



Atkinson Lane

Specific Plan and PUD

Final Environmental Impact Report



Final Environmental Impact Report

Atkinson Lane Specific Plan and Planned Unit
Development

SCH# 2008082042

Lead Agency:
County of Santa Cruz

Prepared For:
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1 RESPONSE TO COMMENTS

1.1 Introduction

The Atkinson Lane Specific Plan and Planned Unit Development (PUD) Draft Environmental Impact Report (Draft EIR) was circulated for a 45-day public review period from Monday, March 9, 2009 through Wednesday, April 22, 2009, consistent with CEQA regulations and guidelines. Copies of the document were distributed to the State Clearinghouse, regional and local agencies, and interested organizations and individuals, for their review and comment.

Section 15088 (a) of the State California Environmental Quality Act (CEQA) Guidelines states that:

The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extension and may respond to late comments.

In response to the State CEQA Guidelines, the County of Santa Cruz Planning Department, as lead agency, has evaluated the comments received on the Draft EIR. Written responses to the comments related to environmental issues are included in this Final EIR.

Section 1.2, below, provides a list of all those who submitted comments on the Draft EIR during the public review period. Section 1.3 contains master responses for similar comments for which answers could be grouped together. Section 1.4 contains all of the comments received on the Draft EIR along with responses to each. These responses include identifying where text revisions in the Draft EIR are made as a result of the comments and responses. Text changes resulting from comments on the Draft EIR are presented in Chapter 2, *Revisions to the Draft EIR*, by chapter and section. Revisions to the Draft EIR text are indicated by underline for new text and ~~strikeouts~~ for deleted text.

This Final EIR document in conjunction with the Draft EIR (March 2009), constitutes the Final EIR for the proposed project.



1.2 List of Commenters

All commenters on the Draft EIR are listed in the Table 1-1 below. Each comment is identified with a two part numbering system. The first number corresponds to the number assigned to the comment letter. The second number corresponds to the comment identified within the letter. For example, comment 1-1, refers to the first comment in the letter from Ms. Jennifer Calate, California Department of Transportation (Caltrans).



Table 1-1: List of Commenters

Letter	Commenter	Date	Number	Topic	Master Response
	Federal Agencies				
--	None	--	--	--	--
	State Agencies				
1	Jennifer Calate, California Department of Transportation (Caltrans)	April 20, 2009	1-1	Transportation and Circulation: Threshold of significance used to evaluate impacts	--
			1-2	Transportation and Circulation: Claim of economic infeasibility of improvements	--
			1-3	Transportation and Circulation: Responsibility for calculation and imposition of fees for traffic impacts to the State Highway System.	--
			1-4	Transportation and Circulation: Request an analysis of the Harkin Slough Road/Green Valley Road/Silver Leaf Drive intersection, Highway 1/Harkins Slough Road, and Harkins Slough Road/Green Valley Road/Silver Leaf Road	--
			1-5	Transportation and Circulation: Request for inclusion of discussion of the Coastal Implementation Plan for the Pajaro Valley High School. Request that mitigation measures and implementation plans are consistent with Zone R performance standards	--
			1-6	Transportation and Circulation: Encroachment permit requirements	--
2	Roger W. Briggs, California Regional Water Quality Control Board, Central Coast Region	April 20, 2009	2-1	Biological Resources: Waste discharge permit requirements for the freshwater marsh, seasonal wetlands, ephemeral drainage, and agricultural basin (Impact 3.4-8). Agricultural basin is a "waters of the state" and would be subject to acceptance by the Regional Water Quality Control Board (Mitigation 3.4-8).	--
			2-2	Biological Resources: Mitigation shall occur in locations that receive clean water (Mitigation Measure 3.4-8).	--
			2-3	Biological Resources: Mitigation maintenance requirements (Mitigation Measure 3.4-8)	--
			2-4	Hydrology and Water Quality: Treatment and control of flows (Mitigation Measures 3.8-1a and 3.8-1b)	--
			2-5	Hydrology and Water Quality: Phased Grading during construction activities	--
			2-6	Hydrology and Water Quality: Low impact development techniques and maintenance of best management practices.	--
3	Dan Otis, California Department of Conservation	April 22, 2009	3-1	Agricultural Resources: California Department of Conservation recommends the use of mitigation to compensate for the direct loss of agricultural land.	AG-1



Letter	Commenter	Date	Number	Topic	Master Response
	Local Agencies				
4	Keith Boyle, City of Watsonville, Community Development Department	April 22, 2009	4-1	Introduction: The City would like to reserve the option to use the EIR for future actions on the Specific Plan and annexation requests.	--
			4-2	Project Description: The City requests changes to Page 2-14 of the Project Description in the Draft EIR.	--
			4-3	Geology and Soils: Clarifications on lateral spreading setback as required by Mitigation Measure 3.6-2.	--
			4-4	Biological Resources: Santa Cruz Riparian Corridors and Wetland Policy 5.2.5 requires a 100-foot setback from wetlands. Request clarification on the findings for a reduction in the setback requirements.	--
			4-5	Public Services, Utilities, and Recreation: Split of affordable units affects project revenues and fiscal mitigation.	--
			4-6	Transportation and Circulation: Adoption of a fee program would require adoption of a fee ordinance.	--
			4-7	Certification of the EIR	--
5	Richard Mullikan, Interim Director of Construction, Pajaro Valley Unified School District (PVUSD)	April 22, 2009	5-1	Public Services, Utilities, and Recreation: Maximum capacity, enrollment and average class sizes for all schools that would be affected by the proposed project.	--
			5-2	Public Services, Utilities, and Recreation: Growth ratio formulas used by the District.	--
			5-3	Public Services, Utilities, and Recreation: Current school facility fees for residential, commercial and/or senior housing developments, and parking and/or storage.	--
			5-4	Public Services, Utilities, and Recreation: Table 3.12-1: PVUSD Enrollment.	--
6	Jean Getchell, Monterey Bay Unified Air Pollution Control District (MBUAPCD)	April 22, 2009	6-1	Air Quality: Air Quality conformity.	--
			6-2	Air Quality: Construction emissions of Reactive Organic Gases (ROG)	--
			6-3	Air Quality: District Rule 424, NESHAPS and District Rule 306, Asbestos NESHAPS fees	--
			6-4	Air Quality: Long term operational emissions from wood burning fireplaces (Mitigation measure 3.3-3)	--
7	Patrick McCormick, Santa Cruz Local Agency Formation Commission (LAFCO)	April 22, 2009	7-1	Project Description and Land Use and Planning: Future LAFCO approvals	--
			7-2	Public Services, Utilities, and Recreation: Water consumption for strawberries	P-2
			7-3	Public Service, Utilities, and Recreation: Feasible mitigation measures for recharge of the Pajaro Valley groundwater basin.	--



Letter	Commenter	Date	Number	Topic	Master Response
8	John G. Eiskamp, Pajaro Valley Water Management Agency	April 21, 2009	8-1	Public Service, Utilities, and Recreation: Water supply policies	P-3
			8-2	Public Service, Utilities, and Recreation: Data in the Urban Water Management Plan	P-4
			8-3	Public Service, Utilities, and Recreation: Status of the coastal distribution pipeline and water derived from the Central Valley Water project and the Pajaro Valley Water District's augmentation charge.	P-3, P-5
			8-4	Public Service, Utilities, and Recreation: Groundwater basin.	P-3
			8-5	Public Service, Utilities, and Recreation: Potential for adjudication in the groundwater basin.	P-5
			8-6	Public Service, Utilities, and Recreation: Agreement between the City of Watsonville and the PVWMA for the City's recycled water system	--
Private Interests					
9	Mark Sullivan, Sierra Club, Santa Cruz County Group of the Ventana Chapter	April 22, 2009	9-1	Location of the proposed project	--
			9-2	Project impacts to biological resources, agricultural resources, and transportation/circulation, groundwater impacts, and climate change.	P-3
			9-3	Recirculation of the EIR	--
			9-4	Environmental Setting	--
			9-5	Biological Resources: Surveys of special status species.	--
			9-6	Biological Resources: California Red Legged Frog	--
			9-7	Biological Resources: Western Pond Turtle	--
			9-8	Biological Resources: Future studies of special status species.	--
			9-9	Public Service, Utilities, and Recreation: Water supply and water demand of the proposed project	P-3
			9-10	Public Service, Utilities and Recreation: Uncertainty of water supply.	P-3
			9-11	Cumulative Analysis: Global Climate Change	--
			9-12	Transportation and Circulation: Increased traffic	--
			9-13	Transportation and Circulation: Airport Road/Ranport Road	--
			9-14	Transportation and Circulation: Traffic improvement mitigation and likelihood of future funding.	--
			9-15	Recirculation of the EIR	--



Letter	Commenter	Date	Number	Topic	Master Response
10	Watsonville Wetlands Watch	April 22, 2009	10-1	Public Service, Utilities, and Recreation: Water Supply and overdraft of the Pajaro Valley groundwater basin	P-3, P-4, P-5, AG-1
			10-2	Hydrology and Water Quality: Low Impact Development (LID)	--
			10-3	Public Service, Utilities, and Recreation: Groundwater recharge	--
			10-4	Cumulative Analysis: Long-term Cumulative Water Supply	P-3
			10-5	Biological Resources – Characterization of the biological resources within the planning area	--
			10-6	Biological Resources - Requirement that developers implement future mitigation measures	--
			10-7	Biological Resources: Characterization of the biological resources within the planning area	--
			10-8	Biological Resources: Wildlife Corridors	--
			10-9	Biological Resources: Performance Standards	--
			10-10	Biological Resources: Western Pond Turtle and Santa Cruz Tar Plant	--
			10-11	Project Description: Open space designation	--
			10-12	Project Description: Wetland and riparian buffer	--
			10-13	Project Description: Regulatory approval (Pages 2-13 through 2-15)	--
			10-14	Biological Resources: Riparian Habitat	--
			10-15	Biological Resources: Relevant Project Characteristics (3.4-14)	--
			10-16	Biological Resources: Urban Open Space Designations	--
			10-17	Biological Resources: California Red Legged Frog – Environmental setting	--
			10-18	Biological Resources: Western Pond Turtle	--
			10-19	Biological Resources: Habitat for Ground nesting birds and prey base for raptors	--
			10-20	Biological Resources: Bats	--
			10-21	Biological Resources: Santa Cruz Tarplant site	--
			10-22	Biological Resources: Red Legged Frog (CRLF) – temporary construction impacts and coordination wt	--
			10-23	Biological Resources: CRLF - Surveys	--
			10-24	Biological Resources: CRLF - Success criteria	--
			10-25	Biological Resources: CRLF - Consultation with USFWS	--
			10-26	Biological Resources: CRLF - Protocol Level Surveys	--



Letter	Commenter	Date	Number	Topic	Master Response
			10-27	Biological Resources: CRLF - Wildlife Corridors	--
			10-28	Biological Resources: CRLF – Pre-construction surveys	--
			10-29	Biological Resources: CRLF – Success criteria and status of species	--
			10-30	Biological Resources: Western Pond Turtle (WPT)	--
			10-31	Biological Resources: WPT– Habitat Enhancement Plan and loss of habitat	--
			10-32	Biological Resources: WPT – Feasibility of mitigation measure	--
			10-33	Biological Resources: WPT – mitigation	--
			10-34	Biological Resources: WPT – monitoring of mitigation	--
			10-35	Biological Resources: Habitat loss	--
			10-36	Biological Resources: Mitigation measure 3.4-4a (tree removal)	--
			10-37	Biological Resources: Mitigation Measure 3.4-5a (Bats)	--
			10-38	Biological Resources: Mitigation Measure 3.4-8a (Wetland replacement)	--
			10-39	Biological Resources: Mandatory findings	--
			10-40	CEQA Considerations: No Project Alternative	--
11	Timothy J. Morgan, Attorney at Law	April 22, 2009	11-1	Population and Housing: Demographics/Family Size – Adjustment for low income family units	--
			11-2	Population and Housing: Adjustment in family size affect other technical sections of the EIR.	--
			11-3	Transportation and Circulation: Legal justification for using Santa Cruz County regulations to determine whether an impact is significant.	--
			11-4	Transportation and Circulation: Clarification on funding for the East Lake Avenue and Holohan Road improvements, as well as responsibility for constructing the improvements (Impact 3.13-5).	--
			11-5	Transportation and Circulation: Clarification on funding to construct the improvements at Highway 1 NB/Harkins Slough Road intersection, as well as responsibility for constructing the improvements (Impact 3.13-6).	--
			11-6	Transportation and Circulation: Clarification on funding to construct the Airport Boulevard/Freedom Boulevard intersection, as well as responsibility for constructing the improvements (Impact 3.13-7).	--



Letter	Commenter	Date	Number	Topic	Master Response
			11-7	Transportation and Circulation: Clarification on funding to construct the improvements at Highway 1 NB and Larkin Valley Road, as well as responsibility for constructing the improvements (Impact 3.13-8).	--
			11-8	Transportation and Circulation: Clarification on total improvement cost to construct a left-turn pocket on Freedom Blvd, as well as what the "fair share" credit would be towards the other transportation improvement costs (Mitigation Measure 3.13-11).	--
			11-9	Transportation and Circulation: Clarification on fair share contribution of traffic calming measures in residential neighborhoods (Mitigation Measure 3.13-12).	--
			11-10	Cumulative - Transportation and Circulation: Clarification on fair share contribution for installation of a traffic signal at East Lake Avenue/Wagner Avenue (Mitigation Measure 4-1).	--
			11-11	Transportation and Circulation: Clarification on fair share contribution towards a traffic calming plan on Brewington Drive, south of Crestview Drive (Mitigation Measure 4-2).	--
			11-12	Transportation and Circulation: Clarification on the fair share contributions toward the traffic improvements outlined in MM 3.13-5 through MM 3.13-8 and MM 4-1 and 4-2 after paying for the improvements in MM 3.13-11 and MM 3.13-12.	--
			11-13	Public Services, Utilities, and Recreation: Clarification on the percentage increase in the total number of people living in the service area represented by Phase 1 (County site), increase in the number of low income housing units, and whether or not the Sheriff has prepared an analysis of the service demands of Phase 1.	--
			11-14	Public Services, Utilities, and Recreation: Public Services through a PILOT, CFD/Mello-Roos District	P-1
			11-15	Public Services, Utilities, and Recreation: Clarifications on the Watsonville Public Works and Utilities Department water pumping.	--
			11-16	Public Services, Utilities, and Recreation: Pajaro Valley Water Management Agency's efforts to resolve the overdraft situation in the Pajaro Valley Groundwater basin.	--
			11-17	Public Services, Utilities, and Recreation: Recycled water	--
			11-18	Public Services, Utilities, and Recreation: Clarification on current agricultural water use	P-2



