



**U.S. Department of Housing and Urban  
Development**

451 Seventh Street, SW  
Washington, DC 20410  
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## **Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58**

### **Project Information**

**Project Name:** 1500 Capitola Mixed Use

**Responsible Entity:** County of Santa Cruz

**Grant Recipient** (if different than Responsible Entity): **MP Live Oak Associates, L.P.**

**State/Local Identifier:**

**Preparer:** R.L. Hastings & Associates, LLC

**Certifying Officer Name and Title:** Kathleen Molloy, Planning Director,  
County of Santa Cruz Planning Department

**Grant Recipient** (if different than Responsible Entity):

**Consultant** (if applicable): R.L. Hastings & Associates, LLC

**Direct Comments to:** Stephanie Hansen AICP, Environmental Coordinator,  
County of Santa Cruz Planning Department

**Project Location:**

1412, 1438, 1500 and 1514 Capitola Road, Live Oak area, Santa Cruz County

**Description of the Proposed Project** [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The project proposes to develop a mixed-use project consisting of a two-story commercial building, with a central public plaza located adjacent to Capitola Road, behind which, in the mid-section of the site, would be four three-story multi-family residential buildings surrounding a private open space. All the proposed structures would be within a landscaped setting that includes parking, circulation, open space and a community garden.

**Affordable Housing Community:**

The residential portion of the development would be owned and operated by an affiliate of MidPen Housing Corporation. The housing community is proposed to include 56 affordable apartment homes, a manager's unit and community facilities for use by tenants. Specifically, community facilities include a community room with a kitchen and computers, a learning center for the provision of children's after-school services, a laundry room, a restroom, a property management office and a secure bicycle storage room. The residential buildings are proposed to be constructed around a landscaped central green space that will contain two separate barbecue areas with picnic tables, other seating and a children's playground.

**Commercial Building:**

The proposed commercial development fronting Capitola Road includes a two-story building that is separated into two distinct habitable spaces, connected by a nonhabitable shared access tower and walkways. The eastern wing of the building includes a medical clinic with office spaces that would be owned and operated by Santa Cruz Community Health Centers (SCCHC) and a ground-floor community serving retail space that is currently envisioned to be a pharmacy. The western wing of the building would be a dental clinic with administrative spaces that would be owned and operated by Dientes Community Dental (Dientes). Between the two sections of the commercial building and fronting onto Capitola Road, a large public plaza is proposed that includes a sunken green space, seating, sculptures and an interpretive historical installation honoring Robert Merriman and the history of the site. This publicly accessible plaza, which is designed for neighborhood gatherings, will be maintained jointly by the three development partners. Adjacent to the western property boundary, there would be a landscaped green space with a pedestrian pathway connecting the proposed apartments to Capitola Road and to the bus stop. This area would also contain a private community garden for use by the residential tenants.

The project will include any necessary infrastructure improvements along Capitola Road and inside the project site, including curbing, gutters, sidewalks, storm drains, lighting and utilities to the sites, along with asphalt driveways and parking

*Description of the Area*

Santa Cruz County has 276,603 residents and is situated at the northern tip of Monterey Bay, approximately 65 miles south of San Francisco, 35 miles north of Monterey, and 35 miles southwest of Silicon Valley. Its natural beauty is present in the pristine beaches, lush redwood forests, and rich farmland. It has an ideal Mediterranean climate with low humidity and sunshine 300 days a year.

There are four incorporated cities in the County. The largest is the City of Santa Cruz, with a population of 59,946. Watsonville has a population of 51,199, Scotts Valley has 11,580, and Capitola has 9,918.

Santa Cruz County is the Gateway to the Monterey Bay National Marine Sanctuary, has 29 miles of coastline and includes numerous state parks and beaches. Its quaint shops and restaurants, coupled with a multitude of cultural and recreational activities, including sailing, fishing, golfing, surfing, kayaking, hiking and biking, provide a wealth of leisure activities. The State of California owns and maintains 42,334 acres of parks in the coastal and mountainous areas of the County. The County maintains an additional 1,593 acres of parks, not including the numerous parks also found within the cities. Cultural amenities include the Santa Cruz County Symphony, the Cabrillo Music Festival, Shakespeare Santa Cruz, the McPherson Museum of Art and History, the University of California Performing Arts Center, and the Henry J. Mello Performing Arts Center.

The County's strong local economy is anchored by technology, agriculture, and tourism. The school system includes Cabrillo Community College and the University of California, Santa Cruz. Santa Cruz also hosts the Long Marine Laboratory, the Lick Observatory, the National Marine Fisheries service, and the Monterey Bay National Marine Sanctuary Exploration Center.

The County is served by the San Jose International Airport, the San Francisco International Airport, Oakland International Airport, Monterey Peninsula Airport, and the Watsonville Municipal Airport. Rail access is provided by Union Pacific Railroad, with a railhead at Watsonville Junction.

As of 2018, the County has per capita personal income of \$34,732, median income of \$70,088, and a median value for owner-occupied housing of approximately \$800,000. The County Government has a workforce of 2,470 employees in 20 agencies and departments, and an annual budget of approximately \$777 million.

#### *Description of the Surrounding Neighborhood*

The project site, which consists of four existing legal parcels APNs 026-741-12, 13, 14 and 15, is located on the south side of Capitola Road, an east-west arterial with bike lanes and sidewalks. The 3.65-acre property is bounded to the west, and south by single-family and multi-family residential neighborhoods characterized by a wide variety of one and two-story homes and apartment complexes. To the north and east there are commercially zoned parcels, although the parcel to the east is currently underdeveloped and, except for a small commercial building and associated parking close to Capitola Road, is currently vacant land. The nearby commercial developments are characterized by one and two-story buildings occupied by a mix of commercial uses that include a local market, a laundromat, a coffee shop, a liquor store, mixed-use retail/office/residential buildings and automobile services. There are also some nonconforming residences on commercially zoned parcels along Capitola Road and 17th Avenue. The Live Oak Elementary school is located approximately 500 feet east of the project site at the southeast corner of 17th Avenue and Capitola Road, and the Live Oak Community Resources Center is located on the east side of 17th Avenue, 150 feet north of the intersection with Capitola Road. There is a Metro bus stop in front of the property served by Metro Routes 69A and 69W, which provides service to downtown Santa Cruz and Watsonville, Cabrillo College and the Capitola Mall.

The architectural character of the surrounding buildings is eclectic. Building exteriors generally reflect traditional shapes (gable, hipped and flat roofs) and exteriors are for the most part clad in wood or cement plaster materials. Design styles continue to evolve as the community redevelops overtime.

*Construction and Design Description*

**Affordable Housing Community:**

The housing Project will consist of four (4) approximately 37' tall 3-story buildings containing 57 one-, two- and three-bedroom units. Additionally, the Project will include a leasing office, community room, computer center, and laundry room. The project will contain twenty-six (26) 611 sq. ft. 1-bedroom units, fourteen (14) 917 sq. ft. 2-bedroom units, and seventeen (17) 1,244 sq. ft. 3-bedroom units. The community room will be approximately 1,868 sq. ft. excluding the laundry room, which will contain 8 washers and 8 dryers. The building will be Type V construction, fully sprinkled, per the California Building Code with wood frame construction. The exterior will be horizontal and vertical fiber-cement lap siding, wood trim and roofing shingles and will have pitched roofs.

Each apartment in the proposed development will include the following amenities: range, refrigerator, garbage disposal, heating, plastic laminate countertops, coat closets, blinds, vinyl flooring in kitchens and bathrooms, and will include CAT 5 wiring. All of the apartments will be designed for energy efficiency and include energy efficient appliances.

Common amenities include a central courtyard with barbecue areas, a play structure, laundry facilities, on-site management, a large community room with kitchen, and a large bicycle storage room.

