



## 3 CHANGES TO DRAFT EIR

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### 3.1 INTRODUCTION

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

### 3.2 REVISIONS TO DRAFT EIR TEXT

#### 3.2.1 Title Page and Table of Contents

Title Page Correct title page as follows:

Draft Environmental Impact Report

Page ix Revise and add to Acronyms and Abbreviations as follows:

COG ~~\_\_\_\_\_~~ Council of Governments

RTPA ~~\_\_\_\_\_~~ Regional Transportation Planning Authority Agency

#### 3.2.2 DEIR Section 4.0.1.2 – Approach to Program-Level Environmental Analyses

Page 4.0-5 In Table 4.0-1, under the 2040 Baseline/No Project column, delete the sixth bullet under Land Use Projects, 5940 Soquel Avenue Medical Office Building as it is correctly included in the last column, which is corrected to read: Cumulative Growth/Projects.

#### 3.2.3 DEIR Section 1 – Summary

Page 1-18 Revise Mitigation Measure TRA-2 as follows:

**MM TRA-2: TDM Program:** Add an implementation strategy to evaluate other parking-related measures that, if feasible, could become part of the County's TDM requirements, including but not limited to: reduced parking requirements for commercial and residential uses, implementation of paid parking, and potential use of fees to help fund transit, and if paid parking is implemented, consider directing funds or a portion of funds to public transit and active transportation projects.

### 3.2.4 DEIR Section 4.2 – Agriculture, Forest, and Mineral Resources

Page 4.2-19 Add new text to the end of the first paragraph as follows:

Agricultural support uses are still required to be ancillary to agriculture and protections remain in place to protect agricultural land, with special findings required for any non-residential uses as set forth in SCCC section 13.10.314, which requires that the following special findings be made in order to approve any non-residential project:

- (1) That the establishment or maintenance of this use will enhance or support the continued operation of commercial agriculture on the parcel (excepting public/quasi-public community facilities of significant benefit to public health, safety, and welfare) and will not reduce, restrict or adversely affect agricultural activities or resources, or the economic viability of commercial agricultural operations, in the area.
- (2) The use is sited on the property to avoid removing land from production and to preserve agricultural resource soils. If avoidance and preservation is not possible, remove as little land as possible from agricultural production and future production. Technical reports may be required to demonstrate conservation of farmland to the maximum extent feasible.
- (3) (a) That the use or structure is ancillary to the principal agricultural use of the parcel, or to parcels owned or leased by the operator where so indicated in SCCC section 13.10.312(D), Agricultural Uses Chart, or (b) that no other agricultural use is feasible for the parcel, or (c) that the use consists of an interim public use that does not impair long-term agricultural viability, or (d) consists of a permanent recycled wastewater facility solely for agricultural irrigation and that limits and mitigates the impacts of facility construction on agriculture consistent with the requirements of SCCC 13.10.635; or consists of a permanent public/quasi-public use that the County has determined to be of significant benefit to the public health, safety and welfare, subject to the following additional findings:
  - (i) Loss of commercial agricultural land is mitigated, which may include a permanent agricultural conservation easement on land of at least equal quality and size as partial compensation for the direct loss of agricultural land, mitigations consistent with 13.10.635(D), or other feasible mitigations; and
  - (ii) For public facility uses with a development area greater than 12,000 square feet, an analysis is provided of two alternate sites located off agricultural resource land, identifying why development on these sites is not feasible; and
  - (iii) If located on Type 3 agricultural land in the Coastal Zone, the public facility use does not impair agricultural viability, either through increased assessment costs to other agricultural parcels in the area, or degraded air and water quality, and is consistent with the California Coastal Act.

### 3.2.5 DEIR Section 4.3 - Air Quality

Page 4.3-22 Correct typo in second to last sentence as follows:

For example, population forecasts adopted by the AMBAG are used to forecast population-related emissions.

### 3.2.6 DEIR Section 4.4 - Biological Resources

Page 4.4-4 Revise/update last paragraph as follows:

Coastal oak woodland is extremely variable. The overstory of this community consists of deciduous and evergreen hardwoods. On mesic<sup>1</sup> sites, the trees are dense and form a closed canopy. In drier sites, the trees are widely spaced, forming an open woodland or savannah. The understory is equally variable. In some instances, it is composed of shrubs from adjacent chaparral or coastal scrub vegetation communities, which form a dense and impenetrable understory. More commonly, shrubs are scattered under and between trees. Where trees form a closed canopy, the understory varies from a lush cover of shade-tolerant shrubs, ferns, and herbs to sparse cover with a thick carpet of litter. When trees are scattered and form an open woodland, the understory is grassland, sometimes with scattered shrubs. The interrelationships of slope, soil, precipitation, moisture availability, and air temperature cause variations in structure of coastal oak woodlands. These factors vary along the latitudinal, longitudinal and elevation gradients over which coastal oak woodlands are found (Mayer and Laudenslayer 1988).

In Santa Cruz County, these woodlands are commonly dominated by Common species may include Arroyo willow (*Salix lasiolepis*), big leaf maple (*Acer macrophyllum*), black oak (*Quercus kelloggii*), boxelder (*Acer negundo*), and California bay laurel (*Umbellularia californica*), California sycamore (*Platanus racemosa*), coast live oak (*Quercus agrifolia*) Fremont's cottonwood (*Populus fremontii*), Pacific madrone (*Arbutus menziesii*), and valley oak (*Quercus lobata*) (Mayer and Laudenslayer 1988) a dense understory of shrub, herb, and vine species such as California hazelnut (*Corylus cornuta*), creeping snowberry (*Symphoricarpos mollis*), California blackberry (*Rubus ursinus*), pink honeysuckle (*Lonicera hispidula*), and poison oak.