Letter	Commenter	Date	Number	Topic	Master Response
			11-19	Public Services, Utilities, and Recreation: Disparity between water use versus wastewater generation	--
			11-20	Public Services, Utilities, and Recreation: Adjustment of water demand to account for family size for the specific types of housing units in this project.	--
			11-21	Project Description: Project occupancy numbers	--
			11-22	Transportation and Circulation: Traffic mitigation	--
			11-23	Public Services, Utilities, and Recreation: Fiscal analysis	P-1
			11-24	Public Services, Utilities, and Recreation: Water supply and groundwater overdraft	--
12	William Parkin, Wittwer & Parkin, LLP	April 22, 2009	12-1	Mitigation Measures and Recirculation: Significant impacts are not adequately mitigated with mitigation measures included in the Draft EIR and that the EIR should be recirculated.	--
			12-2	Length and content of the DEIR	--
			12-3	Project Description: Number of governmental actions evaluated in the Draft EIR.	AG-2
			12-4	Agricultural Resources: Agricultural Buffer regulations and agricultural buffer standards used for other approved projects.	--
			12-5	Agricultural Resources: Agricultural buffer width.	AG-2
			12-6	Public Services, Utilities, and Recreation: Groundwater and overdraft conditions of the aquifer and impacts of Phase 1 (County site)	P-3
			12-7	Public Services, Utilities, and Recreation: Overdraft conditions in the Pajaro Valley groundwater basin and City projects to relieve the overdraft conditions.	--
			12-8	Executive Summary: Groundwater overdraft in Table S-1 (Executive Summary of Environmental Impacts).	--
			12-9	Public Services, Utilities, and Recreation: Overdraft of the Pajaro Valley Groundwater Basin	--
			12-10	Public Services, Utilities, and Recreation: Impact of the financial crisis on the Pajaro Valley Water Management Agency's ability to provide for groundwater mitigation to halt seawater intrusion.	--
			12-11	Public Services, Utilities, and Recreation: Impact of the proposed project on groundwater recharge.	--
			12-12	Cumulative Analysis: Cumulative impact of increased groundwater overdraft. Water "offset" to minimize groundwater overdraft.	--



Letter	Commenter	Date	Number	Topic	Master Response
			12-13	Public Services, Utilities, and Recreation: Comparison of flexibility of residential water demand versus agricultural water demand.	P-2
			12-14	Public Services, Utilities, and Recreation: Water demand for strawberries and apples.	P-2
			12-15	Public Services, Utilities, and Recreation: Availability of mitigation measures to reduce water demand to zero.	--
			12-16	Agricultural Resources: Indirect and direct impacts on adjacent agricultural lands with widening of Wagner Road and mitigation to avoid the need for Wagner Road.	LU-1
			12-17	Land Use and Planning: Consistency of the Wagner Road widening with the City of Watsonville General Plan and County of Santa Cruz General Plan. Consistency with Measure U.	LU-1
			12-18	Land Use and Planning: Consistency with Measure J.	--
			12-19	Agricultural Resources and Alternatives Analysis: Alternatives to allow agricultural land to continue in agricultural use if not planned for immediate development.	--
			12-20	Hydrology and Water Quality: What will the impacts be to adjacent agricultural lands? What measures would eliminate any offsite stormwater flows for 10-year, 25-year, and even larger storm events.	--
			12-21	Cumulative Impact (Climate Change): Impact of climate change on water supplies in the Pajaro Valley.	--
			12-22	Agricultural Resources: Feasible mitigation measures to reduce the significant and unavoidable impact to prime agricultural land.	AG-1
			12-23	Agricultural Resources: Agricultural buffer	AG-2
			12-24	Transportation and Circulation: Access from Freedom Boulevard and neighborhood impacts to Atkinson Lane, Freedom Blvd., Kadderly Lane, Vic Rugh Lane, Gardner Avenue, Blanca Lane, Brewington Avenue, Crestview Drive, Eastlake Avenue, and Martinelli Avenue. Traffic patterns for both ingress and egress from the project site with an analysis indicating where it will be possible to make right and left turns onto Eastlake Avenue or Freedom Blvd. in order to gain access to the project site.	--
			12-25	Public Services, Utilities, and Recreation: Stormwater flows to the detention basin in the expansion of Crestview Park.	--
			12-26	Transportation and Circulation: Site access without Wagner Avenue.	--



Letter	Commenter	Date	Number	Topic	Master Response
			12-27	Hydrology and Water Quality: Effects on stormwater runoff with reduced internal street widths.	--
			12-28	Biological Resources and Project Description: Future approvals do not include any endangered species permits that may be needed.	--
			12-29	Project Description: Use of Solar energy	--
			12-30	Agricultural Resources: Policy consistency due to conversion of agricultural land.	AG-1
			12-31 Master	Agricultural Resources: Agricultural buffers	AG-2
			12-32	Alternatives Analysis: Urban infill alternatives within Santa Cruz County.	--
			12-33 Master	Agricultural Resources: Agricultural buffer and consistency with City and County policies.	AG-2
			12-34	Agricultural Resources: Mitigation for the significant and unavoidable impact of agricultural land conversion	AG-1
			12-35	Project Description: General Plan Amendment	--
			12-36 Master	Agricultural Resources: 200-foot buffer requirements of the City and County	AG-2
			12-37	Agricultural Resources: Urban Limit Line (ULL)	--
			12-38	Agricultural Resources: Mitigation for the loss of prime agricultural land.	AG-1
			12-39	Biological Resources: Enforcement of mitigation measure 3.4-3i.	--
			12-40	Biological Resources: Retention of mature trees.	--
			12-41	Biological Resources: Special Status Bat Species	--
			12-42	Biological Resources: San Francisco Dusky Woodrat	--
			12-43	Biological Resources: Loss of Native Oaks	--
			12-44	Hydrology and Water Quality and Public Services, Utilities, and Recreation: Stormwater detention pond.	--
			12-45	CEQA Considerations: Measure U and Wagner Avenue.	LU-1
			12-46	CEQA Considerations: Growth inducing impacts and alternatives to reducing impacts on agricultural land. Effectiveness of agricultural buffer on adjacent agricultural land and drainage impacts to agricultural land.	AG-1
			12-47	Project Description: Impacts of different government actions.	--



Letter	Commenter	Date	Number	Topic	Master Response
			12-48 Master	Public Services, Utilities, and Recreation: Long-term operational water impact (residential uses versus agricultural uses).	--
			12-49	Recirculation of the EIR.	--
13	Watsonville Pilots Association	April 8, 2009	13-1	Hazards and Hazardous Materials (Airport Hazards): Watsonville Airport Master Plan	--
			13-2	Hazards and Hazardous Materials (Airport Hazards): Runway Length and ALUCP	--
			13-3	Hazards and Hazardous Materials (Airport Hazards): Airport Noise	--
			13-4	Hazards and Hazardous Materials (Airport Hazards): EIR and process	--
	Private Residents				
14	Darlene Din	April 22, 2009	14-1	Agricultural Resources: Agricultural buffer	AG-1
			14-2	Agricultural Resources: Agricultural land conversion within the planning area and Wagner Avenue.	AG-1, LU-1
			14-3	Agricultural Resources: Agricultural buffer and review by the APAC	AG-2
			14-4	Agricultural Resources: Interim buffer and review by the APAC	--
			14-5	Hydrology and Water Quality: Stormwater drainage and Wagner Avenue	LU-1
			14-6	Agricultural Resources: Effects on commercial agriculture with the extension of Wagner Avenue	--
			14-7	Transportation and Circulation: Traffic impacts on East Lake Avenue and other agricultural connector roads.	P-2
			14-8	Public Services, Utilities, and Recreation: Agricultural water use	--
			14-9	Public Services, Utilities, and Recreation: Water use of residential homes versus agricultural uses.	--
15	Bill Passey	April 20, 2009	15-1	Transportation and Circulation: Congested access and impacts to local residents	--
			15-2	CEQA Considerations: Location of project	--
			15-3	Need for additional housing	--
			15-4	Opinion on the proposed project	--
16	Linda Gordon	April 20, 2009	16-1	Public Services, Utilities, and Recreation: Water demand for Phase 1 (County Site)	--
			16-2	Public Services, Utilities, and Recreation: Water use rates for agricultural parcels	P-2
17	Ron Gordon	April 17, 2009	17-1	Agricultural Resources: Agricultural land conversion	AG-1



Letter	Commenter	Date	Number	Topic	Master Response
			17-2	CEQA Considerations: Atkinson Lane versus Par 3 Golf site or other locations in Aptos.	--
			17-3	Hazards and Hazardous Materials: Existing levels of pesticides in the soil.	--
18	Abbie Silva	April 21, 2009	18-1 Master	Public Services, Utilities, and Recreation: Stormwater Runoff to Crestview Park detention pond.	--
			18-2	Biological Resources: Mitigation for the degradation of wetlands	--
19	Kristy Bodeda	April 15, 2009	19-1	Public Services, Utilities, and Recreation: Infrastructure financing	P-1
20	Carmen Jordan	April 27, 2009	20-1	Transportation and Circulation: Increased traffic on Wagner Avenue from project to East Lake Avenue and Holohan Road.	--
			20-2	Agricultural Resources: Buffering of Wagner Avenue and Crestview Drive	LU-1
			20-3	Agricultural Resources: Agricultural buffer along Wagner Avenue.	--
21	Harriette Ryan	April 20, 2009	21-1	Agricultural Resources: Financial implications of the loss of agricultural production within 200-foot buffer.	--
22	Colleen Brunetti	April 17, 2009	22-1	Transportation and Circulation: Thresholds of significance for traffic impacts.	--
			22-2	Transportation and Circulation: Level of service at study intersections	--
23	Arnold Brunetti	April 20, 2009	23-1	Transportation and Circulation: Infeasibility of traffic improvements noted in the Traffic Impact Analysis (TIA)	--
24	Wanda Hernandez	April 21, 2009	24-1	Agricultural Resources: Agricultural buffer for Wagner Avenue extension.	LU-1
25	Rich Persoff	April 22, 2009	25-1	Land Use and Planning: Divide an establish neighborhood	--
			25-2	Public Services, Utilities, and Recreation: Increase in police presence	--
			25-3	Agricultural Resources: Agricultural land conversion of Phase 2 (City site)	--
			25-4	Transportation and Circulation: Congestion at study roadway intersections and street segments	--
			25-5	Transportation and Circulation: Increased safety hazards at the East Lake Avenue (Highway 152)/ Wagner Avenue intersection.	--
			25-6	Transportation and Circulation: Financing of improvements to the Airport Boulevard/Freedom Boulevard intersection.	--
			25-7	Population and Housing: Accuracy of family sizes in Watsonville and affects to services and associates costs.	--



Letter	Commenter	Date	Number	Topic	Master Response
			25-8	Public Services, Utilities, and Recreation: Financing of capital improvements	P-1
			25-9	Agricultural Resources: Value of agricultural land after rezoning	P-1
			25-10	Public Services, Utilities, and Recreation: Fiscal analysis	P-1
			25-11	CEQA Considerations: Alternatives	--
			25-12	Wagner Avenue	LU-1
			25-13	CEQA Considerations: Higher density development on the County site.	--
26	Carmell Edwards	April 22, 2009	26-1	Project Description: Project Description and Process of Phase 1 (County Site)	--
			26-2	Project Description: Measure U	--
			26-3	Unemployment rate and environmental setting	--
			26-4	Population and Housing: Home vacancy rate and alternatives to providing high density low income housing in one location.	--
			26-5	Public Services, Utilities, and Recreation: Statistics for additional crime.	--
			26-6	High density projects throughout the County.	--
			26-7	Overcrowded and severely overcrowded conditions in the unincorporated area and substandard housing in the City of Watsonville.	--
			26-8	Population and Housing: Population projections	--
			26-9	Impacts and mitigation measures – delineated by phase	--
			26-10	Public Services, Utilities, and Recreation: Financing of services and infrastructure	P-1
			26-11	Public Services, Utilities, and Recreation: Impacts to the school district and the library.	--
			26-12	Transportation and Circulation: Description of Atkinson Lane, Gardner Avenue, Crestview Drive, and Wagner Avenue	--
			26-13	Transportation and Circulation: Level of service of study intersections and roadway segments	--
			26-14	Transportation and Circulation: Review by a Professional Traffic Engineer	--
			26-15	Transportation and Circulation: Traffic studies for Vista Montana and Ohlone Parkway developments	--
			26-16	Transportation and Circulation: Actions being taken to mitigate existing problems.	--
			26-17	Public Services, Utilities, and Recreation: Long-term operational impact on the groundwater basin and water demands of Phase 1 (County site)	P-3



Letter	Commenter	Date	Number	Topic	Master Response
			26-18	Project Description: Comment about the proposed project.	-
			26-19	CEQA Considerations: Recommend approval of "Alternative 1 – No Project Alternative."	--
27	Mark Sullivan	April 16, 2009	27-1	Public noticing	--
28	Zoey Diggory	April 17, 2009	28-1	Unmitigated impacts which will contribute to the economic decline of the housing market.	--
			28-2	Need and purpose of the proposed project and evaluation of alternatives	--
			28-3	CEQA Considerations: Alternatives to the proposed project	--
			28-4	Comments on the proposed project	--
29	Britt Jordan	April 16, 2009	29-1	Public Services, Utilities, and Recreation: Fiscal impact to police and fire service.	P-2
			29-2	Project Description: Density of Phase 1 (County site)	--
			29-3	Traffic improvements, schools and parks	--
			29-4	Comments on the proposed project	--
30	Antonio Aguado	April 2, 2009	30-1	Project Description: Location and nature of the proposed project	--
31	Antonio Aguado and Maria Hipolito	March 26, 2009	31-1	Project Description: Location and nature of the proposed project	--
32	Patricia Fink	April 18, 2009	32-1	Agricultural Resources and CEQA Considerations: Alternative location to eliminate conversion of prime farmland	--
			32-2	Project Description and Aesthetics and Visual Resources: Location of County site (grading and visual impact)	--
			32-3	Air Quality: Long-term operational air quality impacts	--
			32-4	Biological Resources: Impacts to CRLF and other species	--
			32-5	Hydrology and Water Quality: Stormwater Runoff and Mosquito abatement	--
			32-6	Aesthetics and Visual Character: Density and aesthetics impacts	--
			32-7	Noise: Short-term construction noise	--
			32-8	Population and Housing: Occupancy rates and in-lieu fees	--
			32-9	Transportation and Circulation: Mitigation of traffic impacts.	--
			32-10	Transportation and Circulation: Traffic calming plans	--
33	Carmen Gagne	April 18, 2009	33-1	Public Services, Utilities, and Recreation: Schools	P-6