The Owner will be responsible for electric expenses including cooking, heating, hot water, and general electric expenses. The landlord will pay for water, sewer, and trash expenses, along with common area utilities.

**Commercial Building:**

See the project description above for design elements. Full construction details are not available.

***Permanent Sources of Project Funding for Housing Community:***

1) Conventional Permanent Loan (Tranche A)	\$ 1,968,000
2) Conventional Permanent Loan (Tranche B)	\$ 6,023,000
3) County of Santa Cruz	\$ 5,315,585
4) Accrued Deferred Interest on County Funds	\$ 138,186
5) Central California Alliance for Health	\$ 1,250,000
6) CA HCD – No Place Like Home	\$ 2,243,930
7) General Partner	\$ 100
8) Limited Partner Equity	<u>\$24,747,525</u>
Total Estimated Costs -	\$41,686,326

***Development Partners will include:***

- 1) MidPen Housing Corporation
- 2) County of Santa Cruz
- 3)
- 4)

**Statement of Purpose and Need for the Proposal** [40 CFR 1508.9(b)]:

The primary purpose of the proposed project, which includes two commercial buildings, is to develop 56 units of affordable housing, including one managers unit, in an area with high housing costs and little available affordable housing. A market study conducted in November 2019 showed that there is more than sufficient demand for affordable 1, 2, and 3 bedroom units, and that this project would only capture 3.2% of the demand for 1 bedroom units, 1.3% of the demand for 2 bedroom units, and 5.5% of the demand for 3 bedroom units. The growing need for housing is also epitomized by the large number of applicants to newer affordable housing projects in the county. Pippin Orchards Apartments, an affordable housing project in nearby Watsonville, was leased by MidPen Housing in fall, 2018 and received more than 2,500 applications for 45 affordable rental units.

**Existing Conditions and Trends** [24 CFR 58.40(a)]:

The project site is located in a mixed-use area of the County which continues to develop with an additional mix of commercial and residential uses consistent with current zoning and General Plan land use designations.

**Funding Information**

<b>Grant Number</b>	<b>HUD Program</b>	<b>Funding Amount</b>
N/A	Section 8 Vouchers	\$10,077,174

**Estimated Total HUD Funded Amount: \$10,077,174 – Estimated value of vouchers over 15 years**

**Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$41,686,326**

## **Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p><i>The project is not within an FAA-designated civilian airport Runway Clear Zone (RCZ), or within a military airfield Clear Zone (CZ) or Accident Potential Zone (APZ), therefore no disclosure is required.</i></p> <ul style="list-style-type: none"> <li>- The project site is located approximately 11 miles west of the Watsonville Airport and is outside of all airport hazard zones.</li> <li>- The site is approximately 27 miles south of the San Jose Airport and 49 miles south of the San Francisco International Airport.</li> <li>- There are no military airfields in or near the project area.</li> <li>- The project is in compliance with 24 CFR Part 51 Subpart D and noticing is not required.</li> <li>- See Attachment A: Airport CZs and APZs</li> </ul>
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p><i>Not applicable in California</i></p>
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p><i>The project does involve property acquisition, land management, construction or improvement within a 100-year floodplain (Zones A or V) identified by FEMA maps.</i></p> <ul style="list-style-type: none"> <li>- According to FIRM map 06087C0351E dated 5.16.12, the project site is located in Zone X, Area of Minimal Flood Hazard.</li> <li>- Flood insurance is available but is not required.</li> <li>- See Attachment B: Floodplain Management</li> </ul>

**STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5**

<p><b>Clean Air</b></p> <p>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No  <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>The project site is located in an area with no Federal criteria pollutants classified as “Nonattainment.”</i></p> <p>- Per the EPA Greenbook, Santa Cruz County has no Federal criteria pollutants classified as Nonattainment.</p> <p>- Verified by EPA Greenbook “Currently Designated Nonattainment Areas for all Criteria Pollutants at <a href="https://www3.epa.gov/airquality/greenbook/ancl.html#CALIFORNIA">https://www3.epa.gov/airquality/greenbook/ancl.html#CALIFORNIA</a></p> <p>- See Attachment C: Air Quality</p>
<p><b>Coastal Zone Management</b></p> <p>Coastal Zone Management Act, sections 117(c) &amp; (d)</p>	<p>Yes No  <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>This project is not located in the coastal zone and therefore does not involve the placement, erection or removal of materials, nor increase the intensity of use in the coastal zone.</i></p> <p>- The project site is located approximately outside of the Coastal Zone per the County of Santa Cruz Coastal Zone map downloaded from the Santa Cruz County GIS system.</p> <p>- See Attachment D: CZM Act</p>
<p><b>Contamination and Toxic Substances</b></p> <p>24 CFR Part 50.3(i) &amp; 58.5(i)(2)</p>	<p>Yes No  <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p><i>The project involves new development for habitation; but is not located within one mile of an NPL (“Superfund”) site, within 2,000 feet of a Federal CERCLIS, SEMS or SEMS-archive site. The site is located near a site where petroleum hydrocarbons were known to exist and have the potential to affect the site.</i></p> <p>-A Phase I ESA prepared by Remediation Risk Management, Inc. (RRM), dated January 6, 2020, found no evidence of Recognized Environmental Conditions (RECs), in connection with the site. There were no significant changes from the October 2018 report discussed below.</p> <p>- Although not defined as an REC, RRM stated in its Conclusions &amp; Recommendations that it is possible that detectable residual hydrocarbon contamination from the former Live Oak Texaco at 1671 Capitola Road has spread in groundwater and possibly soil vapor, beneath the 1514 Capitola Road parcel (see discussion below).</p> <p>- While also not RECs, RRM did identify two (2) Environmental Concerns (EDR Sites of Potential Concern: January 6, 2020): the likely presence of asbestos containing materials (ACM) and lead-based paint (LBP) in the structures on the property and recommended that assessments for the presence of each should be conducted prior to demolition of the structures.</p>

- EDR identified two off-site hydrocarbon release sites near enough to the property to have possibly affected property conditions. In one case, the former Live Oak Texaco at 1671 Capitola Road, RRM determined that low concentrations of residual hydrocarbon contaminants may be travelling via groundwater or soil vapor towards the project site but that, "if present at all, they would be at very low concentration, and would not be likely to pose a threat to Property redevelopment of future Property occupants." The second site is an active Valero gas station at 1701 Capitola Road. RRM concluded that the site does not appear to pose a threat to soil or groundwater conditions at the Property.

- RRM prepared a draft Phase II Limited Soil Vapor Investigation dated February 19, 2020. RRM found several chemicals present in samples taken from two of the three borings (one boring was unusable due to the presence of groundwater) but two samples revealed tetrachloroethene (PCE) was present in levels exceeding Environmental Screening Levels (ESLs). RRM collected the soil gas samples based on the detection of PCE in 2012 in a sample of groundwater collected from a monitoring well formerly located on the adjacent parcel to the east of the property, approximately 200 feet from the east border of the 1514 Capitola Road parcel. That monitoring well was installed during the environmental investigation phase of the former Live Oak Service (Texaco) at 1671 Capitola Road. PCE was detected in groundwater at a concentration of 55 parts per billion (or micrograms per liter (ug/L)). Based on the elevated soil gas samples, RRM recommended that confirmation soil gas samples be collected in the same or nearby locations. RRM also recommended collecting grab-groundwater samples in order to evaluate the condition of groundwater beneath the property, and to determine whether the PCE plume has migrated onto the property.

- See Mitigation Measures and Conditions section at the end of this document for Measures and Conditions that are required to be taken prior to construction ground disturbance as a Condition of Approval for this Environmental Assessment. No ground disturbance, other than environmental or geotechnical testing, may occur without the receipt of clearance from an environmental agency of applicable jurisdiction confirming that such ground disturbing activity will not create a threat to human health of the environment.

