and its water service area as well as the service areas of Soquel Creek Water District, Scotts Valley Water District, San Lorenzo Valley Water District, and Central Water District. The Proposed Project is located within Santa Cruz County and is loosely bounded by the community of Soquel and the City of Capitola to the east, Bonny Doon Road to the west, Boulder Creek to the north, and the Pacific Ocean to the south. Refer to Figure 1, Regional Location.

Major components of the City's water system include Loch Lomond Reservoir in Ben Lomond, two diversions on the San Lorenzo River (in Felton and in the City of Santa Cruz), four diversions on North Coast streams (on Majors, Laguna, Liddell and Reggiardo Creeks), and groundwater wells within the Santa Cruz Mid-County groundwater basin in the community of Live Oak. The water service area includes the City of Santa Cruz, a portion of the City of Capitola, and unincorporated Santa Cruz County in Live Oak, Soquel, and along Graham Hill Road. The City also has a limited water service area along the coast north of the City, primarily along Highway 1 up to Bonny Doon Road. Refer to Figure 2, Santa Cruz Water Department Existing Facilities.

The Soquel Creek Water District serves the mid-region of Santa Cruz County, which includes portions of the City of Capitola and the unincorporated communities of Aptos, La Selva Beach, Rio Del Mar, Seascapes, Seacliff Beach and Soquel. The Scotts Valley Water District serves the majority of the City of Scotts Valley and a portion of the unincorporated area to the north. The San Lorenzo Valley Water District service area includes the unincorporated communities of Boulder Creek, Brookdale, Ben Lomond, and portions of Felton, as well as portions of Scotts Valley and adjacent unincorporated areas. The Central Water District serves a portion of the unincorporated community of Aptos. Refer to Figure 3, Potential Partnering Regional Water Districts.

Project Description. The Proposed Project addresses key issues needed to improve the City's water system flexibility while enhancing stream flows for local anadromous fisheries, particularly for Central California Coast coho salmon, a federally listed endangered species, and Central California Coast steelhead, a federally listed threatened species. The Proposed Project includes components that will be considered in the EIR at a "project" level (per CEQA Guidelines Section 15161) and components that will be considered in the EIR at a "programmatic" level (per CEQA Guidelines Section 15168) as described below.

Project Components

The Proposed Project involves modification of existing City water rights to increase the flexibility of the water system by improving the City's ability to utilize surface water within existing allocations. The Proposed Project includes:

- Flow Requirements: Modifying City water rights to include minimum bypass flows as negotiated with state and federal resource agencies to protect fisheries (Agreed Flows);
- Places of Use: Conforming and expanding the Places of Use (POUs) of City water rights to include Soquel Creek Water District, Scotts Valley Water District, San Lorenzo Valley Water District, and Central Water District;
- Diversion Methods and Points: Modifying certain City water rights to include direct diversion as an allowable method of diversion and including existing City diversion points as added points of diversion to certain City water rights;
- Extension of Time: Granting an extension of time of 25 years to beneficially utilize water allowed under certain City water rights permits.

Both the City and the State Water Resources Control Board (SWRCB) have discretion over approvals relating to water rights actions associated with the Proposed Project.

Programmatic Components

Once the City's water rights are modified, the following additional foreseeable activities may occur:

- Felton Diversion Fish Passage Improvements: Implementing improvements to address fish passage, which may include replacement of existing screens, installation of a traveling brush system, and construction of a continuous outmigration bypass route.
- Interties: Developing or improving interties between City of Santa Cruz and Soquel Creek Water District, Scotts Valley Water District, San Lorenzo Valley Water District, and/or Central Water District.

Because these activities are considered to be a logical part in a chain of contemplated actions, but the full physical extent and timing of these improvements is not known at this time, these activities will be addressed in the EIR at a programmatic level. Some of these actions may be undertaken in conjunction with surrounding districts and some may be undertaken solely by the City.

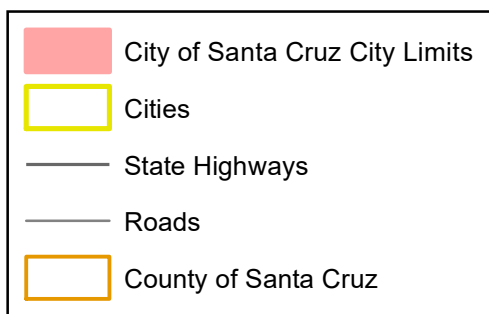
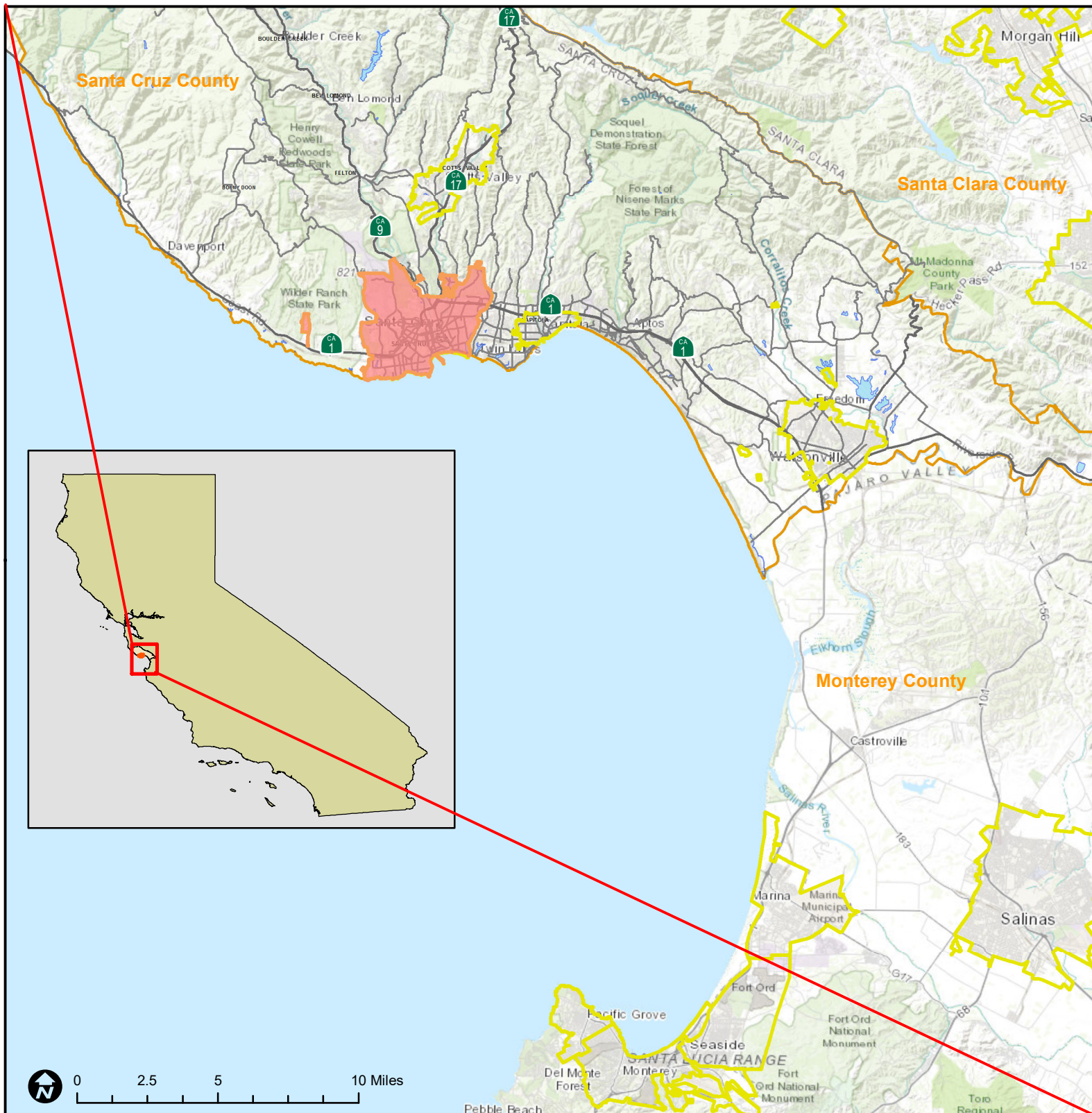
Potential Environmental Effects of the Proposed Project. Preliminary review pursuant to CEQA *Guidelines* Section 15060 and the Initial Study prepared for the Proposed Project has determined the need for an EIR to assess potentially significant environmental impacts of the Proposed Project. Written comments received in response to this IS/NOP will be considered during further development of the scope and content of environmental information to be included in the Draft EIR.

As shown in **Table 1**, the Initial Study has identified the following environmental issue areas as requiring further analysis in the EIR at either a project level, programmatic level, or both.