Letter	Commenter	Date	Number	Topic	Master Response
34	Trina Coffman-Gomez	April 6, 2009	34-1	Compare the effects of traffic, schools, density to other high density developments in the City	--
			34-2	Public Services, Utilities, and Recreation: Impact of not providing a school facility within the planning area.	P-6
			34-3	Population projections and impacts on parking, emergency access, sanitation, and safety.	--
			34-4	Transportation and Circulation: Congestion on study roadways and intersections. Emergency response within the planning area on roundabouts.	--
			34-5	Agricultural Resources: Rat infestations in agricultural buffer due to density of development	--
			34-6	Sanitation problems with the birds	P-1
			34-7	Public Services, Utilities, and Recreation: Emergency safety plans and comparison with other subdivisions.	--
			34-8	Public Services, Utilities, and Recreation: Schools	P-6
			34-9	Project Description: Density reduction	
			34-10	Project Description and Public Services, Utilities and Recreation: Consider full impact of the proposed project and fiscal impact of the project to services and schools.	--
			34-11	Hazards and Hazardous Materials: Evaluation of pesticides and chemicals in the soil.	P-1, P-6
			34-12	Public Services, Utilities, and Recreation: Parks	--
			34-13	Project Description: Income levels of proposed housing.	--
			34-14	Project Description: Density reductions based on traffic and circulation.	--
			34-15	Project Description: Flexibility in the plan	--
			34-16	Population and Jobs	--
			34-17	Comments on the proposed project	--
35	Judy Doering Nielsen	April 13, 2009	35-1	Public Services, Utilities, and Recreation: Financing of public services	P-1
			35-2	Public Services, Utilities, and Recreation: Relationship between high density housing and increased gang activity.	--
			35-3	Public Services, Utilities, and Recreation: Potential for arsenic and copper in the soil.	--
			35-4	Transportation and Circulation: Traffic study	--
			35-5	Transportation and Circulation: Emergency Access	--



Letter	Commenter	Date	Number	Topic	Master Response
36	James Greenwood	No date provided	36-1	Public Services, Utilities, and Recreation: High crime would result due to low income residents with underemployed parents	--
			36-2	Project Description: Need jobs more than housing	--
37	Enedina Perez	No date provided	37-1	Project Description: Commenter provides comments on the nature of the proposed project.	--
38	Rocky Barrera	March 31, 2009	38-1	Transportation and Circulation: Safety impacts due to existing significant congestion on Freedom Boulevard and Atkinson Road.	--
			38-2	Transportation and Circulation: Supports access from the planning area to Holohan Road and conversion of Holohan Road to a four lane roadway.	--
			38-3	Transportation and Circulation: Supports access via another north-south road, either Wagner, Brewington or both from Martinelli to Green Valley to alleviate Freedom Blvd.	--
			38-4	Transportation and Circulation: Traffic on Atkinson Lane or Freedom Boulevard between Lincoln and Green Valley Road.	--
			38-5	Transportation and Circulation: Congestion, accidents, and safety impacts if access to Holohan Road and areas east of Atkinson Road and Freedom Boulevard is not provided.	--
39	Billy Rodriguez	March 22, 2009	39-1	Environmental Impacts: Comments on the environmental aspect of the proposed project.	--
			39-2	Project Description: Comments on the design of the proposed project.	--



1.3 Master Responses

Master responses have been prepared below to address common issues that have been raised by the various commenters. Master comments are organized by topic. Each master response is coded with letters and numbers. The letters represent the topic discussed and the number identifies specific area discussed. The following Master Responses are provided:

- Public Services, Utilities, and Recreation: P-1 – Public Services and Fiscal Mitigation
- Public Services, Utilities, and Recreation: P-2 - Existing Water Use
- Public Services, Utilities, and Recreation: P-3 – Groundwater Basin Overdraft
- Public Services, Utilities, and Recreation: P-4 – Viability of the Pajaro Valley Water Management Agency (PVWMA)
- Public Services, Utilities, and Recreation: P-5 – Recycled Water Plant and Dilution of Recycled Water
- Public Services, Utilities, and Recreation: P-6 – Public School Impacts
- Agricultural Resources: AG-1 – Mitigation for Conversion of Agricultural Land
- Land Use and Planning: LU-1 – Wagner Avenue Extension

Public Services, Utilities, and Recreation: P-1 - Public Services and Fiscal Mitigation

Several responses request additional information on financing of the project (Response to Comment #11-14, #11-23, #19-1, #25-8, #25-9, #25-10, #26-10, #34-6, #34-11, and #35-1) and how it affects public services and infrastructure. As noted on page 3.12-26 of the Draft EIR, a *Public Services and Public Facilities Financing Plan* was prepared for the proposed project by Applied Development Economics (ADE) to assess the impacts from the proposed annexation and development of up to 450 residential units within the planning area. The financing plan analyzed the costs of construction or enhancement of infrastructure and facilities associated with the proposed project and analyzed funding sources, including regular tax revenues and funding arrangements that may be required for the proposed project.

At project buildout, project revenues totaling \$1.0 million per year would be generated by the proposed project for the provision of municipal services. This is comprised of property taxes, sales taxes, and other taxes and fees. In current (2009) dollars, the proposed project is projected to increase the total assessed values by about \$122 million at buildout. This would generate an estimated \$260,000 per year in property tax revenue for the City of Watsonville after annexation. The proposed project would require about \$1.1 million in general fund service costs, resulting in an annual funding gap (deficit) of \$97,737. This funding gap can be mitigated through several financing mechanisms including increased PILOT payments on the affordable units, special taxes through a Community Facilities District (CFD), or other financing program, which would need to be established between the City and the County as required by Mitigation Measure 3.12-1. Through this mechanism the overall project would pay the full cost for municipal services. In the event that a non-profit developer is exempted from property tax payments, they would be required to cover the local cost of services.



Public Services, Utilities, and Recreation: P-2 - Existing Water Demand

Several responses commented on the calculation of existing water demand within the planning area (Response to Comment #9-9, #11-18, #12-13, #12-14, #14-7, #16-2, #29-1). The existing water demand was questioned because the per acre volume of water used on the strawberry fields was more than 5.5 acre feet per year (AFY)/acre which is approximately 2.5 AFY more than a typical acre of strawberries require of 3 AFY/acre. The existing water use for Assessors Parcel Numbers (APN) 048-231-17 and 048-231-18 (Israel Zepeda Farms) was based on billing data provided by the property owner that was verified by the Pajaro Valley Water Management Agency (PVWMA). After a review of this information it was discovered that: 1) Israel Zepeda Farms leases APN 048-251-09 (Grimmer Orchards) and that the well from which the meter records were obtained also irrigates the Grimmer parcel; and 2) APN 048-231-17 (Israel Zepeda Farms) which is all located within the planning area and all of APN 048-231-18, a 23.8 acre parcel, of which only six acres is within the planning area. Due to the inapplicable well meter records, the Draft EIR has been revised to estimate existing water use based on typical per acre water demands for strawberries and apples, the two crops grown in the planning area. The existing water demand within the planning area is broken down as follows:

Existing Water Demand

Phase 1 (County site)				
Type	Units	Area	Demand Factor	Demand
Single Family Homes (APN 048-211-25)	2	2.3 acres	0.322 AFY/unit ¹	.644 AFY
Fallow Agricultural Land ² (APN 048-221-09)	--	5 acres	0 AFY	0 AFY
Phase 1 (City site)				
Type	Units	Area	Demand Factor	Demand
Single Family Homes (APN 019-226-43 and 019-226-44)	2	.5 acres	0.322 AFY/unit ¹	.644 AFY
Vacant Land (APN 019-236-01 and 019-226-42)	--	1.8 acres	0 AFY	0 AFY
Subtotal				1.29 AFY
Phase 2 (City site)				
Type	Units	Area	Demand Factor	Demand
Strawberries (APN 048-231-17 and 048-231-18)	--	17.7 acres	3 AFY	53.1 AFY
Strawberries (APN 048-251-09) ^{3,5}	--	16.7 acres	3 AFY	50.3AFY
Apples (APN 048-251-09) ^{3,5}	--	8.3 acres	1 AFY	8.3 AFY
Fallow Agricultural Land (048-231-01)	--	2.5 acres	0 AFY	0 AFY
Phase 2 (County site)				
Type	Units	Area	Irrigation Type	Demand
Fallow Agricultural Land ² (APN 048-221-09)	--	5.5 acres	0 AFY	0 AFY
Subtotal				111.7 AFY
Total Water Demand				112.98 AFY
Notes:				
¹ Demand factor determined by dividing water deliveries to single family homes (3,868 AFY) by the number of single family accounts (11,920 accounts) for 2005 as shown in Table 11 of the <i>City of Watsonville UWMP</i> . This demand factor should represent a conservative water demand estimate since single family homes (low density residential) typically have larger lots (higher landscaping demand) and higher occupancy compared to low, medium, and high density homes based on the <i>City of Watsonville General Plan</i> .				
2. Fallow agricultural land within the planning area is not irrigated.				
3. Irrigation estimates for strawberries and orchards provided by the Pajaro Valley Water Management Agency and the Santa Cruz County Farm Bureau				
4. Water use on the PG&E parcel (APN 048-211-24) is not included in the existing water use as no changes are proposed on this parcel.				
5. Approximately two thirds of Assessors Parcel Number 048-251-09 was converted to strawberries two years ago. The remainder of the parcel is in apple orchards (Personal communication with Joe Rodgers, Grimmer Orchards on May 7, 2009).				

Source: RBF Consulting 2009

The following provides a description of both existing and historical water demand by the main arable parcels in the planning area:

- Lamb property (APN 048-221-09) – This 15.4 acre parcel was planted in strawberries as late as 1987. The size of the plantation was approximately 10 acres which would have



- had a water demand of 30 AFY. Currently it is not farmed and no water demand was attributed to it.
- Israel Zepeda Farms (APN 048-231-01) – This 2.2-acre parcel was farmed in strawberries as late as 2003. When farmed the parcel would have a water demand of 6 AFY. Currently it is not farmed and no water demand was attributed to it.
 - Israel Zepeda Farms (APN 048-231-17) – This 11.8-acre parcel is currently farmed in strawberries. Its water demand is estimated to be 35.4 AFY.
 - Israel Zepeda Farms (APN 048-231-18, portion) – 5.9-acres of this parcel is located in the project area. Its water demand is estimated to be 17.7 AFY.
 - Grimmer Orchards leased to Israel Zepeda Farms (APN 048-251-09) – This 25.1-acre parcel was entirely an apple orchard prior to preparation of the EIR. At the time of NOP for the EIR (9/10/08) 16.8 acres of the property had been planted in strawberries. In the first few months of 2009 the remaining orchard was razed, and in May 2009 the field was being prepared for strawberries. For the EIR water demand is for 16.8 acres of strawberries and 8.3 of orchard for a total water demand estimated to be 58.6 AFY.
 - Including the four single family dwellings (SFD) located within the planning area, the total existing water demand is estimated to be approximately 113.0 AFY.

As presented in Table 3.8-10: Projected Water Demand on page 3.12-15 in Section 3.12: Public Services, Utilities and Recreation in the Draft EIR, the estimated water demand for the proposed project is based on demand factors of .2 AFY/unit for multi-family residential uses and .322 AFY/unit for single family residential uses. Irrigated parkland (park and stormwater swales) and open space which 4.8 acres are included in the proposed project would demand 6.24 AFY. Therefore, the proposed project would have a total water demand estimated to be 107.2 AFY. This is 5.8 AFY less than existing water use in the planning area. Section 2.0: Revisions to the Draft EIR has been revised herein to reflect these changes. Note that if the proposed project is not developed and the current agricultural uses continue with the remaining portion of the Grimmer orchards parcel (APN 048-251-09), which is converted to strawberries as planned, estimated water use would increase to 129.6 AFY, which would be 22.4 AFY more than the proposed project.

Public Services, Utilities, and Recreation: P-3 – Groundwater Basin Overdraft

Some of the comments received questioned proceeding with the proposed residential development in light of the Pajaro Valley groundwater basin overdraft (Response to Comments #8-1, #8-3, #8-4, #9-2, #9-9, #9-10, #10-1, #10-4, #12-6, and 26-17). The Draft EIR cited the sustainable yield estimated by several groundwater models to be 24,000 AFY while the total groundwater pumping from the basin is approximately 55,300 AFY (average of the last five years) on page 3.12-11 in the Draft EIR. The City of Watsonville's service area utilizes approximately 6,800 AFY of groundwater (average groundwater use between the years 2003 and 2007) or 12.6 percent of the total groundwater pumping from the basin. The overdraft has led to seawater intrusion and has caused agricultural wells located close to the coast to be unusable due to high salt content.

The models which estimate the sustainable yield to be 24,000 AFY assume that the coastal wells remain in production. Recently these coastal wells have started to be replaced by PVWMA's



coastal distribution system which delivers diluted recycled water from the City of Watsonville Waste Water Treatment Plant. Pajaro Valley Water Management Agency's (PVWMA's) Basin Management Plan estimates that with a redistribution of wells from coastal to inland locations the sustainable yield would be much greater, approximately 48,000 AFY. PVWMA is working with the USGS to develop a new groundwater basin model that would include the recent changes to the coastal wells and provide a more accurate description of how the groundwater basin responds to pumping.

Water Conservation

The City has developed several initiatives in response to the overdraft including the initiation of a water conservation program. The program includes financial incentives to replace inefficient fixtures and appliances with low flow and energy efficient ones. This includes rebates to customers who replace regular toilets and washers with low flow models, and a low flow toilet replacement program which has no cost to the customer. The water conservation program requires new development to provide water efficient landscaping and irrigation systems and to install efficient low flow fixtures and appliances. The water conservation includes a landscape audit program which is available to residents and assists them with the planning modifications to landscaping and irrigations systems to maximize the water use efficiency. In addition the water conservation program includes Kindergarten through 12th grade and adult water conservation education for area schools. This program is funded by groundwater impact fees which assess \$338 per new residential bedroom. The proposed project would be required to contribute groundwater impact fees in accordance with this program, as well as comply with a water conservation augmentation program that would ensure that the water consumption of new homes within the planning area is fully offset as required by mitigation measure (MM 4-3), which is incorporated herein.