-A previous Phase I ESA prepared by RRM, dated October 30, 2018, found no evidence of Recognized Environmental Conditions (RECs), in connection with the site.

- RRM prepared a prior Phase I ESA, dated June 6,

		<p>1994, on one of the parcels, 1438 Capitola Road. RRM found soil staining at one location on the site. The soil was tested and found to be contaminated. A remedial action plan was developed and soils were excavated and disposed of in accordance with regulations. Subsequent soil analyses indicated that the contaminated soils were removed to non-detectable levels of soil contamination in the areas of concern.</p> <p><b>- See Attachment E: Toxics &amp; Hazards</b></p>
<p><b>Endangered Species</b></p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes    No  <input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p><b>- The project will not affect Federally listed or proposed threatened and endangered species, nor designated or proposed critical habitat.</b></p> <p>- The Property is located in an urbanized area, surrounded on all sides by urban uses, with no value as habitat for endangered, rare, or threatened species. Further, the property was evaluated by environmental planning staff to identify if any potential habitat for special status species may occur there. This evaluation involved review of existing resource information including a query of the California Natural Diversity Data Base (CNDDDB) and a reconnaissance level site visit to assess the potential for sensitive habitat on the project site. It was determined based on the results of this evaluation that habitat for State or Federal listed species, or other sensitive habitat, does not occur on the project site.</p> <p>- The USFW Critical Habitat map indicates no critical habitat on or near the project site.</p> <p><b>- See Attachment F: Endangered Species</b></p>
<p><b>Explosive and Flammable Hazards</b></p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes    No  <input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p><b><i>The project will expose neither people nor buildings to above-ground explosive or flammable fuels or chemicals containers hazards.</i></b></p> <p>-A Phase I ESA prepared by Remediation Risk Management, Inc. (RRM), dated October 30, 2019, identified no AST's on the project site or within ¼ mile of the project site.</p> <p>- Aerial views identified no AST's on or near the project site.</p> <p><b>- See Attachment E: Toxic &amp; Hazards</b></p>
<p><b>Farmlands Protection</b></p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes    No  <input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p><b><i>The project site does not include soil defined as "Prime Farmland" or "Prime Farmland if Irrigated" as identified by the USDA, NRCS. The project site does not include "Unique Farmland" but does include "Farmland of Statewide Importance".</i></b></p> <p>- 100% of site soils are in Map Unit Symbol 178. Soils in Map Unit Symbol 178 are rated "Farmland of Statewide Importance."</p> <p>- Although the site contains a listed soil, the site is located in an area committed to urban uses and is therefore exempt.</p>

		<p>Verified through Web Soil Survey downloads from the USDA, NRCS website at <a href="https://websoilsurvey.nrcs.usda.gov/app/HomePage.htm">https://websoilsurvey.nrcs.usda.gov/app/HomePage.htm</a></p> <p>- See Attachment G: FPPA</p>
<p><b>Floodplain Management</b></p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p><i>The project does involve property acquisition, land management, construction or improvement within a 100-year floodplain (Zones A or V) identified by FEMA maps.</i></p> <p>- According to FIRM map 06087C0351E dated 5.16.12, the project site is located in Zone X, Area of Minimal Flood Hazard.</p> <p>- See Attachment B: Floodplain Management</p>
<p><b>Historic Preservation</b></p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p><i>The County of Santa Cruz has made a Finding, and SHPO has not objected, that no historic properties will be affected by the project.</i></p> <p>- See Attachment H: Historic Preservation</p> <p>Attachment H contains the following supporting documentation: SHPO consultation letter dated 12.6.19 wherein the County stated it’s Finding of “No Historic Properties Affected” per 36 CFR Part 800.4(d)(1); California Historical Resources Information System (CHRIS) Records Search dated 11.19.19; Tribal Directory Assessment Information (TDAI) list for Monterey County; Native American Heritage Commission (NAHC) response letter dated 11.14.19; Consultation letters sent to TDAI and NAHC list contacts dated 12.4.19 – no responses were received, and; National Register of Historic Places (NRHP) map of NRHP sites in the project area which identifies no sites in the area of the project site.</p> <p>- See Attachment H: Historic Preservation</p>
<p><b>Noise Abatement and Control</b></p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p><i>The project involves the development of noise sensitive uses and is located within line-of-sight of an arterial roadway. The project is not located within line-of-sight of an active railroad line.</i></p> <p>- The project site is located on Capitola Road, an arterial roadway, though the housing will be set back from the roadway at the rear of the site with some shielding from the roadway noise provided by the professional buildings to be built in front of the housing. The closest façade to the roadway will be approximately 200’ feet set back.</p> <p>- Existing and 2040 project noise contours were prepared for the County in 2017. Based on the projected noise contours, the closest façade to the roadway will be within the 60 – 65 dBA noise contour and the rear of the buildings will be within the 55 – 60 dBA noise contour in 2040. Based on existing and projected noise contours, the project is compliant with</p>

		<p>HUD requirements and no mitigation will be required.</p> <p>- The project site is located outside of the 65 dBA noise contours for all regional airports.</p> <p><b>See Attachment I: Noise Abatement</b></p>
<p><b>Sole Source Aquifers</b></p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p><i>The project is not located within an area designated by the EPA as being supported by a sole source aquifer.</i></p> <p>Verified by sole source aquifer map downloaded from: <a href="https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b">https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b</a></p> <p>- See Attachment J: Sole Source Aquifers</p>
<p><b>Wetlands Protection</b></p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p><i>The project does not involve new construction within or adjacent to a wetland(s) habitat</i></p> <p>Verified by: Wetlands Map downloaded from <a href="https://fws.gov/wetlands">https://fws.gov/wetlands</a> on 11.19.19.</p> <p>- The U.S. Fish and Wildlife Service National Wetlands Inventory Wetlands Mapper indicates that there are no wetlands on or adjacent to the project site.</p> <p>- See Attachment K: Wetlands Protection</p>
<p><b>Wild and Scenic Rivers</b></p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p><i>The project is not within one mile of a listed section of a Wild and Scenic River.</i></p> <p>- The proposed project site is not located within one mile of a listed river. There are no Wild &amp; Scenic Rivers in Santa Cruz County.</p> <p>Verified by the Wild and Scenic Rivers list downloaded from <a href="https://www.rivers.gov/river-app/index.html?state=CA">https://www.rivers.gov/river-app/index.html?state=CA</a></p> <p>- See Attachment L: W&amp;S Rivers Act</p>

**ENVIRONMENTAL JUSTICE**

**Environmental Justice**

Executive Order 12898

Yes    No  
   

***The project site is suitable for its proposed use; and with mitigations the project won't be adversely affected by a pre-existing environmental condition.***

- The proposed 66-unit project has no aggregate Environmental Justice issues identified by the EPA EJSCREEN Report (Version 2019) or in this NEPA. EJ data was collected at the 0.125, 0.25, 0.5, .075, and 1-mile radii. Nine of eleven (9/11) *Environmental Indicators* (EI) were lower in the project area than at the comparison levels of California, EPA Region and U.S. Of the 9, 6 were significantly lower. One of eleven (1/11) were lower at the U.S. level and one of eleven (1/11) was lower at two of the three (2/3) comparison levels.

- Using the 0.125-mile radius centered on the project site to represent the project site, *Cancer Risk* was lower at the U.S. level by 0.03 but was higher at the other 2 levels. *Traffic Proximity* at 1800 was lower at the EPA and U.S. levels (1700, 700) but was still lower than the State level of 2000.

- Based on this data, the project site does not suffer disproportionately from environmental issues and is actually significantly better than the comparison levels.

- In respect to *Demographic Indicators* (DI), the composite score *Demographic Index* at 12%, *Minority Population* at 12% and *Low Income Population* at 12% are significantly lower than at all 3 comparison levels.