Page 4.4-11 Revise the first sentence of the last paragraph as follows:

A total of 9387 special-status plant and 5546 special-status wildlife species have been documented from in the county.

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<sup>1</sup> Mesic refers to areas characterized by, relating to, or requiring a moderate amount of moisture.

Page 4.4-12 Add new text at the end of the first paragraph as follows:

Appendix E also includes species on CDFW’s “Special Animals” list that are listed in the existing County General Plan/LCP (Appendix B). The Special Animals list is a broad term used to refer to all the animal taxa tracked by CDFW’s California Natural Diversity Database (CNDDDB), regardless of their legal or protection status. This list is also referred to as the list of “species at risk” or “special status species” (CNDDDB 2022).

Page 4.4-15 Add new text at the end of the County Sensitive Habitats list as follows:

The existing General Plan/LCP also refers to Appendix B (of the General Plan/LCP) for a list of specific habitats and/or species. It is noted that this Appendix does include a list of animal and plant species, but not a list of habitat types.

Page 4.4-26 Add new text under the Locally Adopted Habitat Conservation Plans section as follows:

A search of the U.S. Fish and Wildlife’s Environmental Conservation Online System (ECOS) identified 23 HCPs in that have been adopted in Santa Cruz County since the late 1999s. Most of the HCPs within unincorporated Santa Cruz County have expired, except for the Interim HCP for Mount Hermon June Beetle and Ben Lomond Spineflower HCP, which is summarized below, and the Seascapes Uplands Long-Toed Salamander HCP. The Seascapes HCP is focused on the Santa Cruz Long-Toed Salamander. In addition, the City of Santa Cruz’ Operations and Maintenance HCP was approved in 2021 and affects lands within the unincorporated county areas as summarized below.

*City of Santa Cruz Operations and Maintenance Habitat Conservation Plan*

The City of Santa Cruz developed the Operations and Maintenance Habitat Conservation Plan (OMHCP) for improvements or projects with the potential to take federally listed species and other non-listed special-status species. The HCP covers six wildlife and four plant species: Ohlone tiger beetle, Mount Hermon June beetle, tidewater goby, Pacific lamprey, California red-legged frog, western pond turtle, robust spineflower, Santa Cruz tarplant, San Francisco popcorn flower, and Ben Lomond spineflower. The biological goals, objectives, and conservation measures include restoring habitat temporarily disturbed, contributing to protected and managed lands that support covered populations, implementing bypass flows consistent with the Anadromous Salmonid HCP (currently being developed), pursuing other conservation actions that will result in conservation benefits, and implementing general and species-specific impact minimization measures and best management practices.

The OMHCP addresses maintenance and repairs of infrastructure owned and operated by the City of Santa Cruz that includes areas within the unincorporated county, including upgrades to the North Coast Pipeline and rehabilitation of diversion structures, operation of existing City facilities, and operations and maintenance of existing water diversions and transmission lines and their associated features. The OMHCP was finalized and the

incidental take permit was issued by the USFWS in January 2021; the permit is effective through January 2051 (City of Santa Cruz 2021).

Page 4.4-41 Correct typo in first citation and add new citations as follows:

AMBAG. 2021. 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy...

CDFW. 2022. Fully Protected Species Access on June 23, 2022 at <https://wildlife.ca.gov/Conservation/Fully-Protected>.

California Natural Diversity Database (CNDDDB). April 2022. Special Animals List. California Department of Fish and Wildlife. Sacramento, CA. Accessed on June 28, 2022 at <https://www.dfg.ca.gov/wildlife/nongame/list.html>.

City of Santa Cruz. Undated; Incidental Take Permit Issued January 2021. Final City of Santa Cruz Operations and Maintenance Habitat Conservation Plan for the Issuance of an Incidental Take Permit under Section 10(a)(1)(b) of the Endangered Species Act. Prepared by Ebbin, Moser + Skaggs LLP, Hagar Environmental Science, Dana Bland & Associates, Entomological Consulting Services, Ltd., Kittleson Environmental Consulting Services, Biotic Resources Group.

USFWS. 2022b. Monarchs. Accessed on June 23, 2022 at <https://www.fws.gov/initiative/pollinators/monarchs>.

### 3.2.7 DEIR Section 4.7 – Geology and Soils

Page 4.7-12 Add the following next text to the end of Section 4.7.2.1, Federal Regulations:

#### Paleontological Resources Protection Act

The Paleontological Resources Protection Act (PRPA) of 2009 directs the Secretaries of the Interior and Agriculture to manage and protect paleontological resources on federal land using “scientific principles and expertise.” The PRPA incorporates most of the recommendations of the report of the Secretary of the Interior entitled "Assessment of Fossil Management on Federal and Indian Lands (USDI, 2000) in order to formulate a consistent paleontological resources management framework. In passing the PRPA, Congress officially recognized the scientific importance of paleontological resources on some federal lands by declaring that fossils from these lands are federal property that must be preserved and protected. The PRPA furthers the protection of fossils on federal lands by criminalizing the unauthorized removal of fossils. The PRPA codifies existing policies of the Bureau of Land Management (BLM), National Park Service (NPS), United States Forest Service (USFS), Bureau of Reclamation, and United States Fish and Wildlife Service (USFWS) and provides the following:

- a. criminal and civil penalties for illegal sale and transport, and theft and vandalism of fossils from federal lands;
- b. minimum requirements for paleontological resource-use permit issuance (terms, conditions, and qualifications of applicants);
- c. definitions for “paleontological resources” and “casual collecting”; and
- d. requirements for curation of federal fossils in approved repositories.