Since the inception of the fixture and appliance rebate and replacement programs, the City of Watsonville has replaced 7,082 toilets with low flow models and 2,030 washers with energy star washers for a total water savings to date of 239 AFY. Water conservation effectiveness can be measured by examining the total growth in water connections and the average per connection water use. Since records were first kept in 1989, the number of connections has increased from 11,668 to 15,796 in 2008, a 26 percent increase. During the same period total water use changed from 7,761 AFY in 1989 to 7,960 in 2008 (both surface and groundwater sources), an increase of 2.5 percent. The average per connection water use (includes all connections, both residential and commercial) during this same period decreased from .67 AFY to .50 AFY, a decrease of 25 percent.

Partnering with PVWMA – the Water Recycling Plant

The City of Watsonville is a partner with the PVWMA in the implementation of some of the elements of PVWMA's Basin Management Plan. Most notably the City financed the construction of the water recycling plant which produces irrigation water for PVWMA's coastal distribution system. This element of the Basin Management Plan will recycle an amount equal to 50 percent of the City's water production, delivering up to 6,000 AFY of blended recycled water to farms located in the coastal areas for the purpose of replacing coastal wells. The City of Watsonville provides PVWMA technical support for this project and other basin management plan projects. The City of Watsonville may partner with the PVWMA on other Basin Management Plan projects in the future as the opportunity arises.



Improving Surface Water Diversions and Treatment

The City of Watsonville is developing plans for improving its surface water diversions and treatment facilities at Corralitos and Browns Valley Creeks. The old and inefficient sand filter plant treatment works would be replaced with a modern membrane treatment system. The proposed treatment plant would, for the first time, allow surface water production during the winter when supply is greatest. The new surface water treatment plant could increase production of the City's surface water supplies up to 2,000 AFY.

The City's Approach to Evaluate New Development and new Water Demand

The City evaluates water demand for new development by comparing water demand of the existing land use to the water demand of the proposed project. For the City growth areas identified by Measure U, much of the existing land use is agriculture. A typical comparison of existing agriculture water demand versus residential water demand would find that an acre of strawberries would use 3 AFY while an acre zoned single family residential would yield approximately 9 single family dwellings which would demand .32 AFY per single family dwelling unit for a total water demand of 2.88 AFY. Approximately one half this amount or 1.44 AFY would be recycled and delivered to coastal farmers for irrigation. Therefore, the difference in water demand between the agriculture use and the residential use is 1.56 AFY.

Public Services, Utilities, and Recreation: P-4 – Viability of the PVWMA

Some of the comments received questioned the effectiveness of PVWMA (Response to Comments #10-1 and #8-3). PVWMA has had its augmentation fee challenged in court and subsequently reduced to \$80/acre feet (AF). However, the PVWMA is continuing to collect augmentation fees and sell water to farmers, and is implementing elements of its Basin Management Plan. Four elements of the Basin Management Plan are operating: 1) the recycled water project, 2) the coastal distribution system, 3) the Harkins Slough groundwater recharge project and 3) two supplemental inland wells which provide a portion of the supply for the coastal distribution system. The City has partnered with PVWMA by financing and developing the water recycling plant. In addition the City has provided the PVWMA with a variety of technical support.

Public Services, Utilities, and Recreation: P-5 – Recycled Water Plant and Dilution of Recycled Water

Several comments requested information on the City's recycled water plant (Response to Comment #8-3, #8-5, and #10-1). The City has completed its Recycled Water Plant, located next to the wastewater treatment plant (WWTP). The Recycled Water Plant processes a portion of the WWTP's secondary treated effluent, providing additional treatment to the tertiary level. The tertiary treated water is blended with groundwater to increase the supply when irrigation demand is high and to provide an uninterrupted supply of irrigation water if the recycled water plant stops producing for maintenance work for example. The groundwater utilized for blending is pumped by the City of Watsonville from its inland wells. PVWMA has contracted with the City for up to 2,000 AFY of groundwater from inland wells to be used as blending water or to be delivered to coastal farms without blending. The water is imported by PVWMA's coastal distribution system to coastal farms whose wells are increasingly becoming too salty for irrigation. The amount of water recycled is 4,000 AFY which is an amount equal to approximately 50 percent of all the



potable water the City produces. Deliveries of recycled water and City well water to the coastal farms will total up to 6,000 AFY (4,000 AFY recycled water/2,000 AFY well water), and replace irrigation water which would have originated from groundwater pumping from coastal farm wells. If the pumping of coastal wells were allowed to continue, the saltwater intrusion would increase and the basins sustainable yield would be reduced.

Public Services, Utilities, and Recreation: P-6 - Public School Impacts

Several comment letters requested additional information on why a school is not proposed within the planning area and how the proposed project would mitigate its impact to the schools (Response to Comment #33-1, #34-2, #34-8, and #34-11). As noted on page 3.12-32 of the Draft EIR, upon initiation of the preparation of the Specific Plan and PUD, the City Council and the County of Santa Cruz Board of Supervisors appointed a 17 member Technical Advisory Committee (TAC) to provide technical assistance in the formulation of the Plan. One of the major issues addressed by the TAC was whether the planning area should accommodate a new elementary school. The PVUSD was represented on the TAC and formed a subcommittee, the purpose of which was to address the impacts of the proposed project on the PVUSD and to provide a thorough level of analysis to determine whether the planning area is an appropriate location for a school. The subcommittee concluded that the planning area is not large enough to accommodate a school; and therefore a school was not proposed within the planning area. However, both the City of Watsonville and the County of Santa Cruz would continue to work cooperatively with the PVUSD to find suitable locations for future school facilities.

As discussed in the Draft EIR, future development within the planning area would be required by state law to pay development impact fees at the time of the building permit issuance. The PVUSD currently charges development fees in the amount of \$4.43 per square foot of residential development. These fees are used by the PVUSD to mitigate impacts associated with long-term operation and maintenance of school facilities. When building permits are issued associated with future development in the planning area, these fees would reflect the most current fee amount requested by the PVUSD. Project applicants within the planning area would also be required to pay any additional applicable fees, if the PVUSD implements additional funding measures, including those described in the Facilities Master Plan (refer to the Environmental Setting section). Pursuant to Section 65996(3)(h) of the California Government Code, payment of these fees “is deemed to be full and complete mitigation of impacts of any legislative or adjudicative act, or both, involving but not limited to, the planning, use, or development of real property, or any change in government organization or reorganization.”

Agricultural Resources: AG-1 - Mitigation for Conversion of Agricultural Land

Several comments were submitted regarding the mitigation for the loss of agricultural land (Response to Comments #3-1, #12-1, #12-34, #12-22, #12-30, #12-38, #12-46, #17-1, #14-1, and #14-2). The 2005 *City of Watsonville General Plan EIR* recognized that approximately 580 acres of Prime Farmland located within the Sphere of Influence (SOI) would eventually be converted to urban uses. The City Council adopted a Statement of Overriding Considerations for the conversion of the Prime Farmland to urban use when it certified the EIR for the 2005 *City of Watsonville General Plan*. Following adoption of the 2005 *City of Watsonville General Plan* by the City in 1994, Measure U was passed by 60 percent of the voters in 2002 which amended the general plan. Measure U directs new growth to designated areas within and around the City of Watsonville in order to protect agricultural lands and environmentally sensitive areas, while providing the means for the City to address housing and job needs for the next 20 to 25 years. Measure U established an urban limit line (ULL) along the northern boundary, which excludes



land previously included east and west of East Lake Avenue, and directs growth into several unincorporated areas. The three primary areas of growth include the project site, Buena Vista, and Manabe-Burgstrom (now Manabe-Ow) Specific Plan areas. A western boundary west of Highway 1 was defined by Measure U to remain undeveloped.

Since approximately 43.8 acres of the planning area on Assessors Parcel Numbers 048-231-17, 048-231-18, and 048-251-09 within the planning area are located outside of the existing SOI, the conversion of this Important Farmland was not considered in the 2005 *City of Watsonville General Plan*. The *Watsonville Vista 2030 EIR* evaluated the conversion of the Important Farmlands within the ULL (including the planning area), consistent with Measure U within the planning area and the City Council adopted a Statement of Overriding Considerations for the conversion in 2006. However, the County of Santa Cruz and the City of Watsonville does not rely on the Statement of Overriding Considerations that was previously adopted for the *Watsonville Vista 2030 EIR*. In addition, the off-site improvements to the proposed Wagner Avenue extension would result in the conversion of a maximum of an additional 1.51 acres of Prime Farmland in order to widen the roadway for a total maximum conversion of approximately 45.31 acres. Although, the planning area is designated as a future growth area in Measure U, the physical conversion of this Important Farmland was not considered in the 2005 *City of Watsonville General Plan*. Therefore, the conversion of Important Farmland within the planning area was determined to be a significant and unavoidable impact.

As the County of Santa Cruz and City of Watsonville contain no policies or implementation programs that require mitigation or offsets for the conversion of Important Farmland, there are no feasible mitigation measures available to reduce the impact of agricultural land conversion to a less than significant level at this time. Since Important Farmland can't be reproduced elsewhere, this would be considered a significant and unavoidable impact under Phase 2 (City site) for which no feasible mitigation measures are available to reduce this impact to a less than significant level. If an agricultural compensation program is developed, future development within the planning area would be required to participate in order to address the conversion of Important Farmlands.

Agricultural Resources: AG-2 – Agricultural Buffers

Numerous responses request additional information on the agricultural buffer setback requirements (Response to Comment #12-4, #12-5, #12-23, #12-31, #12-33, #12-36, #14-3). The agricultural buffer policies as required by the County of Santa Cruz and the City of Watsonville are described in Section 3.2.2: Regulatory Setting on pages 3.2-9 through 3.2-16 of the Draft EIR. Chapter 16.50 of the Santa Cruz County Municipal Code is noted and is incorporated into the regulatory section of Section 3.2: Agricultural Resources of the Draft EIR in Section 2: Revisions to the Draft EIR herein. The specific requirements of the City of Watsonville Agricultural Buffer Policy and relevant general plan policies regarding agricultural buffers (Policy 5.13.22, 5.13.23, 5.13.24, and 5.13.25) are described in the regulatory setting of the Draft EIR.

The City of Watsonville and the County of Santa Cruz both have similar agriculture buffer policies. Both jurisdictions maintain a 200-foot agricultural buffer, but policy language differs slightly. The City of Watsonville Agricultural Buffer Policy, adopted in 2004, was modeled after the County's policy, and the intent is to follow County policy, as it applies to the City of Watsonville. The proposed Specific Plan and the County's PUD for the planning area both identify the required agricultural buffers as part of the proposed Specific Plan and PUD. Facilities (e.g. proposed roadways) located in both of the proposed buffer areas are consistent with both established policies.



The purpose of requiring an agricultural buffer policy for both the City and the County is to prevent conflict between agricultural uses and residential uses. The County's purpose is to "prevent conflict between agricultural and residential, recreational, and institutional structures and outdoor areas designed for public parking and intensive human use, such as an outdoor dining area or private swimming pool." The purpose of the City's policy is to "create a buffer between County agricultural land and Watsonville residential uses, to be consistent with the County Agricultural buffer policy, applicable to the development of residential, institutional, hotel, and active parks adjacent to commercial agriculture."

County Policy 5.13.23 (Agricultural Buffers Required) in the *Santa Cruz County General Plan* and Section 16.50.095 in the Santa Cruz County Code restricts the use of outdoor areas (e.g. dining patios and swimming pools) designed for intensive human use within the 200-foot buffer zone. Agricultural Policy Advisory Commission (APAC) review is not required unless the width of the buffer zone is proposed to be modified from the established standards.

The City's agricultural buffer policy, modeled after the County's, allows regional drainage facilities, underground utilities, within the first 150 feet of the buffer. This area must be fenced and off limits to the public. In the remaining 50-feet of buffer area, public roads, sidewalks and bike lanes and other public utilities may be installed.

Because the proposed project would be developed in phases, with Phase 1 (County site) and Phase 2 (County site) to be developed under the County's jurisdiction and Phase 1 (City site) and Phase 2 (City site) under the City's jurisdiction, each municipality is proposing to utilize their adopted agriculture buffer policies as required by mitigation measures MM 3.2-2a and MM 3.2-2b on pages 3.2-19 and 3.2-20 in the Draft EIR. Due to concerns raised by commenters during the public review period regarding the potential conflicts between residential uses within the planning area and the adjacent agricultural uses, mitigation measures MM 3.2-2a and MM 3.2-2b have been revised slightly to reflect incorporation of barriers (e.g. vegetative fencing) along the edge of the proposed buffers adjacent to the existing commercial agricultural uses, and placement of pedestrian sidewalks and bicycle lanes adjacent to residential uses within the last 50-feet of the agricultural buffer. These measures would substantially reduce potential conflicts between agricultural uses and proposed residential uses within the planning area. These mitigation measures have been revised as follows:

Mitigation Measures

MM 3.2-2a Consistent with Policy 5.13.23 (Agricultural Buffers Required) in the *Santa Cruz County General Plan* and Section 16.50.095 in the Santa Cruz County Code project applicants shall demonstrate adequate land use separation in conjunction with Final Map consistent with the proposed Specific Plan and PUD for Phase 2 (County site) subject to review and approval by the County of Santa Cruz Planning Department. Final site plans shall include an interim 200-foot agricultural buffer within Phase 2 (County site) consistent with the conceptual land use plan for the proposed Specific Plan and PUD. The buffer distance shall be measured from the edge of the parcel to the nearest residential property line and shall include a six to eight foot barrier (e.g. vegetated fencing) adjacent to the agricultural uses. Outdoor areas designed for intensive human use shall be restricted within the buffer zone. ~~Other than fencing, regional drainage facilities, and underground utilities, only landscape and related non-accessible open space components are allowed within the first 150 feet of the buffer. Within the remaining 50 feet of buffer, adjacent to the proposed development area, uses such~~



~~as public streets and roads, regional and local storm drainage improvements, and other underground utilities; and pedestrian and bicycle trails are allowed. Sidewalks and bicycle lanes shall be allowed on the western portion of the public streets located within the buffer, but restricted on the eastern portion of the street. Upon annexation of the adjacent commercial agricultural use and rezoning of Phase 2 by the City, the interim 200-foot agricultural buffer within the Phase 2 (County site) development area shall terminate.~~

MM 3.2-2b Consistent with the *City of Watsonville Agricultural Buffer Policy*, project applicants shall demonstrate adequate land use separation in conjunction with Final Map consistent with the proposed Specific Plan and PUD for Phase 2 (City site) subject to review and approval by the City of Watsonville Community Development Department. Final site plans shall include a 200-foot minimum land use buffer along the eastern boundary of the planning area within Phase 2 (City site) of the proposed project consistent with the conceptual land use plan. The buffer distance shall be measured from the edge of the parcel to the nearest residential property line and shall include a six to eight foot barrier (e.g. vegetated fencing) adjacent to the commercial agricultural uses. Other than fencing, regional drainage facilities, and underground utilities, only landscape and related non-accessible open space components are allowed within the first 150 feet of the buffer. Within the remaining 50 feet of buffer, adjacent to the proposed development area, uses such as public streets and roads, regional and local storm-drainage improvements, and other underground utilities; ~~and pedestrian and bicycle trails are allowed.~~ Sidewalks and bicycle trails shall only be allowed on the western portion (development side) of the street within the remaining 50-feet of the buffer, but restricted on the eastern portion of the street. Any other pedestrian trails, such as one along Corralitos Creek, within the 200-foot agricultural buffer area shall only be permitted once a regional system has been developed adjacent to the planning area and a management plan has been developed with adjacent farm operators.