- Based on this EPA EJScreen data, regardless of population group served, the population will not be affected disproportionately from environmental issues.

- See the *Contamination and Toxic Substances* section above for a discussion of contaminated soil on a portion of the site. The *Mitigation Measures and Conditions* section at the end of this document discusses Measures and Conditions that are required to be taken prior to construction ground disturbance as a Condition of Approval for this Environmental Assessment. No ground disturbance, other than environmental or geotechnical testing, may occur without the receipt of clearance from an environmental agency of applicable jurisdiction confirming that such ground disturbing activity will not create a threat to human health of the environment.

- Once these mitigation measures have been implemented as required, the project and site will have no Environmentally Justice issues in respect to any groups.

		<p>- Additionally, the project will benefit the low-income population by bringing much needed affordable housing units to the neighborhood and community.</p> <p>- <b>See Attachment M: Environmental Justice</b></p>
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**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes:** Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	<ul style="list-style-type: none"> <li>- The project site is zoned C-1 and has a Land Use designation of C-N (Neighborhood Commercial which allow for the proposed use.</li> <li>- As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP.</li> <li>- <i>Verified by Staff Report to the Planning Commission, dated August 28, 2019</i></li> <li>- Project design must comply with County design standards and must be approved by the County to ensure that the design is compatible with the County design standards and with the neighborhood.</li> <li>- <b>See Attachment N: Land Development</b></li> </ul>
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	<p><b>Soil Suitability</b></p> <ul style="list-style-type: none"> <li>- The site contains expansive soils with low to very low permeability.</li> <li>- The County will require that a geotechnical soils report be prepared and submitted during the permitting process to ensure that site soils are suitable for development of the project. The recommendations in the report will be conditions of approval for the project.</li> </ul> <p><b>Slope</b></p> <ul style="list-style-type: none"> <li>- The project site is relatively level with an average slope rating of 1.0 (1%) by the USDA NRCS.</li> </ul>

- Slope will have no impact on site development.

**Erosion**

- The project site is not located in an erosion sensitive area as defined by the following:  
The project site is not located near water and has a minimal slope of 0-2% (1%).

- Susceptibility to erosion by water is not considered significant due to the minimal slope of the site.

-Development of the proposed project, paved and pervious surface areas, and irrigated landscaping will reduce the potential for erosion on the site.

- The County will require that standard BMP's be followed during construction to minimize construction related erosion from the site during construction activities.

**Storm Water Runoff and Drainage**

- Existing storm drainage patterns show that the majority of the development site sheet flows to the south and southwest and is captured by catch basins located along the southern and western site boundaries. This system then transfers the water to the public storm system in Capitola Road which eventually discharges into Leona Creek. In addition, an area on the eastern side of the development surface flows to the southeast towards 17th A venue. It also appears that a portion of the neighboring properties on Leila Court may drain onto the development. To accurately determine the existing drainage patterns, further detailed survey is required ' as a condition of approval of this Permit, to verify drainage patterns and ensure project drainage details comply with applicable County standards.

As detailed in the Hydrology and Storm Water Management Report prepared by BKF Engineers, dated May 10, 2019, the development proposes to remove the existing storm drainage system up to the closest onsite catch basin at the northwest corner of the project site but will retain the existing storm system connection to the public system in Capitola Road. The new/replacement stormwater system has been designed to comply with all mitigation requirements for large projects outlined in the County Design Criteria and would infiltrate the entire 2-year, 2-hour design storm of the development area, and maintains pre-development flows to Capitola Road for both the 10-year, 15 minute and 25 year, 15 minute design storms. The proposed system provides mitigation for pollutants and hydrologic impacts due to the development through the use of Low Impact Development (LID) measures, specifically pervious pavement. Stormwater will be captured and treated on-site by directing flows to the pervious pavement along the southern and western perimeter of the parking lot. This system has been conditioned to be designed so that it will also take into account any increased drainage area from the portion of the development that currently drains to 17th Avenue.

There are known restrictions downstream in the Capitola Road storm drainage system. Therefore, unless the detailed survey of existing drainage patterns shows that there will be no diversion of site runoff from 17th Avenue, the final project design is required to account for any additional flows to this system. If the final

		<p>onsite design cannot fully mitigate for diverted and developed flows, the applicant would also be required to coordinate with Public Works staff to determine a cost share/contribution, based upon the calculated additional runoff flows, to ensure that the downstream restricted system is repaired/replaced.</p> <ul style="list-style-type: none"> <li>- <i>Verified by Staff Report to the Planning Commission, dated August 28, 2019</i></li> <li>- All projects within the County must comply with the current version of the County of Santa Cruz NPDES Permit.</li> </ul> <p><b>- See Attachment N: Land Development</b></p>
<p>Hazards and Nuisances including Site Safety and Noise</p>	<p>4</p>	<p><b>Earthquake Faults and Earthquake Potential</b></p> <ul style="list-style-type: none"> <li>- The project is not expected to expose people or structures to substantial adverse effects, including the risk of loss, injury, or death as a result of geologic hazards including earthquakes, strong seismic ground shaking, seismic-related ground failure, or landslides with adherence to the applicable California Building Code requirements.</li> <li>- Earth Systems (ES) prepared a Revised Geotechnical Engineering Report for the project, dated October 24, 2018. ES found that the site is located within a seismically active area, but outside of Alquist-Priolo Earthquake Fault Zones. According to the Geologic and Seismologic Discussion, City of Santa Cruz General Plan Update (Nolan Associates, 2009), no potentially active faults cross the City of Santa Cruz, and the risk for surface ground rupture is therefore low. However, strong ground shaking should be expected during the design life of the planned structures. At a minimum, the planned improvements should be designed to resist seismic shaking in accordance with current California Building Code (CBC) requirements. Seismic design parameters based on the 2016 Edition of the CBC are presented in the report.</li> <li>- The County will require that the recommendations contained in the Geotechnical Engineering Report be adhered to during design and construction of the Project. Prior to the issuance of building permits, the City will ensure that structures are designed and will be constructed in accordance with the 2016 Edition of the CBC, as recommended, during the building permit issuance process and construction site inspections.</li> </ul> <p><b>Landslide &amp; Liquefaction Potential</b></p> <ul style="list-style-type: none"> <li>- According to ES, the Landslide and Liquefaction Hazard Maps included in the Nolan report show the site as being in an area having low landslide and liquefaction hazards, and potentially unstable or liquefiable soils were not encountered in our exploratory borings. Thus, measures to mitigate potential landslides and soil liquefaction are not considered necessary for the project.</li> </ul> <p><b>Tsunami and Seiches Potential</b></p> <p>According to the California Emergency Management Agency Tsunami Inundation Maps, the project site is in the Soquel Quadrangle outside of the tsunami inundation areas.</p> <p>Seiches, the oscillation of large bodies of standing water such as bays or lakes</p>

that can occur in response to ground shaking, do not pose a hazard to the site as there are no standing bodies of water near the project site and the site is not located in an earthquake zone.

### **Noise**

- An increase in existing noise levels is expected during the construction phase of improvements. However, such noise would be temporary and recognized as customary for such improvements. Operation of heavy machinery used in grading and trenching would be the primary source of noise during project construction. Construction would generate noise of varying intensity and duration, depending on the particular task (i.e. grading versus boring). Noise levels, therefore, would vary throughout the construction process. The contractor is required to comply with time periods and other controls established for construction activities. The County's standard conditions include limitations on hours of construction as follows:

- During construction, the County will require that standard BMP's be adhered to including allowable hours for use of equipment and other construction activities. Construction activities shall be limited to between the hours of 8:00 a.m. and 5:00 p.m. on weekdays.

- All construction equipment must be maintained according to the manufacturer's specifications, and noise generating construction equipment must be equipped with mufflers.