Page 4.7-26 Correct the first sentence of the last paragraph as follows:

However, retained and proposed General Plan/LCP policies outlined in Table 4.7-5 would also serve to avoid or reduce impacts to these features.

### 3.2.8 DEIR Section 4.8 – Greenhouse Gas Emissions

Page 4.8-25 Update the Association of Monterey Bay Area Governments subsection of Section 4.8.2.3 per comments from AMBAG as follows:

The Association of Monterey Bay Area Governments (AMBAG) is the designated MPO for the Monterey Bay region. The AMBAG region includes Monterey, San Benito, and Santa Cruz counties. In addition, AMBAG is the Council of Governments for Monterey and Santa Cruz counties. As of 2009, many of the cities and counties in the AMBAG jurisdiction had not quantified their baseline GHG inventories, due to lack of staff and funding. The AMBAG Energy Watch designed a program to Sustainability Program assists member jurisdictions in a variety of climate action planning support services, including baseline GHG inventories. Additionally, in 2008, AMBAG adopted the *Monterey Bay Regional Energy Plan* (Regional Energy Plan) (AMBAG 2008). The Regional Energy Plan provides a framework that local cities and counties can adopt or use as guidelines to reduce energy use.

~~Additionally, CARB set initial SB 375 GHG-reduction targets for the Monterey Bay Area at 0% increase from 2005 per capita emissions by 2020, and 5% below 2005 per capita emissions by 2035. In June 2014, AMBAG adopted the *Moving Forward 2035 Monterey Bay Metropolitan Transportation Plan/Sustainable Communities Strategy (2035 MTP/SCS)* (AMBAG 2014). The 2035 MTP/SCS demonstrated that, if implemented, the region would achieve over a 3% per capita GHG reduction in passenger vehicle emissions by 2020, and an approximately 6% reduction in 2035. These reductions meet the GHG targets for AMBAG, as discussed above. In June 2018, AMBAG adopted an update to the 2035 MTP/SCS, *Moving Forward Monterey Bay 2040* (2040 MTP/SCS), the implementation of which was anticipated to achieve the GHG reductions targets established by CARB a 4% per capita reduction in GHG emissions from passenger vehicles by 2020, as well as a projected reduction in GHG emissions of nearly 7% per capita from passenger vehicles by 2035 (AMBAG 2018). The 2040 MTP/SCS outlines the region’s proposed transportation network, emphasizing multimodal system enhancements, system~~

preservation, and improved access to high quality transit, as well as land use development that complements this transportation network (AMBAG 2018).

In 2018, CARB approved revised SB 375 GHG-reduction targets for the Monterey Bay Area at 3% decrease from 2005 per capita emissions by 2020 and 6% reduction from 2005 per capita emissions by 2035. In November 2021, AMBAG released the draft 2045 MTP/SCS, an update to the 2040 MTP/SCS, which was adopted in June 2022, and meets the revised GHG emission targets established by CARB.

Page 4.8-35 Add the following new text after the first paragraph and before Table 4.8-7 as follows:

It is noted that on June 15, 2022, the AMBAG Board of Directors certified the Final Environmental Impact Report (EIR) prepared for the 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS); made a finding that the MTP/SCS achieves the greenhouse gas reduction targets established by the California Air Resources Board; adopted the Final 2022 Regional Growth Forecast; and adopted the Final 2045 MTP/SCS (AMBAG 2022). This action occurred after the issuance of the EIR Notice of Preparation (NOP) for the Sustainability Update, which establishes the baseline condition for the EIR analyses, as well as after the release of the Sustainability Update Draft EIR and close of the Draft EIR public review period. The EIR addresses project consistency with the adopted plan (2040 MTP/SCS) that was in effect at the time of issuance of the NOP and preparation of the Draft EIR.

Page 4.8-38 Add new citation as follows:

AMBAG. 2022. *Moving Forward Monterey Bay 2045 – 2045 Metropolitan Transportation Plan/ Sustainable Communities Strategy*. Adopted June 15, 2022. Accessed June 27, 2022 at <https://www.ambag.org/plans/2045-metropolitan-transportation-plan-sustainable-communities-strategy>.

### 3.2.9 DEIR Section 4.10 – Hydrology and Water Quality

Page 4.10-16 Add the following new text regarding surface water quality after the first full paragraph:

Sanitary surveys are required by the State Water Resources Control Board to be completed for each watershed that is a drinking water source, and updates are required every five years. A watershed sanitary survey is a detailed evaluation of surface water sources and their vulnerability to contamination with a description of watershed management practices, and recommended corrective actions to maintain or improve water quality (Kennedy/Jenks Consultants 2018).