Several commenters noted that the proposed agricultural buffers should be reviewed by the APAC. The proposed project does not include a reduction in the buffer width. However, the policies of both jurisdictions allow for a reduction in the agricultural buffer, as long as specific findings can be made, based on unique or topographical situations. In order to reduce the buffer, the County must have approval by APAC. The City can reduce a buffer to 150 feet, with approval by the City Council. There is no set limit on the reduction in the width of the County agricultural buffer.

Land Use and Planning LU-1 - Wagner Avenue Extension

Several commenters provided comments on the proposed Wagner Avenue extension (Response to Comments #12-16, #12-17, #12-45, #14-2, #14-5, #14-6, #20-2, #24-1, and #25-12). Wagner Avenue is an existing public road located between existing commercial agricultural land and existing single-family residential homes and an elementary school. Wagner Avenue consists of two distinct segments, an east and a west. The east segment is a local two lane road that runs west from East Lake Avenue and turns into a dirt road one block past California Street, then turning northward to access agricultural properties.

The west segment of Wagner Avenue is a one lane road that connects Virginia Street to Bronson Street. This segment provides access only to the residences on the south side of the road. The



road is currently not a through road but does provide access to residential, and agricultural properties. The northern end of Wagner Avenue currently ends at the termination of Crestview Drive. The project would enhance Wagner Avenue by making it a 2 lane through street and connecting it with Crestview Drive.

The extension of Wagner Avenue is intended to relieve future traffic congestion in the area by providing an alternative route along the perimeter of the City. It has been determined by the traffic analysis completed for the Atkinson Lane EIR that, the cumulative volume of traffic in the area, would increase enough at project build-out, that the extension and expansion of Wagner Avenue would be necessary. This is partly due to increased traffic caused by the project at Freedom Boulevard and Martinelli Street, in conjunction with anticipated future growth. The Wagner Extension is consistent with the *2005 City of Watsonville General Plan* and only expands the existing roadway. Measure U does not apply because it has very limited impact on existing agriculture operations. The proposed expansion of Wagner Avenue is not a growth inducing impact because there are no plans for development on the other side of the expanded street.

The City's agriculture policy provides an exception for modifications to existing facilities within proposed agricultural buffers. The intent of both the City of Watsonville and the County of Santa Cruz Agricultural Buffer policies is to provide protection between agricultural land and the development of new residential, commercial, or industrial uses, but not to restrict the addition to or expansion of existing public and private facilities in a potential buffer area. The extension and expansion of Wagner Avenue would provide for an additional buffer between the non-agricultural and agricultural uses, which would provide for improved conditions for both uses, with minimal loss of agricultural land. Neither the County nor the City Buffer policies require additional buffers for the expansion of existing streets, or public facilities. Current buffer policies exceptions would allow expansion of existing public facilities. To address concerns by the commenters, the Specific Plan has been revised to require that if pedestrian pathways are incorporated as part of the extension of Wagner Avenue that they be installed on the residential (western) side of the proposed street to reduce potential conflicts between the two uses and that a six to eight foot tall solid landscaped barrier be constructed between the agricultural use and the eastern edge of the street. Implementation of these design measures as part of the proposed Wagner Avenue would reduce potential conflicts between agricultural uses and the proposed extension of the roadway.



1.4 Response to Comments

Comments received on the Draft EIR and the individual responses to those comments are provided in this section. Each comment letter is reproduced in its entirety and is followed by responses to the substantive comments raised on environmental issues discussed in the Draft EIR.



State Agencies

DEPARTMENT OF TRANSPORTATION

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April 15, 2009

SCr 152-T2.50
SCH# 2008082042

Mr. Todd Sexauer
County of Santa Cruz
Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Dear Mr. Sexauer:

**COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE
ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT**

The California Department of Transportation (Department), District 5, Development Review, has reviewed the above referenced project and offers the following comments.

1. The Traffic Impact Analysis reflects that a project's traffic impacts are insignificant if the critical volumes do not increase more than 1%. This concept is referred to as a "ratio theory" and is not supported by the Department. California Environmental Quality Act court cases validate our position:

~ Kings County Farm Bureau v. City of Hanford (5th District 1990); Los Angeles Unified School District v. City of Los Angeles (2nd District 1997); Communities For A Better Environment v. California Resources Agency (3rd District 2002). These court rulings invalidated the use of a "ratio theory" or "comparative approach" criterion because they improperly measure a proposed project's incremental impact relative to the existing cumulative effect rather than focus on the combined effects of the project and other relevant past, present, and future projects.

In the case of the *Los Angeles Unified School District v. City of Los Angeles* the courts ruled that a Lead Agency cannot compare the relative severity of the cumulative problem to the incremental impact in order to find the increment is less than "considerable." Rather, the Lead Agency must answer and analyze the question posed by CEQA Section 21083(b), whether "the incremental effects of an individual project are considerable, when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." The courts also determined that a Lead Agency cannot automatically conclude that a project's incremental contribution is *not* "considerable" just because background impact levels already exceed significance thresholds.

1-1

Exhibit 16 of the Traffic Study (Project Peak Hour Trip Assignment) shows this project is adding 36 AM and 44 PM peak hour trips to the Green Valley Road/Main Street intersection that currently operates at LOS F, however, the County of Santa Cruz has concluded via the "Ratio Theory" that this project will not have a significant impact on the SHS. In addition, the Traffic Study contains "substantial evidence" that this project will have a significant impact on the intersection of Highway (Hwy) 152 (Main Street) and Green Valley Road. The Measures of Effectiveness (MOE) for signalized intersections is LOS and is measured as delay per vehicle. The LOS Calculation Sheets provide the following information:

Hwy 152 (East Lake Avenue) and Holohan Road

- Background: LOS E @ 41.6 vehicle hours of delay [(71.4 sec/veh) * (2099 vehicles/3600 sec)]
- Background + Project: LOS E @ 43.8 vehicle hours of delay [(74.3 sec/veh) * (2121 vehicles/3600 sec)]

Project Impact = Intersection operates at LOS E during the PM peak hour under both scenarios. The overall intersection delay increases by 2.2 vehicle hours with the addition of 22 pm peak hour trips. The County of Santa Cruz concludes via "Ratio Theory" the project **will** have a significant impact on the environment.

1-1
cont.

Hwy 152 (Main Street) and Green Valley Road

- Background: LOS F @ 143.7 vehicle hours of delay [(87.3 sec/veh) * (5925 vehicles/3600 sec)]
- Background + Project: LOS F @ 146.6 vehicle hours of delay [(88.4 sec/veh) * (5969 vehicles/3600 sec)]

Project Impact = Intersection operates at LOS F during the PM peak hour under both scenarios. The overall intersection delay increases by 2.9 vehicle hours with the addition of 44 PM peak hour trips. The County of Santa Cruz concludes via the "Ratio Theory" that the project **will not** have a significant impact on the environment.

2. In regards to the "Claim of Economic Infeasibility" (*No feasible improvements have been identified at this intersection unless significant improvements are constructed and right-of way is acquired*), the County's claim is not supported by any substantial evidence within the Environmental Document as required by CEQA. For purposes of CEQA, the term "feasible" means "capable of being accomplished in a successful manner within a reasonable period of time, taking into account *economic, environmental, legal, social, and technological factors*" (CEQA Guidelines, § 15364, italics added). As provided in the court ruling in the case of the *County of San Diego v. Grossmont-Cuyamaca Community College District* (2006), a claim of economic infeasibility must be based upon substantial evidence in the record. In this case, substantial evidence would be an estimate of the County's proportional share of the cost to acquire right of way and the construction of "*lanes to provide protected signal phasing would*

1-2

include the following: add a northbound through lane and restripe the northbound approach to include two left turn lanes; and add a second southbound through lane and restripe the approach to include two left turn lanes." Partial mitigation is acceptable under CEQA, thus the "all or nothing" approach to the claim of Economic Infeasibility is also invalid. The County will need to generate a list of improvements, cost to construct improvements, and this project's proportional share.

1-2
cont.

3. Mitigation Measure (MM) 3.13-6, MM 3.13-8, and MM 4-1 identified on pages S-54, S-55, and S58 places the responsibility for mitigation on the City of Watsonville and the Department of Transportation stating, "The City of Watsonville is updating their fee program and will adopt the program prior to implementation of the first phase of the proposed project. The City of Watsonville shall coordinate with Caltrans and prepare a Project Study Report for improvements to this intersection." This practice has been disavowed by the Courts. In the case of *Woodward Park Homeowners Association, Inc. v. City of Fresno* (2007), the appellate court concluded that the Lead Agency (County of Santa Cruz), not the Department, is responsible for calculating and imposing fees for projects that impact the SHS. In addition, the Lead Agency (County of Santa Cruz) must require feasible mitigation measures for the significant traffic impacts to the SHS it identified, just as it must for other significant environmental impacts. Furthermore, in the case of *Gray v. County of Madera* (5th Dist. 2008), the appellate court invalidated the EIR based on improper deferral of mitigation measures relating to, among other things, traffic impacts to the SHS. The appellate court found that without a specific improvement plan, there was no definite commitment to make the improvements. Additionally, without a specific improvement plan or other evidence of when the improvements would take place, the improvements may be instituted long after the negative impacts of the project occurred. Therefore, the court held that the mitigation measures were inadequate.

1-3

Finally, the County of Santa Cruz must include the project's fair share calculation for each mitigation measure to meet the burden of CEQA. For impacts to the SHS, the project's fair share should be based upon the cost of the actual improvement as identified in a fee program or engineering document (Project Study Report or Project Report). To meet the burden of CEQA, the Final EIR will need to contain copies of the fee programs showing the state highway facilities, cost of state highway improvements, project's fair share calculations, and anticipated construction dates. For the state highway facilities not included in a fee program, the County of Santa Cruz will need to calculate the appropriate "fair share" contribution and incorporate mitigation measures (specific improvement plan and firm commitment to fund and complete improvements) that are consistent with the *Woodward Park Homeowners Association, Inc. v. City of Fresno* and *Gray v. County of Madera* appellate court rulings.

4. MM 3.13-6 (Draft EIR Page S-54): The Traffic Study does not include an analysis of the Harkins Slough Road/Green Valley Road/Silver Leaf Drive intersection. The Department would like to see an analysis under all scenarios, including a detailed analysis of the Hwy 1 SB Ramps/Harkins Slough Road, Hwy 1 NB Ramps/Harkins Slough Road, and Harkins Slough Road /Green Valley Road/Silver Leaf Drive coordination scenario. This would include the 95 Percentile queue lengths for all movements at all intersections. Due to the close proximity of the Pajaro Valley High School (Formerly the New Millennium High School), the Department would also like see the actual counts showing the number of pedestrians and bicyclists using the three intersections.

1-4

5. The Final EIR will need to include a detailed discussion of the Coastal Implementation Plan for the Pajaro Valley High School (Formerly the New Millennium High School). This information is contained within City of Watsonville Ordinance No. 1096-00. Page 23 of the Ordinance states in part the following:

(f) *Zone R, Performance Standards*

- (1) New off-ramps from Highway One shall be prohibited if designed to relieve congestion generated by public school development on Area C.
- (2) New off-ramps from highway One and/or additional road capacity for any roads, off ramps, or overpasses within this district (e.g., Rampart Road, Airport Boulevard off-ramp, Main Street, Harkins Slough Road overpass) shall be prohibited unless all of the following have occurred:
 - (i) A traffic study has been completed by a qualified transportation engineer demonstrating that there exists a severe congestion problem inland of Highway One (i.e., level of service D at peak periods) that cannot be solved by other feasible means (including but not limited to modifying traffic signal timing and alternative transportation measures) other than the new off-ramp or road widening project;
 - (ii) The project includes pedestrian, bicycle, and transit components, except in the case of off ramp improvements only; and
 - (iii) There is a current City of Watsonville-adopted, legally binding instrument (e.g., a memorandum of understanding) that provides that, except for the "Green Farm" parcel (Santa Cruz Tax Assessor's Parcel number 052-271-04), the City will not pursue any additional annexations to the City west of Highway One, nor support any annexations to the City from third parties in that geographic area, unless both of the following findings can be made: (See City of Watsonville Ordinance No. 1096-00 for conditions)

1-5

The Hwy 1 NB Ramps/ Harkins Slough Road intersection currently operates at LOS F in the AM peak hour due to the high northbound left turn volume and the conflicting high westbound through volume. Of the 1,086 AM peak hour trips associated with these movements, 891 (82%) are generated by the Pajaro Valley High School (Formerly the New Millennium High School), thus the congestion is generated by the public school development and new off-ramps from Hwy 1 are prohibited.

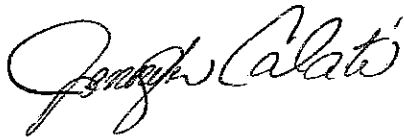
The Final EIR will need to ensure the mitigation measures and implementation plans are consistent with the Zone R Performance Standards.