### **Wildland Fires Potential**

- The project will not expose people or structures to significant risk of loss or injury due to wild-land fires. The project site is located in an area classified as a Local Responsibility Area (LRA) Unzoned by Cal Fire.

*Verified by Cal Fire "Very High Fire Hazard Severity Zones in LRA" map.*

### **Emergency Response & Access**

- A Master Plan for the entire project, approved by the County, defined the design and layout of the interior circulation patterns, exterior site access and fire access to both parcels ensuring that there is adequate emergency ingress and egress.

### **Hazardous Materials**

- The project will not be impacted by any known hazardous materials sites nor create a significant hazard to the public or the environment due to hazardous materials other than the temporary use of hazardous materials such as gasoline and oil during the construction process.

*Verified by Phase I ESA prepared by Remediation Risk Management dated October 30, 2018*

### **Construction Site Safety**

		<p>- Following general construction safety practices, the project site will be fenced during construction and will have signs posted limiting unauthorized access and the potential for injury.</p> <p>- <b>See Project Description; Attachment E: Toxics &amp; Hazards, and; Attachment N: Land Development.</b></p>
Energy Consumption	1	<p>- The project will comply with Title 24 requirements for energy efficiency. All appliances will be Energy Star rated.</p> <p>- <b>Verified by Project Developer</b></p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	1	<p>- The project will create temporary construction employment, some of which is likely to be drawn from the local employment base.</p> <p>- Additionally, the project may create some new permanent jobs to operate the project and will create additional continuing contracting opportunities for local businesses that may also lead to some job creation, most likely for existing area residents but the effect will be less than significant.</p>
Demographic Character Changes, Displacement	2	<p>- At 56 units, the project is too small to instigate any demographic character changes in the community. Additionally, the project is designed to serve existing residents of the project area rather than to attract and bring in new residents.</p> <p>- The project site is vacant and, therefore, there will be no displacement of persons or businesses.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	2	<p><b>Educational Facilities</b></p> <p>- The project site is located in the Live Oak School District. The Live Oak School District was established in 1872 and currently serves approximately 1,900 students in three elementary schools, one middle school, one K-8 independent charter school, and one alternative school. The student population is 50% Hispanic, 31% White, 19% Other, 30% English learner, and 60% Socioeconomically disadvantaged.</p>

	<ul style="list-style-type: none"> <li>- In 2016, Live Oak renewed a parcel tax to support school libraries, art, music, science, and physical activities; this fund provides approximately \$500,000 to schools for these purposes every year. Also in 2016, a new Boys and Girls club opened at Shoreline Middle School that is a result of a partnership between the Live Oak School District, Boys and Girls Club, and the County of Santa Cruz. In 2013, Live Oak was designated a "Playful City USA" community by KaBOOM! for its commitment to childhood play; and in 2013, Live Oak Elementary School won an Imagination Playground through a KaBOOM! grant/Facebook vote.</li>   <li>- The Live Oak Elementary school is located approximately 500 feet east of the project site at the southeast corner of 17th Avenue and Capitola Road. Shoreline Middle School is located at 855 17<sup>th</sup> Avenue approximately 0.5 mile from the project site, and Cypress High School is located at 2039 Merrill Street, approximately 0.75 miles from the project site.</li>   <li>- The project is a relatively small 57- unit project and will impact schools but the impact is anticipated to be less than significant.</li>   <li>- The project is designed to serve existing low-income members of the community with children who are already enrolled in area schools.</li>   <li>- In addition, the project will pay school impact fees designed to mitigate any potential impacts on schools.</li>   <li><b>Cultural Facilities</b></li>   <li>- The proposed project may potentially result in an increase in demand on or for cultural facilities in the County of Santa Cruz and the surrounding areas but, due to the relatively small project size and that the project is proposed to serve existing area residents, the increased demand is not expected to exceed the capacity of existing facilities. There are adequate cultural facilities in the County and surrounding areas to accommodate any potential increased usage generated by the project.</li>   <li>- Santa Cruz County showcases an array of talent through its art galleries, museums, festivals, and outdoor theater performances. Premier cultural events like Open Studios, Santa Cruz Shakespeare, the Scotts Valley Art &amp; Wine, the Capitola Art &amp; Wine Festival, Capitola Twilight Concerts, Cabrillo Festival of Contemporary Music, the Santa Cruz Film Festival and others draw visitors to this vibrant, eclectic area. Santa Cruz County offers countless cultural events and venues offering live music, outdoor theater and more.</li>   <li>- <b>See Attachment O: Community Facilities &amp; Services</b></li> </ul>
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Commercial Facilities	1	<ul style="list-style-type: none"> <li>- The proposed project may potentially benefit nearby businesses as a result of some increased business but any effects are not anticipated to be significant.</li> </ul>
Health Care and Social Services	2	<p><b>Health Care</b></p> <ul style="list-style-type: none"> <li>- The proposed project is not expected to significantly impact demand for health care in the area. Sufficient health care is available in Santa Cruz County and surrounding communities to handle any potential increase in demand. The net impact on health care services is anticipated to be low and less than significant.</li> <li>- Additionally, the proposed commercial portion of the development fronting Capitola Road includes a two-story building that is separated into two distinct spaces connected by a shared access tower and walkways. The eastern wing of the building will include a medical clinic with office spaces that will be owned and operated by Santa Cruz Community Health Centers (SCCHC) and a ground-floor community serving retail space that is currently planned to be a pharmacy. The western wing of the building will be a dental clinic with administrative spaces that would be owned and operated by Dientes Community Dental.</li> <li>- Dominican Hospital is conveniently located approximately one mile north of the project site. Dominican Hospital is fully staffed to handle any needs generated from the project.</li> <li>- Kindred Healthcare Center is located at 1115 Capitola Road just a couple of blocks to the west of the project site.</li> </ul> <p><b>Social Services</b></p> <ul style="list-style-type: none"> <li>- Such social services as may be needed, are offered by a wide variety of both public and private non-profit agencies in the County of Santa Cruz and in surrounding communities including the cities of Santa Cruz and Capitola.</li> <li>- Live Oak Community Resources Center is located on the east side of 17th Avenue, 150 feet north of the intersection with Capitola Road. Meals on Wheels is located one block east of the site on Capitola Road with Senior Network Services' Health Insurance Counseling and Advocacy next door. Special Connections Family is located less than 0.5 miles north of the project site.</li> </ul> <p><b>- See Attachment O: Community Facilities &amp; Services</b></p>

Solid Waste Disposal / Recycling	2	<ul style="list-style-type: none"> <li>- The proposed project will generate additional solid waste but, is not expected to exceed the County's ability to collect or recycle solid waste.</li> <li>- The project would be served by Santa Cruz County Recycling and Solid Waste Services. Santa Cruz County Recycling and Solid Waste Services has adequate capacity to serve the project.</li> <li>- The site is adequately served by all required utilities and public services to support the proposed project.</li> <li>- <i>Verified by Staff Report to the Planning Commission, dated August 28, 2019</i></li> <li>- <b>See Attachment O: Community Facilities and Services</b></li> </ul>
Waste Water / Sanitary Sewers	2	<ul style="list-style-type: none"> <li>- Wastewater will be collected and processed by the County of Santa Cruz Sanitation District. The proposed project may result in an increase in wastewater generation. The project will not result in the need for the construction of new facilities or the expansion of existing treatment facilities.</li> <li>- The site is adequately served by all required utilities and public services to support the proposed project.</li> <li>- <i>Verified by Staff Report to the Planning Commission, dated August 28, 2019 and Will Serve Letter dated October 22, 2018</i></li> </ul>
Water Supply	2	<ul style="list-style-type: none"> <li>- Water will be provided by City of Santa Cruz Water Department. The proposed project may generate in an increase in demand on the City's water supply but will not exceed the capacity of the City's existing water supply.</li> <li>- The site is adequately served by all required utilities and public services to support the proposed project.</li> <li>- <i>Verified by Staff Report to the Planning Commission, dated August 28, 2019</i></li> <li>- Additionally, the project is proposed to serve existing residents of the area rather than draw new residents into the area. If the project were to serve all new residents of the County the population increase does not substantially deviate from population projections in the General Plan, which were taken into account to determine that there is adequate municipal water capacity.</li> <li>- <i>Will Serve letter from the City of Santa Cruz Water Department dated September 12, 2018</i></li> <li>- <b>See Attachment O: Community Facilities and Services</b></li> </ul>

Public Safety -  
Police, Fire and  
Emergency Medical

2

**Public Safety - Police**

- The proposed project is not expected to significantly increase demand for public safety services, including police protection services, due both to the small size of the project (57 units) and that the project is being proposed to meet the affordable housing needs existing area residents rather than draw new residents into the area.