A watershed sanitary survey was completed for the San Lorenzo River and North Coast watersheds for the City of Santa Cruz and San Lorenzo Valley Water District (SLVWD). The survey identified contaminant sources that can contribute sediments, pathogens, and chemicals that are potentially significant to drinking water quality. Watershed management

jurisdiction in the San Lorenzo and North Coast watersheds includes multiple agencies. The majority of the watershed is governed by Santa Cruz County and/or regulated by numerous federal and state agencies with the water purveyors jurisdiction limited mostly to those areas that they have land ownership. Regulatory activities include the County's regulations regarding cannabis cultivation, wastewater management, water quality, riparian and sensitive habitats; state regulations regarding beneficial use and permitting of stormwater, urban runoff, riparian zone construction, and timber harvest by the California Regional Water Quality Control Board; and federal water quality regulations for waste discharge and wetland filling (Kennedy/Jenks Consultants 2018.)

The survey found that water quality data indicated no expected seasonal and dry/wet year variations have occurred. The North Coast sources, in particular Liddell Spring, have continued to have lower total coliform levels when compared to the San Lorenzo River sources. The survey concluded that the San Lorenzo and North Coast watersheds are generally providing a high water quality, with some expected variability during the wet season. The agencies closely manage the high turbidity events by bypassing stormflows, using stored water and/or alternative sources, that, when combined with the water treatment processes, are delivering a consistently safe drinking water to the residents. However, the study indicates that the City faces some future regulatory challenges as well as interest in wintertime flows for regional water supply reliability and is reviewing some identified potential changes with state Department of Water Resources, to continue to meet drinking water regulations in the future (Kennedy/Jenks Consultants 2018).

Page 4.10-17 Add new text regarding Soquel Creek Water District before the first full paragraph as follows:

Four SqCWD wells have Chromium 6 levels above 10 parts per billion (ppb) and below 50 ppb. The Chromium 6 detected in SqCWD's groundwater supply is naturally occurring; there have been no industrial spills or discharges. Since the 1970s until 2014, California enforced a drinking water standard for total Chromium (which includes Chromium 6) of 50 parts per billion (ppb). As of September 11, 2017, the maximum contaminant level (MCL) for Chromium 6 is no longer in effect while the State establishes a new standard. In the interim, Chromium 6 will be regulated under the total Chromium MCL of 50 ppb. All SqCWD production wells comply with the total Chromium standard, and no treatment is necessary at this time. SqCWD has conducted a successful pilot treatment project. Design and installation of a permanent, centralized treatment facility to treat water from is currently on hold until the new MCL is established by the State. The District would then identify which wells will require treatment, if any, and which treatment alternative will be able to meet the new standard (Soquel Creek Water District 2022).

Page 4.10-21 Revise second full paragraph under Section 4.10.1.6 as follows:

The County has established many flood control zones including two countywide flood control zones (known as Zone 0 and Zone 4), Zone 5, Zone 6, Zone 7, Zone 7A and Zone

8 and the Pajaro Storm Drain Maintenance District. The County has established four flood control zones in the unincorporated urban areas of the county based on defined watershed boundaries. Zone 5, established in 1969, generally covers the Live Oak and Soquel areas. Zone 6, established in 1986, generally covers the urban area of Aptos and La Selva Beach. Zone 7A, established in 2005, covers the Pajaro River watershed within the County of Santa Cruz with the exception of the City of Watsonville, and Zone 8, established in 1977, covers the San Lorenzo Valley. These flood control districts/zones were formed to address water quality and flood control needs within their boundaries, but according to County staff, do not generate sufficient funding to address the needs and especially to upgrade the aging flood control infrastructure within them and the increasing unfunded state mandated water quality and pollution prevention requirements.

Page 4.10-22 Add new text before the first full sentence as a new paragraph as follows:

It is noted that in 2021, an attempt to form a Rio Del Mar Flats Benefit Assessment District to fund the maintenance and operation of a proposed drainage pump station and related improvements failed to secure the ballot votes needed, and grant funding to build the project was returned.

Page 4.10-22 Revise and expand the first full sentence as a new paragraph as follows:

A Master Plan Update for the Zone 5 Flood Control District, which generally covers the live Oak, Soquel and the City of Capitola, is being prepared with a focus on the regional facilities within the zone (generally 36-inch diameter pipes and larger as well as open channels), assessing condition and capacity of the facilities, building on prior master plans completed in 1998 and 2013. The objective is to develop a maintenance program, a Capital Improvement Program, an impact fee analysis for future development, as well as an engineer's report to be potentially used for future funding or financing of maintenance activities and identified projects. The Master Plan Update is expected to be completed by June 2023.

Page 4.10-27 Add new text at the end of the first full paragraph as follows:

Due to the robust nature of the County's pre-existing development review requirements contained within the County Design Criteria, the RWQCB approved of the County's continued use of augmented County Design Criteria requirements in lieu of the requirements in R3-2013-0032.

Page 4.10-30 Add new text after the Chapter 16.20 section to describe the County's Water Quality Ordinance as follows:

*Chapter 16.24, Water Quality Control*

Chapter 16.24 of the SCCC regulates water quality and activities leading to turbidity in any water body in the county. This chapter addresses the amount of turbidity that may be

increased in a water body, exemptions from the chapter, approvals needed if an activity is proposed that may result in increased turbidity, and violations and enforcement.