Mr. Todd Sexauer
April 15, 2009
Page 5

6. Any work completed in the State's right-of-way will require an encroachment permit, and must be done to the Department's engineering and environmental standards, and at no cost to the State. The conditions of approval and the requirements for obtaining the encroachment permit are issued at the sole discretion of the Permits Office, and nothing in this letter shall be implied as limiting those future conditions and requirements. For more information regarding the encroachment permit process, please contact Mr. Steve Senet at (805) 549-3206 or visit the Department's Website at <http://www.dot.ca.gov/hq/traffops/developserv/permits/>. 1-7

Thank you for your consideration and action upon these items. If you have any questions, or need further clarification on items discussed above, please do not hesitate to call me at (805) 549-3099 or by e-mail jennifer.calate@dot.ca.gov.

Sincerely,



Jennifer Calaté
Associate Transportation Planner
District 5 - Development Review Coordinator

- c. State Clearinghouse/Office of Planning and Research
Santa Cruz County Regional Transportation Commission



Response to Comment Letter # 1
State of California, Department of Transportation (Caltrans)

April 15, 2009

Response to Comment #1-1

Comment is noted. As noted on page 3.13-7 of the Draft EIR, since the majority of the planning area is located in the County of Santa Cruz and the County is serving as lead agency under CEQA, the analysis measured the resulting levels of service against the County thresholds of significance to determine the level of potential impact. The County of Santa Cruz General Plan and LCP Policy 3.12.1 (Level of Service (LOS) Policy) sets the level of service threshold to determine whether a project creates an unacceptable level of service on a street segment of intersection. Policy 3.12.1 states that LOS C is considered the objective, but sets LOS D as the minimum acceptable (where costs, right-of-way requirements, or environmental impacts of maintaining LOS under this policy are excessive, capacity enhancement may be considered infeasible). Proposed development projects that would cause LOS at an intersection or on an uninterrupted highway segment to fall below D during the weekday peak hour is required to mitigate their traffic impacts. Proposed development projects that would add traffic at intersections or on highway segments already at LOS E or F is also required to mitigate any traffic volume resulting in a one percent increase in the volume/capacity ratio of the sum of all critical movements. For unsignalized intersections significant impacts are defined to occur when: 1) the addition of project traffic causes intersection operations to degrade from LOS D or better to LOS E or F, and the peak hour signal warrant from the MUTCD is satisfied, or 2) project traffic is added to an intersection operating at LOS E or F, and the peak hour signal warrant from the MUTCD is satisfied.

Several of the intersections and roadway segments are State Highway facilities under the jurisdiction of Caltrans. The *Caltrans Guide for the Preparation of Traffic Impact Studies* states that if an existing State Highway facility is operating at less than the target LOS, the existing LOS should be maintained, thus adding any trips to a facility operating at an adverse LOS would be considered significant. However, impacts have been evaluated according to County significance criteria.

The commenter notes that the following court cases invalidated the approach used to evaluate traffic impacts in the Draft EIR: *Kings County Farm Bureau v. City of Hanford, Los Angeles Unified School District v. City of Los Angeles*, and the *Communities for a Better Environment v. California Resources Agency*. In the *Kings County Farm Bureau v. City of Hanford* case, the EIR evaluated air emissions from a coal-fired cogeneration plant. The technical approach taken in the EIR to evaluate ozone impacts was to compare the project's emissions of hydrocarbons (ROG) and NO_x with total regional emissions of those pollutants. The EIR estimated that daily emissions from the project would not exceed 0.20 percent of total ROG and NO_x emissions in King's County, and that project emissions were therefore considered minor and insignificant. Building off the Kings County decision, in the *Communities for a Better Environment v. Calif. Resources Agency*, 103 Cal. App. 4th 98 (2002) (the "CBE" case) ruling, the Court of Appeals found that CEQA Guidelines section 15064(i)(4) was invalid. Section 15064(i)(4) allowed the incremental impacts of a project to be determined not cumulatively significant if they were "so small" that they make only a "de minimis" contribution to a significant cumulative impact where "environmental conditions would be the same whether or not the proposed project is implemented." The Court found that a de minimis analysis was subject to the same infirmities as a "ratio"-type analysis. Section 15064(i)(4) has since been rescinded by the Resources Agency, thus completely eliminating the availability of any de minimis-type analysis. In the *Los Angeles*



Unified School District v. City of Los Angeles case, the court rejects a predetermination by the lead agency that a small incremental increase in noise level was insignificant. The ruling focused on the importance of evaluating cumulative effects. The Draft EIR evaluated the project and cumulative impacts of the proposed project against the County of Santa Cruz General Plan Policy 3.12.1, which is a specific threshold.

[Response to Comment #1-2](#)

As noted on page 3.13-19 of the Draft EIR, the Green Valley Road/Main Street intersection would continue to operate at LOS F during the PM peak hour and would decrease from LOS E to LOS F during the AM peak hour. The addition of project traffic does not increase the volume to capacity ratio by more than one percent during either the AM or the PM peak hour. Therefore, in accordance with the County of Santa Cruz thresholds, the proposed project would not substantially worsen by more than one percent at an intersection that is operating at an unacceptable level of service.

[Response to Comment #1-3](#)

The County of Santa Cruz is lead agency for the proposed project, but the City of Watsonville is a responsible agency under CEQA and would collect traffic impact fees for those improvements that would be under the jurisdiction of the City of Watsonville and Caltrans. The proposed project's fair share contribution for each improvement has been estimated and is incorporated into the mitigation measures for each transportation and circulation improvements to the state highway system identified in Section 3.13: Transportation and Circulation section of the Draft EIR. For Mitigation Measure 3.13-5, the County of Santa Cruz would collect traffic impact fees for the identified improvements to East Lake Avenue (Highway 152)/Holohan Road. The remaining impacts to the state highway system would be under the jurisdiction of Caltrans and the City of Watsonville. Mitigation measures for transportation and circulation improvements identify that the fee program and fee ordinance would be tied to the City's Capital Improvement Program that would be implemented over time by the City of Watsonville when specific improvements are warranted. The mitigation measures specify that the City of Watsonville is currently updating their fee program and would adopt the program prior to issuance of building permits within Phase 1 of the proposed project. Payment of the project's fair share for these improvements would be required at that time.

[Response to Comment #1-4](#)

Analysis of the Harkins Slough Road/Silver Leaf Drive/Green Valley Road intersection was not requested previously by the commenter when Caltrans commented on the Notice of Preparation (NOP) on September 8, 2009. However, the Project Study Report (PSR) for the improvements would include analysis at this intersection.

[Response to Comment #1-5](#)

Comment noted. The proposed project does not include construction of a new off-ramp, but installation of a new signal at the Highway 1 Ramps/Harkin Slough Road interchanges. Therefore, the proposed project would not add a new off-ramp and/or provide additional road capacity within the Zone R district. Compliance with the Zone R Performance Standards would not be necessary.



[Response to Comment #1-6](#)

Comment is noted. The County of Santa Cruz acknowledges that any work completed within the States right-of-way would require an encroachment permit that shall be completed to Caltrans engineering and environmental standards.



California Regional Water Quality Control Board

Central Coast Region



Linda Adams
Secretary for
Environmental
Protection

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Arnold Schwarzenegger
Governor

April 14, 2009

Mr. Todd Sexauer
Planning Department
County of Santa Cruz
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Dear Mr. Sexauer:

ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT DRAFT ENVIRONMENTAL IMPACT REPORT, SANTA CRUZ COUNTY, SCH#2008082042

Thank you for the opportunity to review the subject document. The Central Coast Regional Water Quality Control Board (Water Board) is a responsible agency under the California Environmental Quality Act. Water Board staff understands the plan designates approximately 34.7 net-acres for residential uses for the construction of approximately 450 units, including 10.5 net-acres for "Residential-High Density," 14.2 net-acres for "Residential-Medium Density," 10 net-acres for "Residential-Low Density." The plan also includes 3.5 acres for parks and recreational uses, as well as buffer areas for riparian, wetland, and agricultural resources.

We have the following specific comments about the plan:

1. Impact 3.4-8 – The freshwater marsh, seasonal wetlands, ephemeral drainage, and agricultural basin located on site are waters of the State. Therefore, any placement of fill in these waters will require the project proponent to obtain waste discharge requirements from the Water Board.
2. Mitigation Measure 3.4-8a – The Draft Environmental Impact Report (DEIR) states that mitigation for the agricultural basin will be subject to acceptance by the City of Watsonville and the California Department of Fish and Game. Please note that since the agricultural basin is a water of the State, mitigation for impacts to the agricultural basin will also be subject to acceptance by the Water Board. The DEIR should describe the Water Board's involvement in regulation of impacts to the agricultural basin.
3. Mitigation Measure 3.4-8a – The DEIR states that mitigation for impacts to the agricultural basin will occur at the existing stormwater detention basin in the southern portion of the planning area. Placement of mitigation projects in structures designed to receive and/or treat polluted runoff is inappropriate. Mitigation should only occur in locations that receive clean water. Otherwise, the impact is not truly mitigated and therefore remains significant. The DEIR must identify a mitigation location that receives clean water.
4. Mitigation Measure 3.4-8a – The DEIR states that recommendations for enhancement and continued long-term success of created wetlands will be reported, but does not commit to implementation of the recommendations. Mitigation maintenance is crucial for ensuring impacts are adequately mitigated. The DEIR must include a discussion of the mitigation maintenance the project proponent will conduct.

2-1

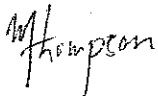
2-2

2-3

- 5. Mitigation Measures 3.8-1a and 3.8-1b – The DEIR appears to indicate that urban runoff from the residential areas will enter the onsite freshwater marsh without treatment or control of flows, especially during Phase I of the project. Discharge of uncontrolled urban runoff pollutants and flows will result in significant impacts to the freshwater marsh if not mitigated. The DEIR must address this impact and describe the mitigation measures that will be implemented to control urban runoff pollutants and flows prior to their discharge to the freshwater marsh. Both the County of Santa Cruz and the City of Watsonville are now enrolled under the Phase II Municipal Storm Water Permit (Order No. 2003-0005-DWQ), which requires implementation of Storm Water Management Programs that specify treatment and control of urban runoff prior to discharge to receiving waters. 2-4
- 6. Mitigation Measure 3.8-2 – The DEIR lists the best management practices that the project proponent will implement to mitigate impacts of erosion and sedimentation during the construction phase of the project. However, the DEIR does not discuss the best management practice of phased grading. Phased grading controls erosion and sedimentation by minimizing the amount of soil that is exposed during construction. The County of Santa Cruz should add this best management practice to the DEIR as a means to mitigate erosion and sedimentation during the construction phase of the project. 2-5
- 7. Impact 3.8-3 – The DEIR does not adequately describe how urban runoff pollution from the project will be mitigated after construction. The DEIR only references the Specific Plan's general discussion of a Conceptual Water Quality Improvement Plan. While the Conceptual Water Quality Improvement Plan discusses effective measures to control urban runoff pollution such as low impact development techniques, it does not include adequate information to ensure mitigation of urban runoff pollution resulting from the project. For example, the Conceptual Water Quality Improvement Plan does not confirm that treatment best management practices will be adequately sized, that urban runoff from all developed areas will be treated, or that best management practices will be regularly maintained. For the DEIR to adequately address mitigation of urban runoff pollution, it must include a detailed description of the Conceptual Water Quality Improvement Plan, and ensure that urban runoff from all developed areas will be treated by adequately sized and maintained best management practices. 2-6

Thank you for the opportunity to comment on the DEIR. We look forward to seeing and commenting on the subsequent versions and request we be contacted when such documents are available. If you have questions, please contact **Phil Hammer at (805) 549-3882.**

Sincerely,



for Roger W. Briggs
Executive Officer

S:\Shared\CEQA\Comment Letters\Santa Cruz County\Atkinson Lane Specific Plan.doc



Response to Comment Letter # 2
California Regional Water Quality Control Board

April 14, 2009

Response to Comment #2-1

Comment noted. Page 3.4-23 of the Draft EIR acknowledges that the freshwater marsh/seasonal wetland complex, ephemeral drainage, and irrigated agricultural basin would be considered waters of the State of California, subject to the regulation by the State Water Resources Control Board (SWRCB) and the Wetland Resources Policy of the California Department of Fish and Game (CDFG) and the Fish and Game Commission. These features are all considered sensitive habitats under CEQA and local General Plans.

However, as stated on page 3.4-35 of the Draft EIR, "The hydrology within the irrigated agricultural basin is artificial, resulting from flooding by mechanical pumps..." The basin is now dry and no longer filled with water from pumping and would not subject to waste discharge requirements if it is removed and filled (pers. comm., Mike Higgins, RWQCB, May 13, 2009).

The text on page 3.4-36 of the Draft EIR has been amended as follows:

Recommendations for enhancement and continued long-term success of created wetlands will be included in annual monitoring reports submitted to the City of Watsonville, and CDFG, and/or other regulatory agencies.

Response to Comment #2-2

The mitigation site would be located in the proposed expanded Crestview Park. Crestview Park currently doubles as a detention basin during large storm events for the surrounding urban development. However, the expanded Crestview Park would provide an additional three acres of parkland that could accommodate a mitigation site.

Stormwater entering the mitigation site would be pre-filtered through a series of Low Impact Development (LID) techniques prior to receiving the runoff. Mitigation Measures 3.8-1a and 3.8-1b would require incorporation of LID techniques as part of the final drainage plans within each phase of the proposed project. LID techniques incorporated as part of the final drainage plans would include: bioretention/bioswales, soil amendments, rain barrel and cisterns, permeable and porous pavement and tree box filters that would result in a reduction of pollutant loads to receiving waters. These LID techniques would be required to meet the City of Watsonville and County of Santa Cruz Stormwater Management Plan's performance standards. With incorporation of LID techniques as part of the final drainage plans for the proposed project, stormwater runoff received within the wetland habitat created within the Crestview Park detention basin would be treated prior to entering the detention basin.

No waste discharge requirements would be imposed on the proposed project due to the filling of the agricultural detention basin (Personal Communication with Mike Higgins, Regional Water Quality Control Board, May 13, 2009).

Response to Comment #2-3

Comment noted. Only the detention basin in the expanded Crestview Park would be utilized for mitigation. Oak trees may also be planted along Corralitos Creek. Mitigation Measure 3.4-8a on page 3.4-36 has been modified to address implementation of long-term maintenance recommendations in Section 2: Revisions to the Draft EIR as follows:



Created wetland habitat will be designed by a certified landscape architect and wetland specialist to function as wetlands, support wetland vegetation during the rainy season, and will be planted with native wetland vegetation typical of the Central California coast region (e.g., *Typha angustifolia*, *Scirpus californicus*, *Salix* spp., etc.) at the stormwater detention basin in the southern portion of the planning area within the expanded Crestview Park.