- The Sheriff's office serving the project will be the Live Oak/Soquel Sheriff's Service Center located at 5200 Soquel Avenue (831.454.7682), approximately 6.4 miles from the project site. The Service Center provides a variety of services including non-emergency reports, neighborhood and community problem resolution, Neighborhood Watch presentations, agency referrals, abandoned vehicle services, and parks patrol. The office also has a Medication Disposal Kiosk

**Public Safety - Fire**

- The proposed project is not anticipated to significantly increase demand for fire protection services. Compliance with all fire protection requirements of the County of Santa Cruz, the Central Fire Protection District and the Uniform Fire Code for fire safety and fire emergency response will avoid significant impacts.

- The project will be served by Central Fire Protection District Station No. 1 located at 930 17th Avenue, approximately 0.54 miles south of the proposed project site. The project is an infill project and the District has the capacity to serve the proposed project.

- The project is required to comply with the Uniform Fire Code, all state, federal, Santa County and Central Fire Protection District requirements.

**Public Safety – Emergency Medical Services**

- The proposed project is not expected to significantly increase demand for emergency medical services as the project is designed to serve the needs of current area residents.

- Central Fire Protection District provides first response Advanced Life Support (ALS) Paramedic services to Capitola City and the unincorporated areas of Soquel and Live Oak in Santa Cruz County. Three Captain Paramedics (1 assigned per shift) who report to an Emergency Medical Services (EMS) Battalion Chief facilitate the delivery of high quality and effective patient care through a staff of 18-21 Paramedics. The District operates 7 fully equipped ALS fire apparatus with 4 being fully staffed 24 hours a day, 365 days a year with a minimum of one Paramedic and two Emergency Medical Technicians (EMT).

- **See Attachment O: Community Facilities and Services**

<p>Parks, Open Space and Recreation</p>	<p>2</p>	<ul style="list-style-type: none"> <li>- The proposed project may generate a moderate increase in demand on and for parks, open space and recreational opportunities. There are abundant parks, open space and recreational opportunities in Santa Cruz County and the surrounding areas, including County parks and parks in surrounding communities including Santa Cruz and Capitola. In addition, the project includes a community room.</li> <li>- The County has numerous parks and programs including a dog park, garden plots to rent, surf schools and an adopt-a-beach program. Coastal access points within the County are shown on the County website along with a list of parks and a listing of all the features at each park.</li> <li>- Attachment P includes a map showing the project site in relation to city parks and recreational facilities and the programs offered by the County department.</li> <li>- Additionally, the County will assess development impact fees when building permits are issued for construction of the project. These fees are designed to offset any potential impacts of new development on city services, including parks.</li> </ul> <p><b>See Attachment O: Community Facilities and Services</b></p>
<p>Transportation and Accessibility</p>	<p>2</p>	<p><b>Accessibility</b></p> <ul style="list-style-type: none"> <li>- The project is required to and will meet all Federal, State and Local regulations governing accessibility.</li> <li>- 190 parking spaces shared with the clinics will be provided on site</li> <li>- The site has a bus stop in front of the property and the ability to request accessible public transportation through Santa Cruz Metro.</li> </ul> <p><b>Transportation</b></p> <p><i>Temporary Impacts</i></p> <ul style="list-style-type: none"> <li>- There will be a temporary increase in traffic from contractors building the project; however, this impact is temporary in nature and does not constitute a permanent impact.</li> </ul> <p><i>Permanent Impacts</i></p> <ul style="list-style-type: none"> <li>- Direct regional access to the project site is provided by Capitola Road, an east-west arterial street and major commute corridor that connects Santa Cruz with Capitola, and by 17th Avenue, a north-south arterial connecting the project site and coastal neighborhoods further south with Highway One.</li> <li>- In order to provide information on potential transportation impacts a Traffic Impact Analysis dated May 15, 2019, was prepared for the proposed mixed-use development by Jeff Waller, Traffic</li> </ul>

Engineering Consultant (Attachment Q). As set out in the traffic report, in accordance with the recent amendment to the California Environmental Quality Act (CEQA) Guidelines, effective January 1, 2019, vehicle miles travelled (VMT) is the most appropriate measure of transportation impacts. The report shows that the proposed development would result in a VMT of 9.2 miles per capita, which is less than the estimated 18.3 miles per capita for Santa Cruz county as a whole. Therefore, the report concludes, the proposed project would not represent a significant impact per its VMT.

Moreover, as set out in more detail in the report, the Office of Planning and Research's Technical Advisory on Transportation Impacts in CEQA provides that adding affordable housing to infill locations generally reduces VMT in a community. This reduction is due to an improved jobs-housing match which results in reduced commute distances, especially for low-wage workers. Accordingly, a reduction in VMT results in a more sustainable community overall.

Therefore, given that the proposed project is for 100% affordable housing and is located on an infill site, the conclusion that the project would not have a significant impact can be supported. In addition to evaluating the VMT, the Traffic Impact Analysis evaluated the potential impacts of the proposed development, based upon estimated trip generation and the resulting effects on the existing traffic conditions for to streets in the vicinity. Therefore, in addition to Capitola Road and 17th Avenue, the study included analysis of 7th Avenue, 15th Avenue, 16th Avenue, Brommer Street, Chanticleer Avenue, East Cliff Drive, Portola Drive Soquel Avenue and Soquel Drive.

As set out in the report, the project is estimated to generate 995 daily trips, with 85 trips (57 in, 28 out during the AM peak hour and 88 trips (32 in and 56 out) during the PM peak hour. This trip generation, when added to existing traffic volumes, would not significantly impact intersections within the study area, which would continue to operate at or better than their respective level of service standards.

Analysis of projected traffic volume growth in the study area shows that, in the future (by 2040), the intersections on Capitola Road at both 17th Avenue and Chanticleer Avenue, as well as the intersection of Soquel Avenue and Commercial Way/Soquel Avenue, will likely operate below their respective level of service standards. This will be the case whether or not project impacts are added. The traffic report therefore concludes that no project specific mitigations are required. However, under the County's Capital Improvement Program (CIP), Capitola Road is proposed to be widened from one lane to two lanes in each direction and the County project will most likely also include optimization of signal timing at the affected intersections along Capitola Road as recommended in the traffic report. To facilitate this widening, a