TABLE 1
RESOURCE AREAS REQUIRING FURTHER ANALYSIS IN EIR

Resource Area	Project Level Analysis	Programmatic Level Analysis
Air Quality	X	X
Biological Resources	X	X
Cultural Resources (including Tribal Resources)	X	X
Geology/Soils		X
Greenhouse Gas Emissions	X	X
Hazards and Hazardous Materials		X
Hydrology & Water Quality	X	X
Land Use	X	X
Noise		X
Population & Housing	X	X
Public Services		X
Transportation & Traffic		X
Utilities and Service Systems	X	X

SANTA CRUZ WATER RIGHTS PROJECT

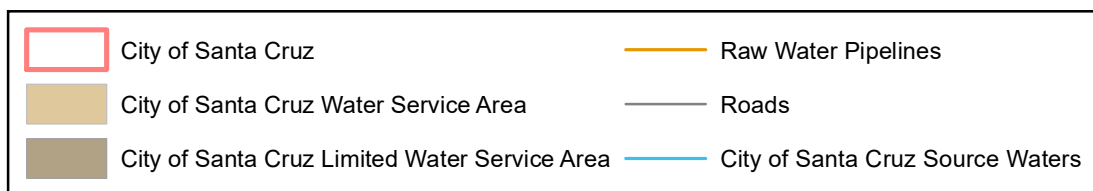


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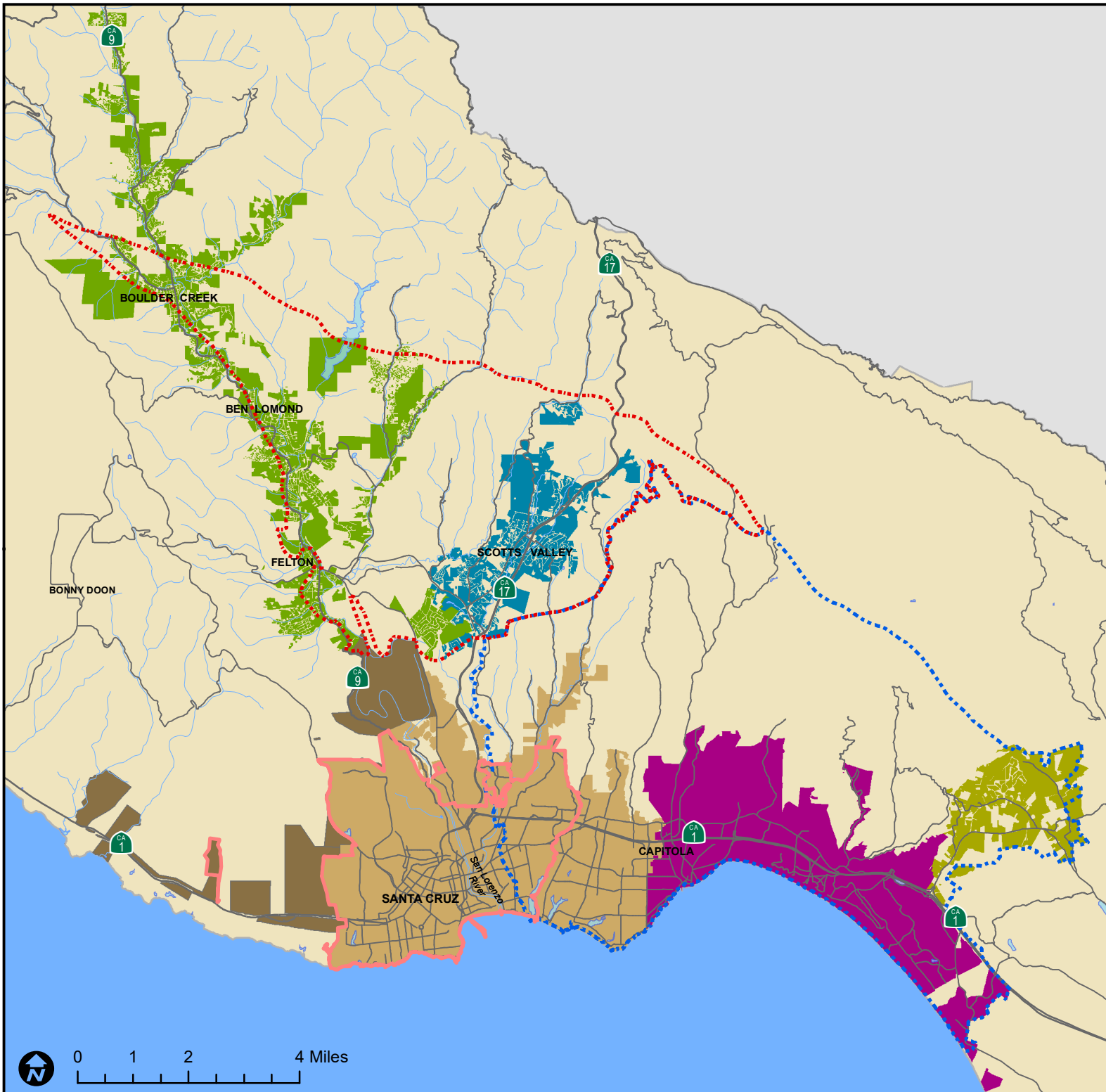


Figure 1:
Regional Location

SANTA CRUZ WATER RIGHTS PROJECT



SANTA CRUZ WATER RIGHTS PROJECT



Groundwater Basins

- Santa Cruz Mid-County
- Santa Margarita

Water Service Areas

- Central Water District
- San Lorenzo Valley Water District
- Scotts Valley Water District
- Soquel Creek Water District
- Santa Cruz Water Department
- Santa Cruz Water Department (Limited Service)

- Roads
- Source Waters
- Santa Cruz County
- City of Santa Cruz



Figure 3:
Potential Partnering
Regional Water Districts

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City of Santa Cruz Water Department

INITIAL STUDY/ENVIRONMENTAL CHECKLIST

I. BACKGROUND & PROJECT DESCRIPTION

Background

Project Title: Santa Cruz Water Rights Project

Lead Agency and Sponsor:

City of Santa Cruz Water Department
212 Locust Street, Suite C
Santa Cruz, CA 95060
www.cityofsantacruz.com

Contact: Sarah Easley Perez, Associate Planner, (831) 420-5327

Project Location:

The Proposed Project involves the City's water system and its water service area as well as the service areas of Soquel Creek Water District, Scotts Valley Water District, San Lorenzo Valley Water District, and Central Water District. The Proposed Project is located within Santa Cruz County and is loosely bounded by the community of Soquel and the City of Capitola to the east, Bonny Doon Road to the west, Boulder Creek to the north, and the Pacific Ocean. Refer to Figure 1, Regional Location.

Major components of the City's water system include Loch Lomond Reservoir in Ben Lomond, two diversions on the San Lorenzo River (in Felton and in City of Santa Cruz), four diversions on North Coast streams (on Majors, Laguna, Liddell and Reggiardo Creeks), and groundwater wells within the Santa Cruz Mid-County groundwater basin in the community of Live Oak. The water service area includes the City of Santa Cruz, a portion of the City of Capitola, and unincorporated Santa Cruz County in Live Oak, Soquel, and along Graham Hill Road. The City also has a limited water service area along the coast north of the City, primarily along Highway 1 up to Bonny Doon Road. Refer to Figure 2, Santa Cruz Water Department Existing Facilities.

The Soquel Creek Water District serves the mid-region of Santa Cruz County, which includes portions of the City of Capitola and the unincorporated communities of Aptos, La Selva Beach, Rio Del Mar, Seascapes, Seacliff Beach and Soquel. The Scotts Valley Water District serves the majority of the City of Scotts Valley and a portion of the unincorporated area to the north. The San Lorenzo Valley Water District service area includes the unincorporated communities of Boulder Creek, Brookdale, Ben Lomond, and portions of Felton, as well as portions of Scotts Valley and adjacent unincorporated areas. The Central Water District serves a portion of the unincorporated community of Aptos. Refer to Figure 3, Potential Partnering Regional Water Districts.

General Plan Designation and Zoning: Not Applicable

Introduction:

The City of Santa Cruz (City) is proposing the Santa Cruz Water Rights Project (Proposed Project) to improve City water system flexibility while enhancing stream flows for local anadromous fisheries. For the Proposed Project, the City is submitting petitions requesting the SWRCB approve associated changes (change petitions) to existing City water rights regulated by that agency. In addition, the City proposes changes to its own water rights that are not regulated by the SWRCB through action by the Santa Cruz City Council. The combination of these changes to City water rights would help to ensure future water supply resiliency. Additional foreseeable activities that may occur after the proposed water rights changes are also being considered.