Long-term monitoring of mitigation wetlands and existing wetlands within the planning area shall be conducted for a period of five years or until the time the established success criteria are met (see Table 3.4-3). Monitoring will be performed annually by a qualified botanist/wetland specialist to determine whether mitigation wetlands meet or exceed pre-established performance criteria. The success of wetland creation will be evaluated on the basis of density and diversity of native plant species at the wetland creation site. If excessive mortality occurs, plantings will be replaced at a 1:1 ratio. The wetland specialist will be responsible for selecting the species for replacement plantings. Recommendations for enhancement and continued long-term success of created wetlands will be included in annual monitoring reports submitted to the City of Watsonville; and CDFG, and/or other regulatory agencies the RWQCB (if applicable).

Table 3.4-3: Success Criteria for Wetland Creation Site

<u>Year</u>	<u>Type of Criterion Used</u>	<u>Success Criterion</u>
<u>1</u>	<u>Percent of Plants Surviving</u>	<u>90% Survival in Good or Fair Condition</u>
<u>2</u>	<u>Percent of Plants Surviving</u>	<u>80% Survival in Good or Fair Condition</u>
<u>3</u>	<u>Percent of Plants Surviving</u>	<u>75% Survival in Good or Fair Condition</u>
<u>4</u>	<u>Percent of Plants Surviving</u>	<u>70% Survival in Good or Fair Condition</u>
<u>5</u>	<u>Percent of Plants Surviving</u>	<u>65% Survival in Good or Fair Condition with 75% Vegetative Cover</u>

Response to Comment #2-4

Comment noted. Under the Phase 1 project scenario, urban runoff from residential areas would be directed into the upland vegetated buffer surrounding the seasonal wetland and freshwater marsh areas. A Habitat Enhancement Plan will be required (see Mitigation Measures 3.4-3a and 3.4-3b) that will require revegetation of the wetland buffer with native riparian and upland species. Page 3.8-18 of the Draft EIR also states, “The proposed Specific Plan and PUD includes a Conceptual Water Quality Improvement Plan in order to reduce pollutant loads to receiving waters. A number of Low Impact Development (LID) techniques are included in the propose Specific Plan and PUD including: bioretention/bioswales, soil amendments, rain barrels and cisterns, permeable pavers, and tree box filters. Incorporation of these LIDs into future development within the planning area would ensure that the proposed project meets the County of Santa Cruz and the City of Watsonville Stormwater Management Plan’s performance standards.”

Page 3.8-9 of the Draft EIR has been revised as follows:

The County of Santa Cruz, led by the Storm Water Management Unit and Environmental Health Services watershed staff, and the City of Capitola submitted the proposed Stormwater Management Program (SWMP) and application for a Phase II permit to the SWRCB in October 2008. The final *Santa Cruz County and City of Capitola Stormwater Management Program* was adopted by the Board of Supervisors on May 12, 2009. The SWMP builds on locally popular efforts to preserve and enhance Santa Cruz County watersheds and in the County and the



City's response to the new statewide National Pollutant Discharge Elimination System (NPDES) General Permit requirements for agencies designated by the SWRCB. Under this General Permit, the County of Santa Cruz and the City of Capitola would implement specific types of urban runoff pollutant control measures and submit reports to the RWQCB.

~~The objectives of the SWMP are to:~~

The Stormwater Phase II Final Rule requires that construction activities resulting in a land disturbance of greater or equal to one acre adhere to a site runoff program implemented by the local agency. The following objectives of the Construction Site Runoff Control Program are designated to reduce pollutants generated by construction activities:

- Effectively prohibit non-stormwater discharges and require controls to reduce the discharge of pollutants during construction;
- Minimize land disturbance at construction sites;
- ~~Reduce the discharge of pollutants to stormwater to the maximum extent practicable (MEP);~~
- Protect water quality from pollutants generated by construction activities; and
- Develop and implement Measurable Goals to evaluate the success of the Best Management Practices (BMPs)

The Stormwater Phase II Final Rule requires that new or redevelopment projects resulting in a land disturbance of greater than or equal to one acre adhere to a post construction stormwater management program implemented by the local Agency. The primary objectives of the Post Construction Program are as follows:

- Reduce the potential for discharge of pollutants into urban runoff from new development and redevelopment areas;
- Manage site runoff volumes and flow rates such that they are similar to pre-construction levels; and
- Treat as appropriate.
- ~~Long term protection,~~
- ~~Satisfy the appropriate water quality requirements of the Clean Water Act, and~~
- ~~Educate residents and businesses about stormwater pollution and efforts being made to improve water quality.~~

The activities included in the SWMP are based on the USEPA stormwater regulations, the SWRCB General Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer System (Small MS4) and the Model Urban Runoff Program (MURP).”

[Response to Comment #2-5](#)

Comment noted. The planning area would likely be constructed in multiple phases; and therefore, graded in phases. However, neither the County Grading Regulations (Chapter 16.20) or Erosion Control Ordinance (Chapter 16.22), nor Chapter 6 of the City of Watsonville



Municipal Code (Excavations, Grading, Filling, and Erosion Control) requires “phased grading.” Section 16.22.060 of the County Code requires the preparation of an erosion control plan prior to the issuance of a building permit. Page 3.8-7 of the Draft EIR states, “Future development within the County Site would require compliance with Section 16.22 of the Santa Cruz County Code Erosion Control Ordinance), which requires preparation of an erosion control plan that indicates the proposed methods for controlling runoff, erosion and sediment movement prior to approval of a building permit, development permit or land division within the County site. Once the planning area is annexed to the City of Watsonville, future development within the City portion of the proposed project would be required to comply with Chapter 6 (Excavations, Grading, Filling, and Erosion Control) of the City of Watsonville Municipal Code.” In addition, Section 16.22.090(a) states, “No land clearing operations greater than one acre per year per site or grading operations greater than 100 cubic yards may take place between October 15 and April 15, unless authorized by the Planning Director and found to be consistent with the purposes of this chapter.”

[Response to Comment #2-6](#)

Comment noted. Please see Response to Comment #2-4.

According to the Santa Cruz County and City of Capitola Stormwater Management Program, adopted May 12, 2009, “There are numerous BMPs available for post construction runoff control. Existing BMPs available from sources such as California Stormwater Quality Association (CASQA) and the State Water Resources Control Board (SWRCB) programs will be compiled into a BMP reference list and manual. The purpose of the list is to provide general guidance on the types of BMPs used to control stormwater runoff from new and redevelopment sites. The manual will be made available to agency staff and project applicants.”

As noted on page 3.8-8 of the Draft EIR, as part of the City of Watsonville Stormwater Management Program, all building plans are evaluated to assess the implementation of the City’s standards, including stormwater best management practices (BMPs). The SWMP provides BMPs that address stormwater runoff during construction related to erosion and sediment control. According to the City of Watsonville Stormwater Management Program adopted by the Regional Water Quality Control Board, Central Coast Region on April 3, 2009, “Runoff from new developments and redeveloped property can significantly affect receiving water bodies if left unmanaged. The objective of the Post-Construction Storm Water Management program is to reduce post-construction pollution by developing storm water development standards which will be required of new development and redevelopment projects. This will be achieved by developing and implementing BMPs that target pollutants of concern for each activity.”

The Post Construction Management Program has been designed to achieve the four following conditions:

1. Maximize infiltration of clean storm water, and minimize runoff volume and rate – BMPs have incorporated low impact development measures which reduce volume and rate by maximizing infiltration. Alternative hydromodification criteria will be developed which establish numeric criteria for controlling runoff volumes and rates.
2. Protect riparian areas, wetlands and their buffer zones – The City of Watsonville’s “Watsonville Vista 2030” general plan specifies a riparian buffer of 100-feet where no development may occur.
3. Minimize pollutant loading – Low impact development BMPs will be selected to minimize pollutant loading and hydromodification. Pollutants of concern will be



identified and impairments of receiving waters will be considered in design of the Post Construction management program.

4. Provide long term watershed protection – The Post Construction Management Program includes revising as required all of the regulatory mechanisms used by the City to enforce and further low impact development and hydromodification controls. This includes the City’s General Plan, its municipal code, standard conditions of approval, CEQA initial study checklist, plan review permitting and inspection procedures. A program of long term inspection and monitoring of approved and implemented post construction BMPs will be continued and refined to ensure that development requirements are being carried out. The City will coordinate with neighboring jurisdictions (County of Santa Cruz) which contribute to the water quality of the same watersheds as the City. Hydromodification criteria are being developed together by the City and neighboring jurisdictions for consistent application of standards over common watersheds.”

The BMPs described in the County’s and the City’s Stormwater Management Programs would be implemented into the project design to mitigate urban runoff pollution from the planning area following construction.



DEPARTMENT OF CONSERVATION

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0860 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEBSITE conservation.ca.gov

April 22, 2009

VIA FACSIMILE (831) 454-2131

Todd Sexauer
County of Santa Cruz Planning Department
County Governmental Center
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Dear Mr. Sexauer:

Subject: Atkinson Lane Specific Plan Draft Environmental Impact Report
(Santa Cruz County) - **SCH# 2008082042**

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Draft Environmental Impact Report (DEIR) for the referenced project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's impacts on agricultural land and resources.

Project Description

The Atkinson Lane Specific Plan project includes approximately 34.7 net-acres designated for residential uses, including: 10.5 net-acres for Residential-High Density, 14.2 net-acres for Residential-Medium Density, 10 net-acres for Residential Low Density, and 3.5 acres of parks/recreational uses. The project is located in Santa Cruz County (County) and is adjacent to the eastern edge of the City of Watsonville. The project is bordered by Atkinson Lane to the northwest and Brookhaven Lane, Brewington Avenue, and Paloma Way to the south and southwest. There are no lands under Williamson Act contracts in the project area. However, the project would result in the conversion of approximately 42.4 acres of Prime Farmland and 45.31 acres of Important Farmland to urban uses. This impact has been classified as a potentially significant and unavoidable impact. Therefore, the Division recommends that any subsequent California Environmental Quality Act (CEQA) document address the following items to provide a comprehensive discussion of potential impacts of the project on agricultural land and activities:

Mitigation Measures

The loss of agricultural land represents a permanent reduction in the State's agricultural land resources. As such, the Department recommends the use of permanent agricultural conservation easements on land of at least equal quality and size as partial

3-1

Mr. Craig Murphy
April 22, 2009
Page 2 of 2

compensation for the direct loss of agricultural land. If a Williamson Act contract is terminated, or if growth inducing or cumulative agricultural impacts are involved, the Department recommends that this ratio of conservation easements to lost agricultural land be increased. Conservation easements will protect a portion of those remaining land resources and lessen project impacts in accordance with CEQA Guideline §15370. The Department highlights this measure because of its acceptance and use by lead agencies as an appropriate mitigation measure under CEQA and because it follows an established rationale similar to that of wildlife habitat mitigation.

Mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should be conducted regionally or statewide, and not limited strictly to lands within the project's surrounding area.

Other forms of mitigation may be appropriate for this project. One mitigation option would be to direct a mitigation fee to invest in supporting the commercial viability of the remaining agricultural land in the project area, County or region. This would be accomplished through the use of a mitigation bank that would invest in agricultural infrastructure, water supplies, marketing, etc.

The Department also has available a listing of approximately 30 "conservation tools" that have been used to conserve or mitigate project impacts on agricultural land. This compilation report may be requested from the Division at the address or phone number below. General information about agricultural conservation easements, the Williamson Act, and provisions noted above is available on the Department's website:

<http://www.conservation.ca.gov/dlrp/index.htm>

Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered.

Thank you for giving us the opportunity to comment on this DEIR. If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Elliott Lum, Environmental Planner, at 801 K Street, MS 18-01, Sacramento, California 95814; or, phone (916) 324-0869.

Sincerely,



Dan Otis
Williamson Act Program Manager

cc: State Clearinghouse

3-1
cont.



Response to Comment Letter # 3
California Department of Conservation

April 22, 2009

Response to Comment #3-1

Comment noted. See Master Response AG-1 - Mitigation for Conversion of Agricultural Land. Mitigation strategies provided by the commenter are acknowledged and forwarded to County staff and decision makers for further consideration.



Local and Regional Agencies

CITY OF WATSONVILLE

"Opportunity through diversity; unity through cooperation"



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April 21, 2009

Mr. Todd Sexauer
County of Santa Cruz Planning Department
County Government Center
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Dear Mr. Sexauer,

The City of Watsonville would like the following issues addressed in the County's Final EIR for the proposed Atkinson Lane Specific Plan and Planned Development rezoning located within the County land surrounded by the City of Watsonville.

Introduction / Project Description

The City would like language clarified that as a responsible agency the City will reserve the option to use the certified EIR for future actions on future Specific Plan and annexation actions. The following sections should be modified to address this issue.

Page 1-3 of the DEIR shall be amended as follows:

Second paragraph 5th sentence;

As responsible agency, the City of Watsonville may also ~~certify the Final EIR prior to adoption of the Specific Plan.~~ consider adoption of the Specific Plan and /or certification of the EIR following certification of the EIR by the County of Santa Cruz.

4-1

Fourth paragraph second sentence;

Once the Final EIR is certified by the County of Santa Cruz, the City of Watsonville as a responsible agency under CEQA, ~~would~~ may consider approval of the Specific Plan and/or certification of the EIR.

Page 2-14 of the DEIR shall be amended as follows:

As defined by Measure U, the City ~~will~~ may consider adoption of the Specific Plan and certification of the EIR as a responsible agency under CEQA following certification of the EIR by the County of Santa Cruz. Upon adoption of the Specific Plan, the proposed project would require an annexation and Sphere of Influence amendment (SOI) request for those portions of the

4-2

planning area located outside of the City limits and the SOI. The annexation and SOI amendment would require approval by the Santa Cruz County Local Agency Formation Commission (LAFCO). Once the final EIR is certified by the County of Santa Cruz the City of Watsonville, as a responsible agency under CEQA, would consider approval of the Specific Plan and /or certification of the EIR. Following approval of the Specific Plan the EIR, a petition may be filed to LAFCO for the annexation and SOI amendment.
Delete the next two sentences.

4-2
cont.

Lateral Spreading Setback:

Section 3.6, Geology and Soils indicated that the *Feasibility Level Geotechnical Investigation* recommends a 150-foot building setback from the top of the Corralitos Creek embankment as mitigation to potential lateral spreading during a strong earthquake (Page 3.6-14, Mitigation Measures 3.6.2, 3.6.3). In addition there is a 200-foot agricultural building setback along the creek measured from the property line which is generally in the center of the creek. For 1,000 feet of the projects frontage with the creek the building setbacks for lateral spreading and agriculture are generally the same. For the westerly 400 feet of this frontage starting at Atkinson Lane, the lateral spreading setback extends considerably farther into the property than the agricultural setback.