	<p>strip of land along the entire project frontage will be dedicated for street purposes and all improvements associated with the addition of a second eastbound lane are included with the proposed development. In addition, as conditions of approval of the project, the proposed east driveway will operate only as a right turn in and right turn out and left turns out of the west driveway will be restricted between 4 pm and 6 pm. These requirements, together with the proposed widening of Capitola Road will minimize potential impacts of the project.</p> <ul style="list-style-type: none"> <li>- There is a Metro bus stop in front of the property served by Metro Routes 69A and 69W, which provides service to downtown Santa Cruz and Watsonville, Cabrillo College and the Capitola Mall making commercial facilities and community services available and accessible to residents countywide.</li> <li>- Capitola Road has bike lanes and sidewalks on both sides of the roadway.</li> </ul> <p><b>See Attachment Q: Transportation</b></p>
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Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	<ul style="list-style-type: none"> <li>- The project site is vacant with no unique natural features. There are no water resources on or adjacent to the site.</li> <li>- <b>See Attachment P4 – USGS map and Photos</b></li> </ul>
Vegetation, Wildlife	2	<p><b>Vegetation</b></p> <ul style="list-style-type: none"> <li>- The project area comprises of two existing residential structures surrounded by a large open area of grassland and groupings of trees, some of which are of significant size and value to the community.</li> <li>- The Santa Cruz County GIS tool shows that the project site has no value for the following attributes: Timber Resources, Grasslands, Riparian Woodlands, Biotic Resources, Special Forest, Sandhill Habitat, Sandhill IPHCP, Fishery Resource, Streams, Lakes, Reservoir Protection, Water Supply Watersheds, Least Disturbed Watersheds, Ground Water Recharge.</li> </ul> <p>The existing trees on the project site were assessed by Nigel Belton (Arborist Report dated July 22,2018 and email dated February 15,2019 - Attachment F). The arborist surveyed 152 trees on site. Of these, 50 trees were recommended for removal by the arborist due to poor overall condition or undesirable species characteristics. Although the required parking and circulation and other elements of the project rendered it impossible to maintain all of the remaining healthy/desirable trees, the project has been designed such that a total of 37 trees will be retained and protected. This includes a large and visually prominent Fern Pine at the project frontage along Capitola Road. Furthermore, the project will</p>

		<p>comply with the County's 1:1 replacement rate and includes planting a minimum of one new tree for every tree removed.</p> <p><b>Wildlife</b></p> <ul style="list-style-type: none"> <li>- Site reconnaissance observed no wildlife on the site.</li> <li>- <b>See Attachment F: Endangered Species, Attachments P1, P2, and P4: Planning Staff Report, and Project Description - Photos</b></li> </ul>
Other Factors	2	N/A

**Additional Studies Performed:**

No additional studies were performed for preparation of this NEPA other than those referenced in specific factors and below.

**Field Inspection (Date and completed by):**

Field Inspections were done by the preparers of reports used in this NEPA including (see dates under Factors):

- MidPen Housing – Carlos Jurado and others
- County of Santa Cruz
- Remediation Risk Management, Inc.
- Architectural Resources Group
- Earth Systems
- Nigel Belton – Consulting Arborist

**List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:**

**The following were used for each item as applicable:**

- Matt Johnston, Environmental Coordinator, County of Santa Cruz
- Carlos Jurado, Associate Project Manager, MidPen Housing
- Remediation Risk Management, Inc. – Phase I Environmental Site Assessment, dated 10.30.18
- USGS, Soquel Quadrangle 7.5-Minute series topographic map
- Google Earth and Google Maps

## **STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6**

### **Airport Hazards**

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- 24 CFR Part 51 Subpart D
- Google Maps
- Google Earth

### **Coastal Barrier Resources**

- Not applicable in California

### **Flood Insurance**

- FIRM Community Panel number 06087C06087C0351E dated 5.16.12

## **STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5**

### **Clean Air**

- EPA Greenbook “Currently Designated Nonattainment Areas for all Criteria Pollutants at <https://www3.epa.gov/airquality/greenbook/ancl.html#CALIFORNIA>

### **Coastal Zone Management Act**

- California Coastal Zone Map downloaded from <https://www.coastal.ca.gov/maps/czb/>

### **Contamination and Toxic Substances**

- Remediation Risk Management, Inc. – Phase I Environmental Site Assessment, dated 1.6.20
- Remediation Risk Management, Inc. – Limited Soil Vapor Investigation, dated 1.24.20
- Remediation Risk Management, Inc. – Phase I Environmental Site Assessment, dated 10.30.18
- Remediation Risk Management, Inc. – Phase I Environmental Site Assessment, dated 6.6.94
- Remediation Risk Management, Inc. – Remedial Action Plan for 1438 Capitola Road, dated 10.3.94

### **Endangered Species Act**

- Memo from Juliette Robinson, Resource Planner/Biologist, Santa Cruz Planning Department
- Santa Cruz County GIS Property Reports on all parcels
- USFWS – Critical Habitat for Threatened & Endangered Species

### **Explosive and Flammable Hazards**

- Remediation Risk Management, Inc. – Phase I Environmental Site Assessment, dated 10.30.18
- Google Earth

### **Farmlands Protection**

- USDA, NRCS website at <https://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>

### **Floodplain Management**

- FIRM Community Panel number 06087C06087C0351E dated 5.16.12

### **Historic Preservation**

- Ms. Julianne Polanco, State Historic Preservation Officer
- California Historical Information System report, dated 10.22.19
- Architectural Resources Group - Draft Historic Resource Evaluation, dated February 2019
- Native American Heritage Commission response, dated 10.25.19

- Tribal Directory Assessment Information – Contact Information for Tribes of Santa Cruz County, CA
- Tribal Consultations with tribe on the TDAQ listing for Santa Cruz County
- National Register of Historic Places (NRHP) Records Search
- The USGS, Soquel Quadrangle 7.5-Minute series topographic map
- Google Aerial Photos

### **Noise Abatement and Control**

- Public Safety and Hazard Management General Plan, Local Coastal Program and County Code Amendments – Chapter 9, Noise Element
- Google Earth

### **Sole Source Aquifers**

- EPA Region 9 Sole Source Aquifers Map downloaded from <https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b>

### **Wetlands Protection**

- Wetlands Map downloaded from <https://fws.gov/wetlands> on 11.19.19

### **Wild and Scenic Rivers Act**

- Wild and Scenic Rivers list downloaded from <https://www.rivers.gov/river-app/index.html?state=CA>

## **ENVIRONMENTAL JUSTICE**

### **Environmental Justice**

- US EPA – EJScreen Report (Version 2019)

### **Environmental Assessment Factors**

- 1500 Capitola Road: Development Permit Application Resubmission – Statement of Design Parameters
- NEPAassist
- County of Santa Cruz Parcel Information Detail Reports
- County of Santa Cruz Website – Various County Department Sites
- County of Santa Cruz - GIS System – various maps
- City of Santa Cruz Website
- Central Fire Protection District Website
- Staff Report to the Planning Commission, dated August 28, 2019 for Application No. 181579
- Conditions of Approval – Mixed-Use Development 181579
- Earth Systems – Revised Geotechnical Engineering Report, dated October 24, 2018
- Nigel Belton – Consulting Arborist
- USDA, NRCS website at <https://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>
- California Department of Conservation regulatory maps viewed or downloaded from: <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>
- California Emergency Management Agency – Tsunami Inundation Map for Emergency Planning
- Cal Fire “Very High Fire Hazard Severity Zones in LRA” map.
- Santa Cruz County Department of Public Works – Maintained Road Data, December 2009
- Jeff Waller Consulting – 1412, 1438, 1500 and 1514 Capitola Road Mixed Use Development Traffic Impact Analysis Draft Report
- Santa Cruz Metro Website
- California Emergency Management Agency – Tsunami Inundation Map for Emergency Planning
- Google Earth
- Google Maps

### **List of Permits Obtained:**

No permits other than standard construction-related permits are required

### **Public Outreach [24 CFR 50.23 & 58.43]:**

- Public meetings were held to obtain community input on potential uses of the property in 2013.
- A community workshop was held on April 20, 2017 to guide the County's vision for the site.
- A public hearing was held on December 12, 2017 to approve an Exclusive Negotiation Agreement with MidPen Housing.