Page 4.10-34 Revise the second sentence of last paragraph as follows:

However, all future development projects are required to adhere to the County Design Criteria Central Coast RWQCB Resolution No. R3 2013-0032, which commits development in the region to comply with the NPDES statewide Phase II Municipal General Permit, Order No. 2003-0005-DWQ as enforced by the County.

Page 4.10-35 Revise the last two sentences of the second paragraph as follows:

~~BMPs also are specified for different categories of land uses in the County of Santa Cruz Design Criteria. and this section of the SCCC indicates that these land uses are subject to BMPs in accordance with the SWRCB General Permit for the Discharge of Storm Water from Small MS4s (WQ Order No. 2003-0005-DWQ). These categories include single family development on slopes exceeding 30%; commercial developments disturbing 10,000 square feet or more; automotive repair shops; retail gasoline outlets; restaurants; subdivisions with 10 or more housing units; and parking lots 5,000 square feet or more or with 25 or more parking spaces.~~

Page 4.10-36 Revise the last paragraph as follows:

Therefore, with implementation of proposed and existing County policies and compliance with state regulations and local regulations, including the post-construction requirements ~~of Central Coast RWQCB Resolution No. R3 2013-0032~~ and in County stormwater regulations, future development accommodated by the proposed project would avoid or minimize adverse water quality effects associated with stormwater runoff, erosion, and discharges, resulting in *a-less-than-significant impact*.

Page 4.10-37 Add the additional policies in Table 4.10-5 under Water Quality as follows:

- Require grading, building, and timber harvesting in Water Supply and Least Disturbed watersheds to meet strict standards for erosion control and protection of water quality and provide a higher level of protection within karst areas of Water Supply Watersheds. (ARC-4.2.9)
- Seek funding for a study to map karst areas and identify management strategies. Require geologist to evaluate proposed leachfields, stormwater discharge, road or other area of disturbance within areas mapped or suspected to be underlain by marble or karst. Any new sewage or stormwater dispersal system shall be located at least 100 feet from any sinkhole or other karst feature that would rapidly transmit contaminated water. (ARC-4.5.4)
- ARC-6.1.1 Protect significant geological features such as caves, large rock outcrops, inland cliffs and special formations of scenic or scientific value.

hydrological features such as karst topography, major waterfalls or springs, and paleontological features, through the environmental review process. (ARC–6.1.1d)

Page 4.10-42 Revise the fourth sentence of the Groundwater Recharge subsection as follows:

In addition, as discussed above in Impact HYD-1, new development and redevelopment in urban areas would be required to adhere to County regulations, the Central Coast RWQCB Resolution No. R3-2013-0032, which commits development to incorporate stormwater design controls that prioritize LID treatment systems that include features such as bio-swales and retention/detention basins to facilitate onsite infiltration.

Page 4.10-52 Add the following new references:

Kennedy/Jenks Consultants. 2018. San Lorenzo River and North Coast Watersheds Sanitary Survey Update. February 2018. Prepared for City of Santa Cruz in association with San Lorenzo Valley Water District. Accessed June 22, 2022 at <https://www.cityofsantacruz.com/home/showpublisheddocument/85117/637605784635270000>.

Soquel Creek Water District. 2022. Chromium 6. Accessed June 28, 2022 at <https://www.soquelcreekwater.org/219/Chromium-6>.

### 3.2.10 DEIR Section 4.11 – Land Use and Planning

Page 4.11-8 Add the following new text before the Watsonville Airport Land Use Compatibility Plan subsection as follows:

It is noted that on June 15, 2022, the AMBAG Board of Directors certified the Final EIR prepared for the 2045 Metropolitan Transportation/Sustainable Communities Strategy (MTP/SCS); made a finding that the SCS achieves the greenhouse gas reduction targets established by the California Air Resources Board; adopted the Final 2022 Regional Growth Forecast; and adopted the Final 2045 MTP/SCS (AMBAG 2022). This action occurred after the issuance of the EIR Notice of Preparation (NOP), which establishes the baseline condition for the EIR analyses, as well as after the release of the Sustainability Update Draft EIR and close of the Draft EIR public review period. The EIR reviews the proposed project with the adopted plan (2040 MTP/SCS) that was in effect at the time of issuance of the NOP and preparation of the Draft EIR. However, it is noted that “Existing/Planned Opportunity Areas” within unincorporated Santa Cruz identified in the 2045 MTP/SCS are the same as those identified in the 2040 MTP/SCS as described above. The 2045 MTP/SCS also identifies a “Potential Opportunity Area” that generally encompasses the unincorporated Live Oak are between Soquel Avenue and Portola Drive.

Page 4.11-8 Revise Footnote 1 as follows:

- <sup>1</sup> AMBAG created a set of “place types,” which established a set of land use designations common to general plans for the three counties and 18 cities in the region during the development of the 2040 2035 MTP/SCS. These place type categories are meant to act as a common “language” so that the diverse general and specific plans across the Monterey Bay Area may be compared in a consistent and standard manner. Metrics and characteristics used to determine place type designations include density, setting, character, and transportation. Place type categories include urban, suburban, town, non-urban, and other. According to AMBAG, the place type categories were updated as part of the 2045 MTP/SCS on June 15, 2022; see text above.

Page 4.11-32 Add the following new text before the Watsonville Airport Land Use Compatibility Plan subsection as follows:

As previously indicated, AMBAG adopted the 2045 MTP/SCS on June 15, 2022, which occurred after the issuance of the EIR Notice of Preparation (NOP), which establishes the baseline condition for the EIR analyses, as well as after the release of the Sustainability Draft EIR and close of the Draft EIR public review period. This EIR reviews the proposed project’s consistency with the adopted plan (2040 MTP/SCS) that was in effect at the time of issuance of the NOP and preparation of the Draft EIR.