The City of Santa Cruz Water Department provides drinking water from a variety of sources to residents of the City and surrounding areas. The City's water supply system draws water from surface water sources including the San Lorenzo River system and several other local North Coast streams, which make up approximately 95% of the annual supply. That amount is supplemented by limited production from groundwater wells in the Santa Cruz Mid-County basin. The City stores water in Loch Lomond Reservoir formed by Newell Creek Dam to help meet dry-season water demand and provide back-up supply during winter storms that make river diversions problematic due to turbidity issues. The City Water Department, like other water suppliers in Santa Cruz County, has no imported water supply from outside the region. Due to limited water supply and storage, the City faces inadequate water supply during dry years and critical shortages during drought years.

Habitat Conservation Plan Development

Since 2001, City Water Department staff have been developing a Habitat Conservation Plan (HCP) with the California Department of Fish and Wildlife (CDFW) and the National Marine Fisheries Service (NMFS) staff for California Endangered Species Act and Federal Endangered Species Act compliance for Water Department operations that may affect special-status anadromous salmonids, specifically the Central California Coast coho salmon (coho salmon), a federally listed endangered species, and the Central California Coast steelhead (steelhead), a federally listed threatened species. This process has been lengthy due to the nature of the data required for long-term permitting, the inherent challenges of balancing water supply with environmental water demands, agency staff changes, the drought of 2012 through 2015, and other related factors.

Final HCP chapters and permit applications are expected to be submitted to CDFW and NMFS by late winter or early spring 2019. Initiation of environmental review for the HCP and associated permits is expected to commence in early fiscal year 2020 with the goal of permit process completion by late 2021 or early 2022.

To protect endangered coho salmon and threatened steelhead trout, the City has negotiated minimum stream flow requirements (Agreed Flows) with CDFW and NMFS as part of the HCP process. Currently, the City is implementing the Agreed Flows at the diversions on the North Coast streams and at one of two diversions on the San Lorenzo River that supply surface water to the City. This implementation of the Agreed Flows further reduces the City's dry-year and drought-year water supply reliability.

The City's and CDFW's agreement on an HCP may be subject to a separate review under CEQA, and NMFS's approval of an HCP may be subject to a separate environmental review under the National Environmental Policy Act. However, as both CDFW and NMFS have tentatively agreed, the City has committed to implement these Agreed Flows as part of this Proposed Project regardless of the final outcome of the HCP process. Prior to the public circulation of the Draft EIR for the Proposed Project, the City has committed to filing a Lake and Streambed Alteration Notification with CDFW to address implementation of the Agreed Flows.

Regional Considerations

The Proposed Project would be aligned with State of California policies favoring regional water management. State policy included in the Integrated Regional Water Management Planning Act states "It is the intent of the Legislature to encourage local agencies to work cooperatively to manage their available local and imported water supplies to improve the quality, quantity, and reliability of those supplies."¹ This is particularly significant for the Santa Cruz region, which has only local sources of water, and for the City because the City's surface water sources are the only significant existing surface water sources in the immediate region.

The Proposed Project could enable the City to assist in the implementation of the landmark 2014 Sustainable Groundwater Management Act (SGMA). The City's water system and service area overlap both the Santa Margarita and the Santa Cruz Mid-County groundwater basins. In both basins, the City is represented on the Board of Directors for the associated groundwater sustainability agency. These agencies are in the process of preparing groundwater sustainability plans under SGMA for each basin. Conjunctive use of surface water supplies with groundwater supplies could contribute to the overall health of both basins and increase water supply resiliency overall for the major population centers of northern Santa Cruz County. Water right modifications to increase flexibility are necessary for the City to fully participate in regional conjunctive use.

Existing Water Rights

There are generally two types of appropriative water rights recognized in California: pre-1914 and post-1914. The City currently holds both pre-1914 and post-1914 water rights. The year 1914 is significant because, effective December 9, 1914, the California Legislature enacted a requirement that a state agency authorize new appropriations of water from surface water sources in California. Before 1914, public agencies and private individuals and entities were able to initiate appropriative water rights through their own actions, which in some cases was provided by posting notices adjacent to diversions. Changes to post-1914 water rights now involve a more formalized approval process through the SWRCB, potentially including a full CEQA analysis and opportunities for public involvement. Changes to the pre-1914 water rights can be made by City Council adoption of a resolution amending those rights as required by existing City Council procedures.

Pre-1914 Water Rights

The City's pre-1914 water rights authorize diversions from several streams located north of the City, including Liddell Spring (located within the East Branch Liddell Creek watershed), Laguna Creek, Majors Creek, and Reggiardo Creek (all collectively referred to as North Coast streams).

¹ See Water Code section 10531(a).

These appropriations are reflected in the City's Statements of Water Diversion and Use Nos. S002042, S002043, S002044, and S008610, on file with the SWRCB.

Post-1914 Water Rights

The City holds post-1914 appropriative water rights for Newell Creek and the San Lorenzo River under existing water right licenses and permits, respectively, issued by the SWRCB and predecessor state permitting agencies (**Table 2**). Under Water Code sections 1701 through 1705, these permits and licenses can be modified with SWRCB approval if such modifications would not increase the appropriations authorized under those permits and licenses and would not cause injury to other legal users of the water involved.

TABLE 2
SUMMARY OF POST-1914 EXISTING WATER RIGHTS HELD BY THE CITY

Description	Felton (P. 16123)	Felton (P. 16601)	Newell Creek (L. 9847)	Tait (L. 7200 & 1553)
Priority	10/20/1965	03/01/1971	12/12/1957	07/10/1963 & 06/09/1924
Source	San Lorenzo River	San Lorenzo River	Newell Creek	San Lorenzo River
Point of Diversion	Felton Diversion Facility	Felton Diversion Facility	Loch Lomond Reservoir	Tait Street Diversion
Purpose of Use	Municipal	Municipal	Municipal, domestic, industrial, recreational, fire protection	Municipal and domestic
Maximum Diversion Rate	3,500 gpm*	20 cfs*	–	6 cfs & 6.2 cfs
Amount	3,000 afy*	3,000 afy*	5,600 afy Maximum storage in Loch Lomond Reservoir 8,624 afy	4344 afy & 4489 afy
Season	9/1 – 6/1	10/1 – 6/1	9/1 – 7/1	1/1 – 12/31
Bypass Requirements	10 cfs from 9/1 – 9/30 20 cfs from 10/1 – 5/31	25 cfs in October 20 cfs from 11/1 – 5/31	1 cfs	none
gpm= gallons per minute; cfs= cubic feet per second; afy= acre-feet per year *The two permits (P. 16123 and P. 16601) operate as a single combined diversion. The total quantity of water diverted shall not exceed 3,000 afy. The combined maximum rate of diversion to storage shall not exceed 20 cfs.				

The City is currently authorized to divert water from the San Lorenzo River at the Felton Diversion Facility (Felton Diversion) under two separate permits (Permit Nos. 16123 and 16601). The permits allow for a combined maximum diversion of 3,000 acre-feet per/year (afy) to storage at Loch Lomond Reservoir between September 1 and June 1 (Permit 16123) and between October 1 and June 1 (Permit 16601). The City is also currently authorized to divert water from the San Lorenzo River at the Tait Diversion under two licenses (License Nos. 7200 and 1552). The Tait licenses allow for the direct diversion of up to 4,489 afy and 4,344 afy (the theoretical maximum), respectively, between January 1 and December 31.

Water diverted at Felton is transported by a large diameter pipeline and a series of pump stations to Loch Lomond Reservoir for storage. The City's license for the Loch Lomond Reservoir (License 9847) allows for a maximum of 5,600 afy of water to be diverted to storage between September 1 and July 1. The maximum amount of withdrawal of water from storage in the Loch Lomond Reservoir under this license is limited to 3,200 afy. The total maximum amount of water that this license authorizes to be held in the Loch Lomond Reservoir is 8,624 afy. Water from both the Felton Diversion and Newell Creek are stored in the Loch Lomond Reservoir. There is currently no explicit right for direct diversion of water from the Felton Diversion or Newell Creek.

Purpose and Need

The Proposed Project addresses key issues needed to improve City water system flexibility while enhancing stream flows for local anadromous fisheries. Incorporating the Agreed Flows into all City water rights is necessary to benefit local fisheries, specifically for coho salmon and steelhead, but will further constrain the City's limited surface water supply. Consequently, the City needs to improve water system flexibility within existing allocations to allow better integration and use of this limited resource through water rights modification for Place of Use (POU) expansion, better utilization of existing diversions, and adding an extension of time to put water to full beneficial use. Additionally, some foreseeable activities may become necessary as result of the proposed water rights modification as described below.