### **Cumulative Impact Analysis [24 CFR 58.32]:**

No factors were found to be significant on a stand-alone basis; there are no other actions requiring aggregation with this action, and; there are no cumulative impacts when considering all factors as a whole that would result in the Finding being other than **No Significant Impact**.

### **Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]**

The parcels were originally purchased by the County of Santa Cruz Redevelopment Agency between 1994 and 1997 for the purpose of building a public library. For various reasons the library was not built and was eventually built on another site. Several alternate uses of the site were considered over the years.

Finally, in September 2013, a Long-Range Property Management Plan (LRPMP) was adopted to address the disposition and use of the property. As required under the LRPMP, the County reviewed the applicable zoning regulations and entitlement processes applicable to the property to in order to determine the marketability of the site. Public meetings were also held to obtain community input.

On May 23, 2017, in accordance with the LRPMP, a Request for Qualifications (RFQ) was approved by the Board of Supervisors to seek qualified and experienced developers to enter into an exclusive negotiation agreement for the purchase and development of the Capitola Road site for a mixed-use, neighborhood-serving commercial project. The RFQ included an appendix outlining the outcome of a community workshop held on April 20, 2017 to guide the vision for the site.

On August 4, 2017, three responses to the RFQ were received from MidPen Housing, City Ventures and For the Future Housing. Upon review of the responses, MidPen Housing was selected as the preferred developer based upon a proposal for a mixed-use development on the site.

### **No Action Alternative [24 CFR 58.40(e)]:**

There are few benefits to be obtained by not developing the site as proposed. The project will increase the much-needed supply of housing in the project area with existing public infrastructure and without significantly impacting existing public services. Not developing this particular project will delay the development of much needed affordable housing needed in the community.

## **Summary of Findings and Conclusions:**

The County of Santa Cruz finds that the project, with the mitigations stated below, will have no significant effect on the quality of the human environment. In several areas, implementation of County and other agency required measures during construction, along with other conditions required for County approval of the project, will not only result in the project having no significant impact on the quality of the human environment but will have a beneficial impact in several areas such as improving the visual aesthetics of the area.

The project will benefit the County of Santa Cruz and low-income residents needing affordable rental housing providing quality low-income housing without exposing residents to hazardous environmental conditions and will improve their quality of life.

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

*- The County of Santa Cruz has prepared CONDITIONS OF APPROVAL – Mixed-Use Development 181579 which specify the Conditions and mitigations that must be complied with in order to obtain final Project approval and permits and which must be adhered to prior to, during, and after construction, which include, but are not limited to, those listed below.*

Law, Authority, or Factor	Mitigation Measure
<p><b>Historic Preservation</b></p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p><i>Due to the possibility of unidentified (e.g., buried) cultural resources being found during any ground disturbing activities, permits issued for the project will require construction to be halted within 50 meters, or +/- 160 feet, of any archaeological resources or human remains accidentally discovered during construction until they can be evaluated by a qualified professional archaeologist and, if required, formulation and implementation of appropriate mitigation measures.</i></p>
<p><b>Clean Air</b></p> <p>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<p><i>During grading and construction, sensitive receptors will potentially be subject to increased pollutant concentrations, primarily from blowing dust associated with ground disturbances and construction equipment emissions. The effect will be mitigated by requiring the developer to comply with the City’s dust control program and the Monterey Bay Unified Air Pollution Control District (MBUAPCD “CEQA Air Quality Standards – 2008” (Section 8.2). <a href="http://mbuapcd.org/programs-resources/planning/ceqa/">http://mbuapcd.org/programs-resources/planning/ceqa/</a>, as follows:</i></p> <p><i>Feasible Mitigation Measures</i></p> <ul style="list-style-type: none"> <li><i>• Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.</i></li> <li><i>• Prohibit all grading activities during periods of high wind (over 15 mph).</i></li> <li><i>• Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).</i></li> <li><i>• Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydro seed area.</i></li> <li><i>• Haul trucks shall maintain at least 2'0" of freeboard.</i></li> <li><i>• Cover all trucks hauling dirt, sand, or loose materials.</i></li> <li><i>• Plant tree windbreaks on the windward perimeter of construction projects if adjacent to open land.</i></li> </ul>

	<ul style="list-style-type: none"> <li>• <i>Plant vegetative ground cover in disturbed areas as soon as possible.</i></li> <li>• <i>Cover inactive storage piles.</i></li> <li>• <i>Install wheel washers at the entrance to construction sites for all exiting trucks.</i></li> <li>• <i>Pave all roads on construction sites.</i></li> <li>• <i>Sweep streets if visible soil material is carried out from the construction site.</i></li> <li>• <i>Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Unified Air Pollution Control District shall be visible to ensure compliance with Rule 402 Nuisance).</i></li> <li>• <i>Limit the area under construction at any one time.</i></li> </ul>
<p><b>Contamination and Toxic Substances</b></p> <p>24 CFR Part 50.3(i) &amp; 58.5(i)(2)</p>	<ul style="list-style-type: none"> <li>• <i>The project is required to comply with all Federal, State, and County regulations governing demolition of structures containing LBP and ACM.</i></li>   <li>• <i>The project shall address all environmental conditions at the property that may pose an unacceptable environmental risk to future site users and the surrounding community caused by the Project, using applicable health-based cleanup goals approved by an agency of applicable jurisdiction (e.g., Regional Water Quality Control Board, Department of Toxic Substances Control, County Department of Environmental Health (“Agency”)). Environmental responses actions to achieve these approved health based goals may include one or more of the following site remediation or mitigation techniques or approaches: excavation of impacted soil for onsite management or treatment or off-site disposal; groundwater treatment; implementation of engineering controls such as barriers or vapor mitigation systems to minimize contact between impacted media and future site users; and implementation of institutional controls such as land use covenants to prevent inappropriate uses of the property and ensure the long-term protection of future site users, and the surrounding community. Such environmental response actions will be designed and implemented under the jurisdiction and with the approval of the Agency and in compliance with applicable law.</i></li>   <li>• <b>Requirements and Timing:</b> <i>Except for environmental or geotechnical assessment at the project site, the environment response actions specified above shall be performed in accordance with any plan or agreement that has been approved by the Agency, including work that is to be performed prior to or in conjunction with grading or other movement of soil or site development, as required by the Agency.</i></li> </ul>

	<p>• <b>Monitoring:</b> Prior to issuance of grading permits, the Project shall provide the County with documentation of the Agency's approval of the environmental response plan for the Project or proposed phase of the Project. Prior to the issuance of a certificate of occupancy, the Applicant/Developer shall provide the County with documentation from the Agency that the environmental response actions have been implemented consistent the response plan and that the Project or proposed phase of the Project is appropriate for its intended use, including any requirement for ongoing operation, maintenance or monitoring.</p>
<p><b>Noise Abatement and Control</b></p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>The project is required to comply with Best Management Practices for noise, including limiting hours of construction to the hours of 7am – 6pm, Monday through Friday.</p>
<p>Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff</p>	<p>Prior to any ground disturbance, a detailed erosion control plan shall be reviewed and approved by the Department of Public Works and the Planning Department. The erosion control plans shall identify the type of erosion control practices to be used and shall include the following:</p> <ul style="list-style-type: none"> <li>a. Silt and grease traps shall be installed according to the approved improvement plans.</li> <li>b. An effective sediment barrier placed along the perimeter of the disturbance area and maintenance of the barrier.</li> <li>c. Spoils management that prevents loose material from clearing, excavation, and other activities from entering any drainage channel.</li> </ul> <p>b Earthwork between October 15 and April 15 requires a separate winter grading permit approval from Environmental Planning, that may or may not be granted.</p>

**Determination:**

**Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

**Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title/Organization: Roy Hastings / Owner / R.L. Hastings & Associates, LLC

\_\_\_\_\_  
Certifying Officer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title: Matt Johnstone / Environmental Coordinator, County of Santa Cruz Planning Department

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).