Page 4.11-38 Add new citation as follows:

AMBAG. 2022. *Moving Forward Monterey Bay 2045 – 2045 Metropolitan Transportation Plan/ Sustainable Communities Strategy*. Adopted June 15, 2022. Accessed June 27, 2022 at <https://www.ambag.org/plans/2045-metropolitan-transportation-plan-sustainable-communities-strategy>.

### 3.2.11 DEIR Section 4.13 - Population and Housing

Page 4.13-3 Add new text to the end of the second paragraph as follows:

It is noted that on June 15, 2022, the AMBAG Board of Directors adopted the Final 2022 Regional Growth Forecast (AMBAG 2022b), which occurred after the issuance of the EIR Notice of Preparation (NOP) for the Sustainability Update, which establishes the baseline condition for the EIR analyses, as well as after the release of the Sustainability Update Draft EIR and close of the Draft EIR public review period. Therefore, this EIR reviews the proposed project with the adopted Regional Growth Forecast that was in effect at the time of issuance of the NOP and preparation of the Draft EIR.

Page 4.13-4 Revise the text of the first paragraph as follows:

In its 2018 Regional Growth Forecast, AMBAG projected a higher number of housing units in the county in 2020 than actually occurred based on ~~DOF estimates~~ as reported in 2020 Census data. AMBAG forecasted 57,848 housing units in 2020 within the county’s

unincorporated area and 109,179 for the county as a whole, while the ~~DOF's 2020 Census~~ estimates of the actual number of housing units ~~as of January 1, 2020~~ were ~~57,662~~ 57,327 and ~~106,135~~ 106,345, respectively. Table 4.13-4 shows the existing and projected housing units within the county from 2020 through 2040.

Page 4.13-5 Add new text to the end of the top paragraph before Section 4.13.13 as follows:

It is noted that on June 15, 2022, the AMBAG Board of Directors adopted the Final 2022 Regional Growth Forecast (AMBAG 2022b), which occurred after the issuance of the EIR Notice of Preparation (NOP), which establishes the baseline condition for the EIR analyses, as well as after the release of the Sustainability Update Draft EIR and close of the Draft EIR public review period. Therefore, this EIR reviews the proposed project with the adopted Regional Growth Forecast that was in effect at the time of issuance of the NOP and preparation of the Draft EIR.

Page 4.13-7 Correct typo in Table 4.13-7 as follows:

**Table 4.13-7. Santa Cruz County Employment Forecast, 2020-2040**

Year	Santa Cruz County (Unincorporated)	Santa Cruz County (Whole)
2025	40,826	<del>124,141</del> <u>125,141</u>

Page 4.13-8 Revise the last sentence of the second paragraph under the Regional Housing Needs Requirements subsection:

The draft 2023-2031 RHNA Plan was released by HCD in April 2022 and allocates shares of the regional housing need to AMBAG's member jurisdictions. AMBAG has received The 2023-2031 regional allocation from HCD is 33,274 units, which is approximately three times higher than the existing allocation for the region (~~33,274 units~~). The allocation for unincorporated Santa Cruz County is 4,634 dwelling units for 2023-2031 (AMBAG 2022a).

Page 4.13-16 Revise the last paragraph as follows:

The proposed project would allow for 4,500 net new dwelling units, which is somewhat higher than the ~~3,179-3,514~~ new units based on AMBAG's ~~current~~ projections shown in Table 4.13-4 above. It is also noted, that the estimated growth of new dwelling units used for the EIR analyses is similar to, but slightly below, draft RHNA allocation of 4,634 housing units released in April 2022 for unincorporated Santa Cruz County for the years 2023-2031.

Page 4.13-17 Add new citations as follows:

AMBAG. 2022a. Draft 6<sup>th</sup> Cycle Regional Housing Needs Allocation Plan 2023-2031. April 2022. Accessed July 26, 2022 at <https://www.ambag.org/plans/regional-housing-planning>.

AMBAG. 2022b. *Moving Forward Monterey Bay 2045 – 2045 Metropolitan Transportation Plan/ Sustainable Communities Strategy*. Adopted June 15, 2022. Accessed June 27, 2022 at <https://www.ambag.org/plans/2045-metropolitan-transportation-plan-sustainable-communities-strategy>.

### 3.2.12 DEIR Section 4.15 - Transportation

Page 4.15-5 to Revise first and second paragraph under Rail Service as follows:

Page 4.15-6

There is currently no year-round passenger rail service in Santa Cruz County. The Santa Cruz Branch Rail Line, which was acquired by the SCCRTC in 2012, ~~formerly provided freight rail service~~ is an active rail line with some portions of the rail line out of service. Rail operations were active on the entire length of the rail line until 2009; however, freight rail operations have not occurred north of San Andreas Road since 2017 and north of Lee Road in the City of Watsonville since 2018. This 135+-year old rail transportation corridor parallels Highway 1, extending almost 32 miles from just south of the county line near Watsonville to Davenport in north Santa Cruz County. The right-of-way (ROW) is generally 50 to 60 feet wide with 37 bridges and trestles, including major crossings of the Pajaro River, Highway 1, Soquel Creek, the Santa Cruz Yacht Harbor and the San Lorenzo River. The corridor links major activity centers as it traverses downtown Watsonville, Aptos Village, Capitola Village and the Santa Cruz Beach area near downtown Santa Cruz. The Santa Cruz Branch Rail Line was most recently used for freight and recreational passenger service.