Flow Requirements

For the improvement of instream habitat and flow conditions for local coho salmon and steelhead, the City needs to ensure consistency in their pre-1914 and post-1914 water rights through implementation of the Agreed Flows as negotiated with CDFW and NMFS. The City has already begun implementing the Agreed Flows at diversion facilities on the North Coast streams and at the Tait Diversion on the San Lorenzo River, further constraining the City's limited water supply particularly in dry and drought years. Expanded implementation of the Agreed Flows to all City surface water rights may further impact the timing and rate of surface flows the City is currently entitled to use. The implementation of the Agreed Flows and resulting constraints on water supply are a primary driver of the City's need to increase the resiliency of the water supply system.

Places of Use

To provide flexibility to fully beneficially use existing surface water rights and to provide opportunity for potential conjunctive use of those surface water rights in combination with groundwater, the City needs to conform and expand the POUs on existing City water rights. Expanded POUs to include the service areas of neighboring water agencies are necessary to improve the flexibility within which the city operates the water system to meet fish flows and customer demands. Neighboring water agencies the City could potentially partner with in the future include:

- Soquel Creek Water District;
- Scotts Valley Water District;
- San Lorenzo Valley Water District; and
- Central Water District.

Expanded POUs are also necessary for improving the potential for conjunctive use of the region's resources with adjoining water agencies in shared ground water basins. Conjunctive use of both surface and groundwater supplies could make some additional recovered groundwater available to the City and potentially to the region during drought and critically dry years.

Diversion Methods and Points

Currently, City appropriative water rights involve the storage of water at Loch Lomond Reservoir for later use. Under the Newell Creek License and Felton Permits as currently written (due to an oversight in the original filings), water may only be used after water has been in storage for at least 30 days. The terms of those existing permits and licenses have the potential to constrain the City's flexibility in delivering water for beneficial use until these 30 days have elapsed after the water is collected into the reservoir. To allow for better flexibility in the use of this resource, the City needs to be able to directly divert as a method of diversion from both the Felton Diversion Facility and Loch Lomond without a 30-day storage requirement.

Additionally, the current Felton Permits and Tait Licenses limit the amount of water that can be diverted for each facility individually. Because the implementation of the Agreed Flows will constrain the water system while being protective of local fisheries, the City needs to increase the flexibility of how the water system can be used. The City needs the option of diverting water under the existing San Lorenzo River water rights at either the Felton Diversion or the Tait Street Diversion to provide options for better integration and use of available water.

Extension of Time

Through an extensive and successful water conservation program, the City has served any growth in its service area with the same level of diversions; however, full implementation of the Agreed Flows necessitates increased flexibility within the water system, and the City will require additional time under their Felton Permits to fully reach beneficial use. Beneficial use includes the full use of existing water rights without interfering with other water rights holders while also benefitting local fisheries. Additional time is needed to fully reach the beneficial use for flexibility to implement a range of water supply options to meet City needs, including options consistent with SGMA either individually or in conjunction with partnering water agencies.

Foreseeable Activities

After completion of the proposed modifications to City water rights, some activities may be needed that would be considered to be foreseeable as a logical part in a chain of contemplated actions, including improving fish passage at the Felton Diversion and implementation of new and/or improved interties with neighboring water agencies. The City needs to implement fish passage improvements at the Felton Diversion to address concerns raised by CDFW and NMFS. These improvements must improve fish passage while being protective of City water rights. The City may also require new and/or improved interties with neighboring agencies for future projects that could become possible under the modified water rights.

Project Description

The Proposed Project includes components that will be considered in the EIR at a project level (Project Components) and components that will be considered in the EIR at a programmatic level (Program Components) as described below.

Project Components

The Project Components of the Proposed Project include modifications to existing water rights, which will be considered in the EIR at a project level of analysis per CEQA Guidelines 15161. **Table 3** identifies the specific modifications that are being requested for the both pre-1914 and post-1914 water rights.

TABLE 3
2018 PROPOSED WATER RIGHTS MODIFICATIONS (TO BOTH PRE-1914 AND POST-1914 WATER RIGHTS)

Component	Proposed Modification			
	Flow Requirements	Place of Use	Diversion Method & Diversion Point	Extension of Time
Pre-1914 Water Rights to be Amended by City Council Resolution				
City of Santa Cruz Water Rights for North Coast Streams	Modify pre-1914 water rights to apply Agreed Flows as minimum bypass flows to North Coast diversions	Modify the POUs in pre-1914 water rights to conform with those of the post-1914 rights and to include the service areas of potential partnering regional water districts*	none	none
Post-1914 Water Rights to be Amended through change petitions filed with SWRCB				
Felton Permits: ▪ Permit 16601 ▪ Permit 16123	Add minimum bypass flows to reflect Agreed Flows and establish the timeline for fish passage and screening improvements. Replace the 20 cfs diversion rate constraint with a limit that relies on implementation of the Agreed Flows without increasing the total authorized monthly diversion amount.	Expand the authorized POUs to ensure that the POUs of all of the City's water rights are consistent and include the service areas of potential partnering regional water districts*	Add direct diversion as a method of diversion for Permit 16123. Add Tait Street Diversion as an authorized point of diversion.	Grant extension of time through 2043 to maximize beneficial use up to 3,000 afy.
Tait Licenses: ▪ License 7200 ▪ License 1553	Add minimum bypass flows to reflect Agreed Flows.	Expand the authorized POUs to ensure that the POUs of all of the City's water rights are consistent and include the service areas of potential partnering regional water districts*	Add Felton Diversion Facility as an authorized point of diversion.	none
Newell Creek License: ▪ License 9847	Add minimum flows to reflect Agreed Flows.	Expand the authorized POUs to ensure that the POUs of all of the City's water rights are consistent and include the service areas of potential partnering regional water districts*	Add direct diversion as a method of diversion.	none
* Service areas of potential partnering regional districts to include: Soquel Creek Water District service area, Scotts Valley Water District service area, San Lorenzo Valley Water District service area, and Central Water District service area				

The City will pursue changes to its pre-1914 water rights through action by the Santa Cruz City Council. The City will pursue proposed changes to its post-1914 permits and licenses as new change petitions to the SWRCB that will supersede petition amendments filed by the City in 2006. No change to the authorized amounts of diversions under any of the City's appropriative water rights is proposed as part of the Proposed Project. Overall, implementation of these modifications would address key issues needed to improve water system flexibility for the City's water service area and enhance stream flows for local anadromous fisheries.

Agreed Flows

The Proposed Project would include modifying City water rights to incorporate the Agreed Flows the City negotiated with CDFW and NMFS to better protect federally listed coho and steelhead in all watersheds from which the City diverts water. The Agreed Flows would be incorporated into both pre-1914 rights on the North Coast streams and post-1914 permits and licenses on the San Lorenzo River and Newell Creek. While it is expected that Agreed Flows will be further codified through the HCP process and a Streambed Alteration Agreement with CDFW, the Proposed Project would commit the City to these flows regardless of the outcomes of these processes.

Further, in order to take advantage of excess streamflow when available in the system, the Proposed Project includes a modification of the maximum diversion rates of the Felton permits to replace the current 20 cfs diversion rate constraint with a limit that relies on implementation of the Agreed Flows without increasing the total authorized monthly diversion amount.

Place of Use

The Proposed Project would expand the POUs of both the City's pre-1914 and post-1914 water rights. This would align the POUs of the City's rights and expand those authorized POUs to include the service areas of the Soquel Creek Water District, Scotts Valley Water District, San Lorenzo Valley Water District, and Central Water District.

Diversion Methods and Points

The Proposed Project would result in explicit authorization of direct diversion as a method of diversion under the City's Newell Creek license and Felton permits to complement the existing stated right to divert to storage in Loch Lomond Reservoir for later beneficial use. The Proposed Project would also include authorization of the Tait Street Diversion to be added as a point of diversion to the Felton Permits and of the Felton Diversion to be added as a point of diversion to the Tait Licenses.

Extension of Time

The Proposed Project would extend the existing time for the City to fully utilize the 3,000 afy diversion provided under the Felton Permits for an additional 25 years.

Programmatic Components

The Programmatic Components of the Proposed Project would include potential future activities that may occur after the City water rights are modified.

Because these activities are considered to be foreseeable as a logical part in a chain of contemplated actions, but the full physical extent and timing of these improvements is not known at this time, these activities will be addressed in the EIR at a programmatic level per CEQA Guidelines 15168. Some of these actions may be undertaken in conjunction with surrounding districts and some may be undertaken solely by the City.

Foreseeable Activities

Felton Diversion Fish Passage Improvements: Fish passage improvements at the Felton Diversion (Felton Diversion Fish Passage Improvements) would address concerns raised by CDFW and NMFS. These improvements may include screen replacement, installation of a traveling brush system, and construction of a continuous downstream outmigration bypass route. These improvements would be designed to be protective of City water rights while improving passage for coho salmon and steelhead.