The SCCRTC purchased the rail corridor to preserve the corridor for existing and future transportation uses, including freight rail, passenger rail service/transit, and bicycle and pedestrian facilities (SCCRTC 2018). In 2015 the SCCRTC completed the Santa Cruz Rail Transit Feasibility Study, which evaluated the feasibility of adding rail transit service on the Santa Cruz Branch Rail Line between Santa Cruz and Watsonville. The passage of Measure D required an analysis to determine the future potential use of the corridor that would best serve Santa Cruz County residents and visitors. The SCCRTC's Unified Corridor Investment Study, completed in January 2019, contains an analysis of the options for transportation uses of the rail ROW. One of the outcomes of this study was to ~~protect~~ preserve the Santa Cruz Branch Rail Line for high-capacity public transit adjacent to a bicycle and pedestrian trail. SCCRTC, in partnership with METRO, initiated the Transit Corridor Alternatives Analysis in 2019, which ~~is evaluating~~ is evaluating public transit investment options that provide an

integrated transit network for Santa Cruz County utilizing all or part of the length of the rail ROW as a dedicated transit facility (SCCRTC 2022). The Transit Corridor Alternatives Analysis is complete and identified electric passenger rail as the locally preferred alternative for transit on the Santa Cruz Branch Rail Line.

Page 4.15-8 Revise first paragraph of Section 4.15.1.4, Funding Transportation Improvements as follows:

A number of state, regional, county and local agencies are involved with transportation planning and implementation of transportation programs and improvements within Santa Cruz County. Caltrans manages the state highway system and implements highway maintenance and safety projects. However, SCCRTC often implements highway improvements and is critical to helping fund state highway improvements within the county. The SCCRTC is the state-designated Regional Transportation Planning Agency Authority (RTPA) for transportation planning activities in Santa Cruz County. SCCRTC oversees planning and funding programs for local and countywide projects within Santa Cruz County using state and federal transportation funds. The 12-member SCCRTC Board includes representatives from local cities and agencies within the county and is composed of the five County Supervisors, one representative from each local city, and three representatives from Santa Cruz METRO.

Page 4.15-8 Revise third paragraph of Section 4.15.1.4, Funding Transportation Improvements as follows:

In 2016, residents in Santa Cruz County passed Measure D, a 30-year ½-cent sales tax measure that provides funding to highway projects, local streets and roads projects, and alternative transportation infrastructure projects. The Measure D sales tax allocates a portion of the funds to three sets of auxiliary lane projects on Highway 1 between Soquel Ave and State Park Drive. Measure D funds provide a local source of funds that helps leverage additional funds from state and federal sources. Measure D also allows for Highway 1 improvements between State Park Drive and Freedom Boulevard and provides funding directly to local jurisdictions, including the County of Santa Cruz, funding to the MBSST/Coastal Rail Trail, of which several sections are located in the County of Santa Cruz, and provides funding for transit service countywide.

Page 4.15-8 Revise first sentence of last paragraph as follows:

Local projects are often ~~partially~~ funded ~~with~~ by a combination of regional, state, and/or federal grants and resources.

Page 4.15-9 Revise third sentence as follows:

The SCCRTC's Regional Transportation Plan provides ~~Both documents~~ ~~The show~~ "constrained" and "unconstrained" project lists.

Page 4.15-12 Add new text at the end of the first paragraph as follows:

The 2045 RTP was adopted by the SCCRTC on June 16, 2022, which occurred after the issuance of the EIR Notice of Preparation (NOP), which establishes the baseline condition for the EIR analyses, as well as after the release of the Sustainability Update Draft EIR and close of the Draft EIR public review period.

Page 4.15-13 Add the following new text before the Impact Conclusion subsection as follows:

The proposed Access + Mobility (AM) Element provides updated road classifications as shown in Table 4.15-1; road classifications are illustrated on county roads in Figure 3-4 in Chapter 3, Project Description. Further illustrations and information are provided in Appendix A of the County Design Guidelines.

Page 4.15-25 Revise Table 4.15-6 to include the following proposed policies and implementation strategies as follows:

- Update the SCCC to require employers and large development to provide TDM Plans and programs to provide infrastructure, resources, and planning that supports and incentivizes travel by non-drive alone modes in order to reduce VMT. (AM-1-1d)
- Encourage and allow developers to provide multimodal improvements that shift travelers from vehicles to alternative modes of transportation to improve LOS and simultaneously reduce VMT. (AM-6.2.2)

Page 4.15-26 Revise Mitigation Measure TRA-2 as follows:

**MM TRA-2:** **TDM Program:** Add an implementation strategy to evaluate other parking-related measures that, if feasible, could become part of the County’s TDM requirements, including but not limited to: reduced parking requirements for commercial and residential uses, implementation of paid parking, and potential use of fees to help fund transit, and if paid parking is implemented, consider directing funds or a portion of funds to public transit and active transportation projects.

Page 4.15-31 Revise the first full sentence as follows:

It is noted that on June 15, 2022, the AMBAG Board of Directors certified the Final EIR prepared for the 2045 Metropolitan Transportation/Sustainable Communities Strategy (MTP/SCS); made a finding that the SCS achieves the greenhouse gas reduction targets established by the California Air Resources Board; adopted the Final 2022 Regional Growth Forecast; and adopted the Final 2045 MTP/SCS (AMBAG 2022). This action occurred after the issuance of the EIR Notice of Preparation (NOP), which establishes the baseline condition for the EIR analyses, as well as after the release of the Sustainability Update Draft EIR and close of the Draft EIR public review period. The EIR reviews the proposed

project with the adopted plan (2040 MTP/SCS) that was in effect at the time of issuance of the NOP and preparation of the Draft EIR.

### 3.2.13 DEIR Section 4.16 – Utilities and Service Systems

Page 4.16-1 Revise first paragraph as follows:

See also Section 4.10, Hydrology and Water Quality, for discussions and impact analyses regarding surface and groundwater resources and public stormwater drainage facilities.

Page 4.16-31 Add new text before last sentence of Section 4.16.3.2 as follows:

See Section 4.10, Hydrology and Water Quality, for discussion and impact analyses regarding public stormwater drainage facilities.

Page 4.16-33 Revise second paragraph as follows:

While most agencies have CIPs or infrastructure master plans to plan for improvements to repair, upgrade, and/or replace public utility infrastructure, there are no known facilities that would be required as a result of future development accommodated by the Sustainability Update based on discussions with service providers. Existing sewer line capacity issues in the Soquel area are being addressed with planned improvements by the SCCSD. The SCCSD would continue to monitor sewer pipelines and review projects as they are proposed to ensure that adequate capacity exists. See Section 4.10, Hydrology and Water Quality, regarding stormwater drainage infrastructure.

Page 4.16-33 Add new paragraph before the last paragraph as follows:

As indicated in Section 4.10, Hydrology and Water Quality, a Master Plan Update for the Zone 5 Flood Control District, which generally covers Live Oak, Soquel and the City of Capitola, is being prepared with a focus on the regional facilities within the zone (generally 36-inch diameter pipes and larger as well as open channels), assessing the condition and capacity of the facilities. The objective is to develop a maintenance program, a Capital Improvement Program, an impact fee analysis for future development, as well as an engineer's report to be potentially used for future funding or financing of maintenance activities and identified projects. The Master Plan Update is expected to be completed by June 2023.

### 3.2.14 DEIR Section 5.3 – Growth-Inducing Impacts

Page 5-6 Revise first paragraph as follows:

The proposed Sustainability Update does not include new or amended policies or regulations that would result in construction or expansion of major infrastructure or public

facilities that could remove obstacles to growth. However, proposed policy revisions in the Agriculture, Natural Resources + Conservation (ARC) Element discourage, rather than prohibit, expansion of County-controlled sewer facilities onto agricultural lands in the absence of public health considerations for existing development (ARC-1.1.13). According to this policy, any sewer lines allowed on commercial agricultural lands also would need to be located well below tillable soil depths and with sufficient construction and buffers from pipelines to ensure public health and safety.

The proposed amendments would allow extension of sewer and water lines on commercial agricultural lands in the coastal zone, but only under specified circumstances that would require safeguards to ensure that such facilities would not result in the subsequent conversions of commercial agricultural lands to non-agricultural uses due to the utility extensions (ARC-1.1-14). These circumstances include: (a) water transmission lines along the North Coast to the City of Santa Cruz for irrigation and related agricultural uses, including limited agricultural employee/farmworker housing; (b) sewer transmission lines to and from the City of Watsonville sewage treatment plant without service to affected parcels, except where necessary to allow for agricultural employee/farmworker housing; (c) water and sewer lines to serve existing development which has failing wells and/or sewage disposal systems; (d) placement of water and sewer lines that provides access to wastewater treatment and distribution facilities to serve essential public/quasi-public facilities, where findings have been made that no location is available for the use off of commercial agricultural land and with access to sewer and water service, and that no other alternatives are available to provide access to water and wastewater treatment; and (e) placement of water and sewer lines that provide access to wastewater treatment and distribution facilities, if the purpose is to prevent saltwater intrusion, recharge groundwater basins, or provide tertiary treated wastewater for agricultural uses and purposes; and/or provide service to other public/quasi public uses and facilities as may be approved by the County (ARC-1.14). ARC-1.1.15 would require other safeguards to protect agricultural lands, including: however, prohibiting hookups to trunk lines through commercial agricultural lands and levying of assessment fees against commercial agricultural land for the construction of sewage transmission lines running through the commercial agricultural parcels and locating water and sewer lines on commercial agricultural land below the tillable soil depth, with buffers as may be advised by agricultural professionals. These safeguards are also in included in SCCC section 16.50.080(C).

Thus, proposed policy revisions clarify and limit the scope of any utility extensions and would not lead to indirect growth inducement (or conversion of agricultural lands) as a result of potential extension of water or sewer lines for protection of public health and safety and/or as part of recycled water projects.

### 3.2.15 DEIR Section 7.2.2 – Dudek Team

Page 7-2 Add Technical Team Members as follows:

Michael Williams Paleontology

### 3.2.16 DEIR Appendix E – Biological Resources - Special Status Species Plant And Wildlife Lists

Revise and update Special-Status Plant and Wildlife Species Lists as shown in Appendix B of this document.

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