Interties: New or improved interties between the water systems of the City and of neighboring water agencies may be needed to facilitate future projects that may be developed once City water rights are modified. Neighboring water agencies include Soquel Creek Water District, Scotts Valley Water District, San Lorenzo Valley Water District, and Central Water District. Because no new interties or intertie improvements are currently planned, the number, location, and design cannot be known at this time.

Public Agencies Whose Approval or Review Is Required for Project Components

- State Water Resources Control Board
- City of Santa Cruz

Public Agencies Whose Approval or Review May be Required for Programmatic Components

- U.S. Army Corps of Engineers
- Regional Water Quality Control Board
- California Department of Fish and Wildlife
- City of Santa Cruz
- Soquel Creek Water District, Scotts Valley Water District, San Lorenzo Valley Water District, and/or Central Water District

II. ENVIRONMENTAL SETTING

The City's water service area is located between the foothills of the Santa Cruz Mountains and the shoreline of Monterey Bay and is bounded in a number of areas by State and City-owned parks and open space lands (Santa Cruz County, 1994). The service area is characterized by mild winters and summers. Average minimum temperatures in Santa Cruz range from approximately 39°F to 51°F and average maximum temperatures range from approximately 60°F to 76°F (WRCC, 2016). Rainfall mostly occurs during the months of October through April, with average annual rainfall of approximately 30 inches. Between 2012 and 2015, the State of California experienced its driest years on record and in 2014, Governor Jerry Brown declared a statewide drought emergency (PPIC, 2015). The City's water service area is isolated from the state water service system, but has experienced similar shortages.

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by the Proposed Project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Agricultural & Forest Resources	✓	Air Quality
✓	Biological Resources	✓	Cultural Resources & Tribal Cultural Resources	✓	Geology / Soils
✓	Greenhouse Gas Emissions	✓	Hazards & Hazardous Materials	✓	Hydrology / Water Quality
✓	Land Use / Planning		Mineral Resources	✓	Noise
✓	Population / Housing	✓	Public Services		Recreation
✓	Transportation / Traffic	✓	Utilities/Service Systems	✓	Mandatory Findings of Significance

IV. DETERMINATION

This determination is made on the basis of the evaluation detailed in the checklist on the following pages.

On the basis of this initial evaluation:	
I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	<input type="checkbox"/>
I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	<input type="checkbox"/>
I find that the Proposed Project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.	<input checked="" type="checkbox"/>
I find that the Proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	<input type="checkbox"/>
I find that although the Proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Proposed Project, nothing further is required.	<input type="checkbox"/>

Signature: Rosemary Menard
Printed Name: Rosemary Menard

Date: 10/10/2018
For: Santa Cruz Water Dept

V. ENVIRONMENTAL CHECKLIST AND RESPONSES

This section includes the environmental checklist and explanations of the responses to provide information in support of the decision to prepare an EIR. Appendix G of the CEQA Guidelines is a sample Initial Study checklist that provides guidance for determining the significance of project impacts. This checklist and guidelines used here require that the physical changes in the environment that could be caused by a proposed project be evaluated based on factual evidence, reasonable assumptions supported by facts, and expert opinion based on facts.

1. Aesthetics.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- (a-d) The Project Components of the Proposed Project would maintain visual conditions similar to existing conditions. The same is true for Programmatic Components' reasonably foreseeable construction, as most construction would likely be within existing rights of way (e.g., roads) and facilities and because surface disturbances would be restored when underground facilities are fully installed. The Proposed Project would not adversely affect a scenic vista, substantially damage scenic resources, degrade the existing visual character or quality of the Project Component sites and their surroundings, or create a new source of light or glare. Intertie components are anticipated to be located underground within existing linear corridors, while the Felton Diversion Fish Passage Improvements would be located on existing structures. There would be no impact. Therefore, this issue will not be addressed in the EIR.

2. Agriculture and Forest Resources.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
2. AGRICULTURE AND FOREST RESOURCES. Would the project:				
a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

(a-e) Santa Cruz County and the existing and proposed water service area contain prime and other agricultural land and forest resources. Modification of existing water rights included in the Project Components of the Proposed Project would not result in impacts related to agriculture and forestlands. Implementation of the Program Components of the Proposed Project may involve future implementation of the Felton Diversion Fish Passage Improvements and construction of intertie connections (Programmatic Components of the Proposed Project). These Programmatic Components would not convert agricultural land or forest resources to other uses and would not require rezoning of the land as they are anticipated to be primarily within existing facilities or roadways and utility rights of way. Construction would be temporary in nature and in most cases be located within or adjacent to existing facilities and disturbed corridors. Thus, there would be no impact. Therefore, this issue will not be addressed in the EIR.

3. Air Quality.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
3. AIR QUALITY. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- (a) In 1991, the Monterey Bay Unified Air Pollution Control District (MBUAPCD), now named the Monterey Bay Air Resources District (MBARD), adopted the *Air Quality Management Plan* (AQMP) for the Monterey Bay region in response to the California Clean Air Act of 1988, which established specific planning requirements to meet ozone standards. The MBARD has updated the AQMP seven times. The most recent update to the AQMP (2012-2015), adopted in 2017, builds on and updates information developed in past AQMPs. The primary elements from the 2012 AQMP updated in the 2017 revision include the air quality trends analysis, emission inventory, and mobile source programs (MBARD, 2017). In addition to the AQMP, MBARD released two implementation plans, including an attainment plan for particulate matter in December of 2005 as well as a maintenance plan for ozone in March of 2007. The MBARD has not adopted CEQA significance thresholds.

The modification of the City's existing water rights would not result in direct emissions of criteria pollutants, because the Proposed Project would not incorporate any emission sources (i.e. construction equipment, generators, mobile, or point sources). However, the proposed modifications may result in water system operational changes that involve changes in pumping regimes. Also, Programmatic Components of the Proposed Project involve minor construction activity that would result in emissions. Although emission levels are anticipated to be less than significant, this issue will be addressed in the Draft EIR.

- (b) To protect public health, both the U.S. Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) have established ambient air quality standards of maximum levels of ambient (background) air pollutants that are considered safe, with an adequate margin of safety to protect public health and welfare. The National Ambient Air

Quality Standards (NAAQS) address six criteria pollutants, including ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, fine particulate matter (PM₁₀ and PM_{2.5}, which refer to particles less than 10 microns and 2.5 microns, respectively), and lead. California ambient air quality standards (CAAQS), which are generally more stringent than federal standards, apply to the same pollutants as federal standards, but also include sulfate, hydrogen sulfide, and vinyl chloride. The Proposed Project is located in the North Central Coast Air Basin (NCCAB) and is under the jurisdiction of the MBARD. The MBARD includes Santa Cruz, Monterey, and San Benito Counties. The NCCAB is currently in attainment or unclassified for all federal criteria pollutant standards. The basin is designated non-attainment transitional for the state ozone standard, non-attainment for the state PM₁₀ standards, and is in attainment or unclassified for all other state standards. The MBARD's 2017 AQMP identifies a continued trend of declining ozone emissions in the air basin primarily related to more stringent and protective emissions standards for automobiles, power plants, and other sources of ozone precursors (MBARD, 2017).

The modification of existing water rights would not result in direct emissions of criteria pollutants. However, implementation of the Programmatic Components of the Proposed Project may involve future construction of the Felton Diversion Fish Passage Improvements as well as improvements to or construction of intertie connections (Programmatic Components), which is addressed in Question (c). Because the Proposed Project would not directly emit pollutants and because future construction activities would be temporary and likely would result in only very minor amounts of air pollution, the Proposed Project would not violate any air quality standard or contribute to an existing or projected air quality violation. Therefore this issue will not be addressed in the EIR.

- (c) Past, present, and future development projects affect regional air quality under cumulatively considerable conditions. Should individual emissions of a project contribute toward exceedance of the CAAQS or NAAQS, the project's cumulatively considerable impact on air quality would be considered significant. The USEPA considers a region's past, present, and future emission levels in developing federal attainment designations for criteria pollutants. Long-term implementation and operation of the Project and Programmatic Components of the Proposed Project may result in direct emissions from future construction emissions if expansion of the Felton Diversion occurs and indirect emissions from increased use of electricity powered pumps. Given the size of the Felton Diversion Fish Passage Improvements, direct construction emissions and indirect pump emissions would not result in a cumulatively considerable net increase of ozone precursors or PM₁₀ or cause a violation of any air quality standard. Although it is anticipated that the cumulative effect of the Proposed Project would not result in the emission of cumulatively substantial criteria pollutants, this issue will be addressed in the EIR.
- (d) The modification of existing water rights for the Project Components of the Proposed Project would not directly expose sensitive receptors to substantial pollutant concentrations. However, implementation of the Programmatic Components of the Proposed Project may result in future construction of the Felton Diversion Fish Passage Improvements and intertie connections.

Due to the size of future construction projects and the short time of construction, the Proposed Project's potential future activities would not expose sensitive receptors to substantial concentrations of air pollutants. There would be no impact. Therefore this issue will not be addressed in the EIR.

- (e) The Proposed Project would not result in changes to the types of permitted commercial and residential uses acceptable to the area. This is governed by the appropriate general plans which are not impacted by the Project or Programmatic Components of the Proposed Project. Existing permitted uses within the region of the Proposed Project typically would not create objectionable odors. However, implementation of the potential future Programmatic Components of the Proposed Project may result in construction that may cause odor in the vicinity of sensitive receptors. Construction activity odors, however, generally do not travel beyond the boundaries of the construction site. Heavy duty construction activities are not anticipated to occur. Construction is temporary in nature. Construction would generally occur during work hours when sensitive receptors are not in the vicinity. For these reasons, the Proposed Project's potential construction activities would not create objectionable odors affecting a substantial number of people. There would be no impact. Therefore this issue will not be addressed in the EIR.

4. Biological Resources.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
4. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special- status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- (a) The North Coast streams provide habitat for federally protected Central California Coast steelhead trout (*Oncorhynchus mykiss*) and/or Central California Coast coho salmon (*Oncorhynchus kisutch*). Both Liddell and Laguna Creek supports steelhead, but are not considered potential recovery habitat for coho salmon under the federal Central Coast Coho Recovery Plan (NMFS, 2012). However, coho salmon have been documented in the Laguna Creek recently and suitable habitat is present (2nd Nature, 2006, Berry, C., Bean, E., Basset, R., Martinez-McKinney, J., Retford, N., and Hagar, J. 2018). Reggiardo Creek is a first order tributary to Laguna Creek. Majors Creek supports populations of steelhead but is not considered potential recovery habitat for coho salmon under the federal Central Coast Coho Recovery Plan.

Natural and man-made fish barriers in the San Lorenzo River main stem may limit access of steelhead and coho salmon to portions of the San Lorenzo watershed, especially during dry years, however the San Lorenzo River is considered a high recovery priority for both species.

The Project Components of the Proposed Project includes the modification of the City's pre-1914 and post-1914 water rights, permits, and licenses to improve conditions for federally protected steelhead and/or coho salmon. Modifications would involve applying Agreed Flows to those rights as negotiated between the City, the CDFW, and NMFS in the HCP process. The Agreed Flows would be included in the terms and conditions of any Lake and Streambed Alteration Agreement issued by CDFW for the HCP. No change is proposed to the authorized volume of water under the City's existing water rights; however, changes in stream flows would result in impacts (likely beneficial) on aquatic special-status species. This will be further discussed in the EIR.

Additionally, implementation of the Programmatic Components of the Proposed Project would include future construction of the Felton Diversion Fish Passage Improvements and construction of or improvements to intertie connections to adjacent water districts. These potential temporary impacts will be addressed at a programmatic level in the EIR.

- (b-c) The Santa Cruz County General Plan defines sensitive habitat to include "All lakes, wetlands, estuaries, lagoons, streams, and rivers." The Project Components of the Proposed Project include modification of existing water rights, and implementation of the Programmatic Components and may involve future construction of the Felton Diversion Fish Passage Improvements and construction of or improvements to intertie connections. These impacts will be addressed in the EIR.
- (d) The Felton Diversion is located on the San Lorenzo River. When the facility is being operated, typically during the wet season, water from Felton is diverted into a screened intake sump and pumped via pipeline to the Felton Booster Station located near Graham Hill Road. Water is then pumped via pipeline from the Felton Booster Station to Loch Lomond Reservoir for storage and later use.

The Project Components of the Proposed Project include the modification of the City's pre-1914 rights and post-1914 permits and licenses by adding the Agreed Flows as minimum streamflow requirements to improve conditions for listed coho salmon and steelhead. The Agreed Flows would be part of the terms and conditions of any Lake and Streambed Alteration Agreement issued by CDFW for the HCP. This may result in physical changes to the environment and would likely improve current movement of fish or wildlife species and should improve the habitat for other life stages of listed fish species found in the affected streams. This will be discussed further in the EIR.

- (e-f) The modification of the City's existing water rights via the Proposed Project would result in operational changes to the City's water system, and may eventually result in the construction of the Felton Diversion Fish Passage Improvements and construction of or improvements to intertie connections, which are the project's Programmatic Components.

Implementation of the Project or Programmatic Components of the Proposed Project is not anticipated to result in conflicts with local policies or ordinances protecting biological resources, adopted habitat conservation plans, natural community conservation plans, or other approved habitat conservation plans. This, however, will be addressed in the EIR.

Additionally, the Agreed Flows would be included in the terms and conditions of any Streambed Alteration Agreement issued by CDFW for HCP – related activities, that may result in physical changes to the environment that could therefore potentially conflict with local policies or ordinances protecting biological resources, adopted habitat conservation plans, natural community conservation plans, or other approved habitat conservation plans. However, implementation of the Agreed Flows would likely improve current movement of fish or wildlife species and should improve the habitat for other life stages of fish species found in the affected streams. This will be discussed further in the EIR.

5. Cultural Resources.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
5. CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resources to a California Native American tribe?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a-d) Modification of existing water rights included in the Project Components of the Proposed Project would not result in impacts related to cultural resources. However, the Programmatic Components of the Proposed Project may result in impacts to cultural or paleontological resources, as implementation may include future construction of the Felton Diversion Fish Passage Improvements and construction of or improvement to intertie connections. This construction could potentially affect cultural or historic resources. These impacts will be addressed at a programmatic level in the EIR.

(e) State Assembly Bill (AB) 52, effective July 1, 2015, recognizes that California Native American prehistoric, historic, archaeological, cultural, and sacred places are essential elements in tribal cultural traditions, heritages, and identities.

The law established a new category of resources called “tribal cultural resources” that considers the tribal cultural values in addition to the scientific and archaeological values when determining impacts and mitigation.

Public Resources Code section 21074 defines a “tribal cultural resource” as either:

- (1) Sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe that is either listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or
- (2) A resource determined by the lead agency chooses, in its discretion and supported by substantial evidence, to treat as a tribal cultural resource.

Public Resources Code section 21084.2 establishes that “[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.” The Public Resources Code requires the lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a Proposed Project. Native American tribes have not contacted the City to request consultation. Construction associated with Programmatic Components of the Proposed Project is of limited scope and would primarily occur in previously disturbed soils. For these reasons, less than significant impacts to tribal cultural resources are anticipated, however appropriate notifications will be conducted per AB 52.

6. Geology and Soils.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
6. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii. Strong seismic ground shaking? iii. Seismic-related ground failure, including liquefaction? iv. Landslides? 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- (a) The San Andreas Fault is located approximately 11.5 miles northeast of the City. The San Gregorio Fault is located approximately nine miles southwest of the City. There are no active fault zones or risks of fault rupture within City limits (City of Santa Cruz, 2012). The modification of existing water rights for the Project Components of the Proposed Project would not involve the development of new structures, or place people or structures at risk or result in impacts related to seismic ground shaking and liquefaction. The Programmatic Components of the Proposed Project would be primarily underground and subject to detailed code requirements intended to allow pipelines and other infrastructure to withstand major earthquakes. Therefore, potential impacts due to seismic ground shaking, liquefaction, and landslide would be less than significant, and this issue will not be addressed in the EIR.
- (b) The modification of existing water rights through the Project Components of the Proposed Project would not result in impacts from substantial soil erosion or loss of topsoil.

However, implementation of the Programmatic Components of the Proposed Project may include future construction of the Felton Diversion Fish Passage Improvements and construction of or improvement to intertie connections. Soil disturbance from this construction has the potential to lead to erosion. These impacts will be addressed at a programmatic level in the EIR.

- (c) The Programmatic Components of the Proposed Project may include future construction of the Felton Diversion Fish Passage Improvements and intertie connections. This construction could be located on unstable geologic units or soil that may increase the potential for landslides, lateral spreading, subsidence, liquefaction or collapse. These impacts will be addressed at a programmatic level in the EIR.
- (d) The Programmatic Components of the Proposed Project may result in future construction of the Felton Diversion Fish Passage Improvements and intertie connections. This construction could be located on expansive soils with high shrink-swell potential. These impacts will be addressed at a programmatic level in the EIR.
- (e) The Project or Programmatic Components of the Proposed Project do not involve the construction or modification of septic tanks or alternative wastewater disposal systems. There would be no impact. Therefore this issue will not be addressed in the EIR.

7. Greenhouse Gas Emissions.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
7. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- (a) Climate change refers to significant changes in measures of climate over a period of time, such as average temperature, precipitation, or wind patterns. Climate change may result from natural processes and human activities that change the composition of the atmosphere and alter the surface and features of land. The City's *General Plan 2030* includes goals, policies and actions on climate change, including reducing community-wide greenhouse gas (GHG) emissions by 30 percent by 2020, reducing 80 percent by 2050 (compared to 1990 levels), and for new buildings to be emissions neutral by 2030 (City of Santa Cruz, 2012a). In June 2012, the City also adopted a Climate Action Plan (CAP) that outlines the actions the City will take over the next ten years to reduce GHGs by 30 percent. The CAP provides City emissions inventories and identifies an emissions reduction target for the year 2020.

Potentially significant GHG impacts would include emissions from Programmatic Component construction activities and Proposed Project operational changes involving pumping of water. The increase in Project-related GHG emissions would be relatively small, and with the reductions in the City's GHG emissions associated with the implementation of the City's CAP, the City's overall GHG emissions would decrease. Although it is anticipated that this impact would be less than significant, this issue will be evaluated at both a Project and Programmatic level in the EIR.

- (b) As discussed above in relation to Question (a), the Proposed Project does not conflict with any plans, policies, or regulations adopted for the purpose of reducing emissions of greenhouse gases. Therefore, this issue will not be addressed in the EIR.

8. Hazards and Hazardous Materials.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- (a-b) The Project Components of the Proposed Project would result in operational changes to the City's water system, however these operational changes would have no effect on the routine transport, use, or disposal of hazardous materials, and therefore these issues as they relate to the Project Components will not be addressed in the EIR. The Programmatic Components of the Proposed Project may include future construction of the Felton Diversion Fish Passage Improvements and intertie connections. Hazardous materials used during construction typically include common petroleum products. When properly used, stored, transported and disposed of, these products do not present a significant hazard to the public or environment. This issue will be addressed at a programmatic level in the EIR.
- (c) The Project Components of the Proposed Project would result in operational changes to the City's water system, however these operational changes would not involve hazardous materials near and existing or proposed school, and therefore hazardous materials issues as they relate to the Project Components will not be addressed in the EIR. The Programmatic Components of the Proposed Project may result in future construction of the Felton Diversion Fish Passage Improvements and intertie connections. As the locations and specifics of construction have not yet been identified, and as there may be some hazardous substances (typically petroleum products) in use during construction, impacts will be addressed at a programmatic level in the EIR.
- (d) The Project Components of the Proposed Project would result in operational changes to the City's water system, however these operational changes would not involve known hazardous materials sites, and therefore hazardous materials issues as they relate to the Project Components will not be addressed in the EIR. The Programmatic Components of the Proposed Project may result in construction of the Felton Diversion Fish Passage Improvements and intertie connections, but the locations and specifics of construction are not yet known. This issue will be addressed at a programmatic level in the EIR.
- (e-f) The Project Components of the Proposed Project would result in operational changes to the City's water system, however these operational changes would not involve local airports, and therefore hazardous materials issues as they relate to the Project Components will not be addressed in the EIR. Santa Cruz County currently has one public use airport, the Watsonville Municipal Airport, located within the City of Watsonville. There are currently two private airports, Las Trancas Airport and Bonny Doon Airport, as well as several heliports located within the County. No significant construction associated with the Programmatic Components of the Proposed Project would occur in the vicinity of these airports; therefore, this issue will not be addressed in the EIR.
- (g) The Project Components of the Proposed Project would result in operational changes to the City's water system, however these operational changes would not affect emergency services, and therefore hazardous materials issues as they relate to the Project Components will not be addressed in the EIR. Future construction associated with the Programmatic Components of the Proposed Project would be relatively minor but may cause temporary road closures which could block emergency vehicles temporarily.

Although the construction is not anticipated to completely block an emergency response plan or emergency evacuation plan, the potential exists that there may be temporary hazards to the public or to the environment. Therefore, this issue will be addressed at a programmatic level in the EIR.

- (h) Cal Fire has mapped the fire hazard severity in several locations throughout the County as moderate or high (Cal Fire, 2018). However, the modification of existing water rights through the Proposed Project would not result in an increase in wildland fires, nor would it increase exposure of people or structures to fire. Programmatic Components may result in future construction of fish passage improvements and intertie connections. Risk of fire would be minimized at construction sites via the use of standard practices such as clearing construction areas of combustible material and ensuring spark arresters are in good working order during project construction. There would be a less than significant impact, and therefore this issue will not be addressed in the EIR.

9. Hydrology and Water Quality.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
9. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local ground water table level (e.g., the production rate of pre- existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off- site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood-hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood-hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- (a) The Project Components of the Proposed Project would result in operational changes to the City's water system, however these operational changes would not affect water quality standards or waste discharge, and therefore these issues as they relate to the Project Components will not be addressed in the EIR.

The Programmatic Components of the Proposed Project may result in future construction. Impacts related to sedimentation in watercourses and other potential water quality impacts from future construction will be addressed at a programmatic level in the EIR.

- (b) The Proposed Project area overlays portions of the Santa Cruz Mid-County and Santa Margarita groundwater basins. Project Components of the Proposed Project consist of changes to the City's water rights which may make water available through conjunctive use to recharge, both to allow recovery of these basins and enable potential extraction of recharged water. This issue will be further addressed in the EIR. The Programmatic Components of the Proposed Project include potential future fish passage and intertie improvements. This construction would be relatively shallow and would not impact groundwater. Therefore, potential groundwater impacts from these Programmatic Components will not be addressed in the EIR.
- (c-d) The Project Components of the Proposed Project would alter flow patterns in the San Lorenzo River with beneficial impacts to fisheries and aquatic ecosystems. Also, construction of diversion improvements and interties with neighboring districts considered in the Programmatic Components could lead to erosion or siltation. Therefore, this will be addressed in the EIR.
- (e) Future construction of the Felton Fish Passage Improvements and interties considered in the Programmatic Components have the potential to increase polluted runoff. While it is anticipated that standard management practices would be in place during construction to reduce these impacts, this will be analyzed at a programmatic level in the EIR.
- (f) The Project and Programmatic Components of the Proposed Project would not otherwise substantially degrade water quality beyond the impacts discussed above in relation to Questions (a), (c), and (e). Therefore, no impact would occur.
- (g) The Project and Programmatic Components Proposed Project would not result in the development of housing. No impact would occur.
- (h) The Programmatic Components of the Proposed Project would result in Felton Diversion Fish Passage Improvements, within and adjacent to the San Lorenzo River. These improvements would be designed such that they do not adversely affect flood flows. This issue will be addressed at a programmatic level in the EIR.
- (i) The Programmatic Components of the Proposed Project would result in improvements to the Felton Diversion Fish Passage Improvements, within and adjacent to the San Lorenzo River. These improvements would be designed such that they do not cause a flood hazard. This issue will be addressed at a programmatic level in the EIR.
- (j) A portion of the City's water system is within a tsunami zone, and stream flows potentially affected by the Proposed Project would extend to the Pacific Ocean. Nevertheless, operational changes to the water system associated with the Project Components of the Proposed Project would not put people at risk due to seiche, tsunamis or mudflows.

The Programmatic Components (fish passage and intertie improvements) of the Proposed Project would not result in structures that would put people at risk due to a seiche, mudflow or tsunami. These components of the Proposed Project would be designed to avoid or withstand such hazards. Therefore, this issue will not be addressed at a programmatic level in the EIR.

10. Land Use and Planning.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
10. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- (a) The Project and Programmatic Components of the Proposed Project would not result in the development of a physical barrier that would divide an established community. There would be no impacts and therefore this issue will not be addressed in the EIR.
- (b) City General Plan goals include ensuring fisheries conservation strategies address and protect water storage, drinking water source quality, and water system flexibility, as well as protect environmental resources (City of Santa Cruz, 2012). County General Plan Objective 5.3.4 requires new water diversions on anadromous fish streams to protect fish populations and provide adequate flow levels for successful fish production (Santa Cruz County, 1994). County General Plan Objectives 5.6.1 and 5.6.3 require implementation of minimum stream flows and maintenance of instream and riparian habitat to protect anadromous fish species. The Proposed Project includes implementation of Agreed Flows and the Felton Fish Passage Diversion Facility Improvements to benefit anadromous fish species while facilitating water system flexibility.

Accordingly, the modification of existing water rights through the Project Components of the Proposed Project is not anticipated to conflict with general plan goals or policies. Implementation of the Proposed Project would result in changes to the City's water right POUs and would require additional analyses of City and County General Plans Goals and Policies and other related plans to ensure consistency. Therefore, further analysis will be provided in the EIR.

- (c) The City is working with CDFW and NMFS to develop a HCP under a separate process from this Proposed Project. Implementation of the Project or Programmatic Components of the Proposed Project is not anticipated to result in conflicts with adopted habitat conservation plans or natural community conservation plans. This, however, will be addressed in the EIR.

11. Mineral Resources

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
11. MINERAL RESOURCES. Would the project:				
a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- (a-b) The Project and Programmatic Components of the Proposed Project would not result in impacts related to mineral resources. The minor future construction associated with the Programmatic Components would not preclude the development of any mineral resources. Therefore, this issue will not be addressed in the EIR.

12. Noise

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
12. NOISE: Would the project:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- (a) The modification of existing water rights for the Proposed Project would not result in generation of noise levels in excess of standards. However, the Programmatic Components would include future construction of the Felton Diversion Fish Passage Improvements and intertie connections. As the specific locations of reasonably foreseeable construction has not yet been identified, it is unknown if the project would cause noise impacts to the public or to the environment as a result of construction; therefore, impacts will be addressed at a programmatic level in the EIR.
- (b) The modification of existing water rights for the Proposed Project would not result in generation of ground borne vibration levels in excess of standards. However, the Programmatic Components would include the Felton Diversion Fish Passage Improvements and intertie connections. As the specific locations of reasonably foreseeable construction has not yet been identified, it is unknown if the project would cause vibration impacts to the public or to the environment as a result of construction. Therefore, impacts will be addressed at a programmatic level in the EIR.

- (c) The modification of existing water rights as part of the Proposed Project would not result in an increase in ambient noise levels, however operational changes at the Felton Diversion may result in more frequent pumping hence longer periods of noise-producing operations. This increase in frequency would be minimal and since noise volume would not increase, the impact would be less than significant. Construction of Programmatic Components (fish passage and intertie improvements) would generate noise temporarily during construction work hours and would not result in permanent noise impacts. Therefore, permanent noise impacts from Programmatic Components will not be addressed in the EIR.
- (d) While modification of existing water rights would not create a temporary increase of noise in the project vicinity, construction of the Programmatic Components may generate noise of a temporary nature. Therefore these impacts will be addressed at a programmatic level.
- (e-f) Santa Cruz County currently has one public use airport, the Watsonville Municipal Airport, located within the City of Watsonville. There are currently two private airports, Las Trancas Airport and Bonny Doon Airport, as well as several heliports located within the County. No significant construction associated with the Project or Programmatic Components of the Proposed Project would occur in the vicinity of these airports. The Proposed Project would not expose people in the vicinity of the airport to excessive noise levels. Therefore, this issue will not be addressed in the EIR.

13. Population and Housing

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
13. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- (a) Population and housing growth within the region is influenced by limited developable land, employment opportunities, traffic patterns, and housing costs. Growth within the region is occurring consistent with applicable City and County General Plans. The Proposed Project would implement the Agreed Flows and is needed to address existing drought-year deficiencies and meet existing demands. The Proposed Project would not increase the City's overall water supply to accommodate growth, but would rather improve the flexibility of the City's water supply by facilitating operational efficiency.

Although impacts are anticipated to be less than significant, this issue will be addressed further in the EIR.

- (b-c) The Programmatic Components of the Proposed Project would involve only future minor construction projects that would not involve or affect housing. This issue will not be addressed in the EIR.

14. Public Services

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
14. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physical altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
a) Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- (a) While the modification of water rights is not anticipated to result in impacts related to fire protection services, construction of intertie connections may result in future construction within roadways. This construction could temporarily affect fire response due to temporary land closures. This issue will therefore be addressed at a programmatic level in the EIR.
- (b) While the modification of water rights is not anticipated to result in impacts related to police services, construction of intertie connections may result in future construction within roadways. This construction could temporarily affect police response due to temporary lane closures. This issue will therefore be addressed at a programmatic level in the EIR.
- (c-e) The modification of existing water rights would not affect schools, parks, or other public facilities as the effects are predominantly related to water system flexibility and in-stream flows. Potential construction associated with Programmatic fish passage and intertie improvements would be within existing developed areas, rights of way, or roadways and therefore would not affect schools, park, or other public facilities beyond those discussed above in Questions (a) and (b). There would be no impact; therefore, this issue will not be addressed in the EIR.

15. Recreation

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
15. RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- (a-b) Santa Cruz offers residents and visitors a wide range of parks, open space, beaches, trails, and recreational opportunities. The City has responsibility for management, maintenance, and operation of several thousand acres of parks and open space land and various community/ recreational facilities including the Loch Lomond Recreation Area, and also oversees development of new parks and improvements within City-owned facilities. In the project area, the San Lorenzo Riverwalk trail provides pedestrian and bicycle access to the multi-use path on the river levee. The Project and Programmatic Components of the Proposed Project do not include activities or construction that would impact recreation, although the changes to the Newell Creek license (License 9848) and the Felton permits (Permits 16123 and 16601) could authorize different operations at Loch Lomond Reservoir. Those different operations might cause some limited fluctuation of the reservoir's water levels. However, these fluctuations would not physically deteriorate or construct/expand recreational facilities. No increased park use would be expected as a result of the Proposed Project, and no construction or expansion of the Loch Lomond Recreational Area (or other parks adjacent to rivers or streams) would occur as a result of the Project. There would be no significant impact; therefore, this issue will not be addressed in the EIR.

16. Transportation/Traffic.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
16. TRANSPORTATION/TRAFFIC. Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- (a-b) The Project Components of the Proposed Project would result in operational changes to the City's water system, however these operational changes would not affect transportation and traffic, and therefore hazardous materials issues as they relate to the Project Components will not be addressed in the EIR. The Programmatic Components of the Proposed Project may result in future construction. Impacts related to traffic congestion, level of service changes, temporary road closures, and other transportation facilities that may be impacted by construction activities will be addressed at a programmatic level in the EIR.
- (c) The Project and Programmatic Components of the Proposed Project would not result in direct impacts related to air traffic patterns. Therefore, this will not be analyzed in the EIR.
- (d) The Project and Programmatic Components of the Proposed Project would not result in hazards associated with road design. Therefore, this will not be analyzed in the EIR.

- (e) The Programmatic Components of the Proposed Project may temporarily affect emergency access. The minor construction that would occur could cause temporary road or lane closures during construction that could impact emergency responders. This issue will be addressed at a programmatic level in the EIR.
- (f) The Proposed Project would not conflict with any traffic and transportation policies, plans, or programs for public transit and bike/pedestrian facilities. Future construction activities associated with the Programmatic Components would be small in scope and short in duration and would not decrease the performance or safety of transportation facilities. Therefore, this issue will not be addressed in the EIR.

17. Utilities and Service Systems

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
17. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- (a, c, e-g) The Project and Programmatic Components of the Proposed Project would not result in impacts related to or requiring construction or expansion of wastewater treatment facilities or stormwater facilities.

The Proposed Project would not change wastewater treatment requirements as no additional wastewater would be generated as a result of implementation of the Proposed Project. Further, no additional solid waste would be generated as a result of the Proposed Project, and thus compliance with regulations related to solid waste would not change. While implementation of the Programmatic Components of the Proposed Project would result in future construction, this would be limited to the Felton Diversion Fish Passage Improvements and intertie connections and would not impact wastewater treatment, stormwater facilities, or solid waste generation. There would be no impact. These issues will not be addressed in the EIR.

- (b) The Project Components of the Proposed Project would result in operational changes to the City's water system, and would allow the City and possibly neighboring water districts more flexibility in meeting their needs. These changes and associated impacts, if any, will be analyzed in the EIR. No construction of new or expansion of existing water facilities would be required as a result of the Project Components, however fish passage and intertie improvements (Programmatic Components) may be constructed in the future if needed. Potential impacts to utility systems from future Programmatic Components will be addressed in the EIR.
- (d) The Project and Programmatic Components of the Proposed Project would not require additional water supply entitlements. The Proposed Project only would involve changes to the City's water supply operations and facilities, which would not change overall demands on the City's water system that could require expanded entitlements. Therefore this issue will not be addressed in the EIR.

18. Mandatory Findings of Significance.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
18. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, threatened, or rare species or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- (a) The proposed changes to the City's existing water rights and the minor future construction projects that may result thereafter have the potential to cause limited and temporary degradation of the environment due to construction activities. However, the Proposed Project would not reduce the habitat of a fish species (and would in fact improve the habitat with the Agreed Flows), threaten a plant or animal community, or substantially reduce the number or restrict the range of an endangered, threatened, or rare species. Impacts as a result of construction will be discussed further in the EIR at a programmatic level.
- (b) Cumulative impacts will be addressed in the EIR.
- (c) An evaluation of environmental effects that would have direct or indirect adverse effects on human beings will be analyzed further in the EIR.

VI. REFERENCES AND DATA SOURCE LIST

City of Santa Cruz General Plan and EIR:

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