4-3

The draft EIR mitigation measure for lateral spreading requires a design level geotechnical report which may decrease the setback distance depending on the findings of the report. This should be indicated as part of mitigation MM3.6-2.

Land Use Planning:

Page 3.9-18 and 19

The Santa Cruz County Riparian Corridors and Wetlands Policy 5.2.5 requires a 100-foot setback from wetlands. Although the County Ordinance does include provisions for reduction of wetland setbacks in certain circumstances, the findings for a reduction in the 100-foot buffer have not been clearly identified in the Draft EIR for the freshwater marsh. The City requests that the findings be clarified to indicate why the proposed reduction is consistent with county policies regarding sensitive species.

4-4

Financing and Traffic Mitigations:

Page 3.12-27 shall be amended based on a revision of Table 12 of the ADE Public services and Public Facilities financing plan necessary because of incorrect assumptions of the split of affordable housing between the City and County phases (table attached). The revised table assumes that 90% of the units in the County phase will be affordable and the City phase will include 20% affordability levels in accordance with the City's inclusionary ordinance. This provides a total affordability of 51%, which is consistent with Measure U requirements.

4-5

Page 3.12-27 The following amendments shall be incorporated into EIR text;

Project Revenues:

At project buildout, project revenues totaling ~~\$990,326~~ \$1,007,227 per year would be generated by the proposed project for the City of Watsonville. This is comprised of property taxes, sales taxes, and other taxes and fees. In current (2009) dollars, the proposed project is projected to increase the total assessed values by about \$131 million at buildout. This would generate an estimated ~~\$244,766~~ \$258,230 per year in property tax revenue for the City of Watsonville after annexation.

Fiscal Mitigation:

At project buildout, the proposed project is projected to generate ~~\$990,326~~ \$1,007,227 per year in general fund revenues and require about \$1,104,964 in general fund service costs, resulting in an annual funding gap (deficit) of ~~\$114,759~~ \$97,737. ... This funding gap would be paid by each unit in the County phase of the project at an average rate of ~~\$255~~ \$600 per year at project buildout assuming that the County phase is developed by non profits that do not pay property tax.

The City anticipates that the low income component of the project, as currently planned, will not generate tax revenue due to its non-profit status. Any revenue to accommodate the services provided from the low income component of the project to the City of Watsonville will be through negotiations with Santa Cruz County and supplied through either the formation of a Community Facilities District or PILOT agreement.

The current configuration of the proposed project anticipates a total of 450 units with 200 units to be affordable as defined in the County's affordable housing plan. 80% of the remaining units will be made available as market rate housing. The project is proposed for two phases, with Phase I to be developed in the short term and remain in the jurisdiction of the County, and Phase II to be developed in the future at a time when the entire project would be annexed into the City of Watsonville.

The draft EIR concludes that improvements are needed at 4 general locations for the cumulative traffic scenario, and that the project should pay its fare share (Page 3.13-21, MM3.13-5). The locations are Airport/Larkin Valley/SB Ramps, Harkins Slough/SB & NB Ramps, Airport/Freedom and East Lake/Holohan. The financing plan in the mitigation measure reads:

To fund this improvement, project applicants shall pay applicable traffic impact fees to the City of Watsonville towards construction of this improvement prior to occupancy of the proposed project. The City of Watsonville is updating their fee program and will adopt the program prior to implementation of the first phase of the proposed project.

The Draft EIR should be modified to indicate that updating a fee program requires adoption of a fee ordinance.

4-5
cont.

4-6

Finally the City would like the final EIR to be certified for the entire project including the City's Specific Plan area. This would require that the County adopt overriding considerations for the loss of agriculture land.

4-7

Thank you for the cooperative process in creating the Specific Plan document and the Environmental Impact Report. Should you have further questions regarding this matter, please call me at 768-3073.

Sincerely



Keith Boyle
Principal Planner

Attachment: Revised Table 12



Response to Comment Letter #4
City of Watsonville

April 21, 2009

Response to Comment #4-1

Comment is noted. Page 1-3 of the Draft EIR has been clarified in Section 2.0: Revisions to the Draft EIR to show that as a responsible agency under CEQA, the City reserves the right to use the certified EIR on future Specific Plan and annexation actions.

Certification of the Final EIR

If the County of Santa Cruz finds that the Final EIR is “adequate and complete,” the County of Santa Cruz may certify the Final EIR. The rule of adequacy generally holds that the EIR can be certified if: 1) it shows a good faith effort at full disclosure of environmental information, and 2) provides sufficient analysis to allow decisions to be made regarding the project in contemplation of environmental considerations. As a responsible agency, the City of Watsonville may consider adoption of the Specific Plan following certification of the EIR by the County of Santa Cruz ~~also certify the Final EIR prior to adoption of the Specific Plan.~~

Response to Comment #4-2

Comment is noted. Page 2-14 of the Draft EIR has been clarified in Section 2.0: Revisions to the Draft EIR as follows:

The County of Santa Cruz will consider certification of the Final EIR, approval of Phase 1 and 2 (County site), and adoption of the PUD as the lead agency under CEQA in support of adoption of the PUD. As defined by Measure U, the City ~~will~~ may consider adoption of the Specific Plan, as a responsible agency under CEQA following certification of the EIR by the County of Santa Cruz. Upon adoption of the Specific Plan, the proposed project would require an annexation and a Sphere of Influence Amendment (SOI) request for those portions of the planning area located outside of the City limits and the SOI. The annexation and the SOI amendment would require approval by the Santa Cruz County Local Agency Formation Commission (LAFCO). Once the Final EIR is certified by the County of Santa Cruz, the City of Watsonville as a responsible agency under CEQA, would consider approval of the Specific Plan. Following approval of the Specific Plan and EIR, a petition may be filed to LAFCO for the annexation and SOI amendment. ~~The City's adoption of the Specific Plan, however, would require an annexation and SOI amendment request for those portions of the planning area that located outside of the City limits and SOI. The annexation and SOI amendment would require approval by the Santa Cruz County Local Agency Formation Commission (LAFCO), which would be a responsible agency under CEQA. Following approval of the annexation and SOI amendment, projects may proceed in the City portion of the proposed project after January 2010.~~

Response to Comment #4-3

Comment regarding how the design-level geotechnical report may determine that the setback is not necessary is noted. Mitigation Measure 3.6-2 states that the “design level geotechnical report shall also specify foundations and structural elements that are designed to resist forces and potential ground settlement generated by liquefaction and lateral spreading and shall incorporate the following into the final site plans, unless the additional analysis indicates it is not necessary.”



Therefore, final design level geotechnical reports would therefore confirm if a 150-foot setback would be required when future design-level review is conducted.

Response to Comment #4-4

Comment is noted regarding the findings for the reduced setback surrounding the freshwater marsh. The findings are as follows:

1. That there are special circumstances or conditions affecting the property;

The Special Circumstances affecting this property relate to the nature and condition of the freshwater marsh and seasonal wetland. The wetland is a man-made abandoned agricultural pond, located in an area that has been intensively modified through previous agricultural operations. It is an isolated impoundment that is removed from local and regional wildlife corridors, and is not under the Army Corps of Engineers jurisdiction. The wetland is surrounded on three sides by existing urban development and is primarily fed by urban runoff.

2. That the exception is necessary for the proper design and function of some permitted or existing activity on the property;

The Riparian Exception is necessary to allow for construction of a drainage system that will serve the surrounding parcels and improve water quality over existing conditions, through filtration of all runoff entering the wetland. The reduction in buffer width is required in order to properly align the Brewington Avenue extension on the property, and development of the project site would not be possible without predevelopment levels for a range of storms up to the 10-year level during the first phase, and up to the 25-year level with the construction of Phase 2 area. Installation and operation of these improvements will not interfere with wildlife movement, impact water quality, or cause erosion.

In addition, there is a high potential for liquefaction induced lateral spreading in portions of the planning area considered in the EIR, particularly adjacent to Corralitos Creek. Consequently, development must be set back at least 150 feet from the southern “top of bank.” Providing for this geologic set back also necessitates reducing the buffer around the abandoned agricultural pond. According to the geotechnical report prepared for the planning area, development can safely occur if set back 50 feet from this wetland. While this geologic constraint contributes to the need for a reduced pond buffer, it results in a more extensive buffer along Corralitos Creek, which is a more biologically diverse and productive regional wildlife corridor.

3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property downstream or in the area in which the project is located;

The exception will have no impact on downstream property owners, due to the project conditions, which require that drainage leaving the site be limited to the 25-year predevelopment level. Other drainage improvements on the property will prevent flooding in the area directly adjacent to the wetland.

4. That the granting of the exception, in the Coastal Zone will not reduce or adversely impact the riparian corridor, and there is no feasible less environmentally damaging alternative;

The proposed project is located outside of the Coastal Zone.



5. That the granting of the exception is in accordance with the purpose of this chapter, and with the objectives of the General Plan and elements thereof, and the Local Coastal Program Land Use Plan.

The Riparian Exception is consistent with the General Plan in that it allows a safe overflow path for storm water to be built, and required restoration activities will substantially enhance the wildlife value of the wetland. The buffer reduction allows for the most appropriate site plan on the property, and contributes to the feasibility of wetland enhancement and onsite stormwater treatment. The Riparian Exception conditions will be incorporated into the PUD that is being proposed as part of this project.

Also see Response to Comments #10-8 and #10-10.

[Response to Comment #4-5](#)

Comment is noted. The third paragraph on page 3.12-27 in the Draft EIR has been revised as follows and is incorporated into Section 2.0: Revisions to the Draft EIR.

"Project Revenues

At project buildout, project revenues totaling ~~\$990,326~~ approximately \$1.0 million per year would be generated by the proposed project for the ~~City of Watsonville provision of municipal services.~~ This is comprised of property taxes, sales taxes, and other taxes and fees. In current (2009) dollars, the proposed project is projected to increase the total assessed values by about \$122 million at buildout. This would generate and estimated ~~\$241,765~~ \$260,000 per year in property tax revenue for the City of Watsonville after annexation. In the case of the affordable units developed by non-profit agencies, they are often exempted under state law from paying property taxes. To address this deficiency and to ensure the that entire project pays it fair share to support municipal services such as fire and police protection, the City and the County would need to work with the property owners and/or developers to establish a payments in lieu of taxes (often referred to as PILOT) or similar agreement that would equal the ~~City~~ local share of the normal property tax allocation for the affordable units."

The sixth paragraph on page 3.12-27 in the Draft EIR has been revised as follows and is incorporated into Section 2.0: Revisions to the Draft EIR.

"Fiscal Mitigation

At project buildout, the proposed project is projected ~~the to~~ generate ~~\$990,326~~ approximately \$1.0 million per year in general fund revenues and require about \$1.1 million in general fund service costs, resulting in an annual funding gap (deficit) of ~~\$114,750~~ approximately \$100,000. This funding gap can be mitigated through several financing mechanisms including increased PILOT payments on the affordable units, special taxes through a Community Facilities District (CFD), or other financing program, which would need to be established between the City and the County. ~~This funding gap would be paid by each unit of the project at an average rate of \$255 at project buildout.~~ Through this mechanism the overall project would pay the full cost for municipal services. In the event that a non-profit developer is exempted from property tax payments, they would be required to cover the local cost of services."

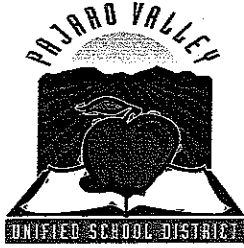


[Response to Comment #4-6](#)

County staff appreciates the identified correction. The traffic mitigation measures have been modified to indicate that updating the traffic fee program requires adoption of a fee ordinance.

[Response to Comment #4-7](#)

Comment noted. The EIR would be certified for the entire project (Specific Plan and PUD).



PAJARO VALLEY UNIFIED SCHOOL DISTRICT

Facility Planning & Construction Department

294 Green Valley Road, Watsonville, CA 95076

Phone: (831) 786-2135 Fax: (831) 761-6010

Richard Mullikin, Interim Director of Construction

April 21, 2009

County of Santa Cruz
Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Attn: Mr. Todd Sexauer, Environmental Planner

RE: PVUSD Response to the Atkinson Lane Specific Plan and PUD Draft EIR

Dear Mr. Sexauer;

The District has reviewed the County's Draft Environmental Impact Report for the above noted project. In reviewing the report the District has some concerns that this development will over impact our elementary schools within that area of the development. MacQuiddy Elementary, H.A. Hyde Elementary School, and Ann Soldo Elementary School are the schools that will mainly be impacted. We currently have available capacity at our middle schools and high schools in that attending area.

Elementary Schools:

MacQuiddy Elementary School maximum capacity is 602 students and current enrollment is 629 students with an average class size of 29 students. H.A. Hyde Elementary School maximum capacity is 616 students and current enrollment is 592 students with an average class size of 29 students. Ann Soldo Elementary School maximum capacity is 556 students and current enrollment is 596 students with an average class size of 29 students.

Middle Schools:

Lakeview Middle School maximum capacity is 772 students and current enrollment is 624 students with an average class size of 29 students. Cesar Chavez Middle School maximum capacity is 740 students and current enrollment is 565 students with an average class size of 29 students. E.A. Hall Middle School maximum capacity is 728 students and current enrollment is 597 students with an average class size of 29 students.

High Schools:

Watsonville High School maximum capacity is 2,464 students and current enrollment is 2,105 students with an average class size of 29 students. Pajaro Valley High School maximum capacity is 1,856 students and current enrollment is 1,563 students with an average class size of 29 students.

Based on the 2008 PVUSD School Facilities Needs Analysis page #5 the growth ratio formula is as follows: elementary school (K-6) is 0.321, middle school (7-8) is 0.085, and high school (9-12) is 0.144 for an average of 0.550 for K-12 schools. Please note that at the time this project commences these figures might be slightly different.

5-2

The District would like to supply the County of Santa Cruz with another copy (CD) of the 2008 PVUSD Facility Master Plan that will show our needs for new facilities as the County continues to grow. I have also supplied you with a copy (CD) of the May 2008 School Facilities Needs for PVUSD, as well as, 2008 Developer Fee Justification Study. These reports will answer any questions that you might have regarding the District's school facility fees that are currently levied at Level II and is as follows: Residential \$4.43 per sq. ft., Commercial and/or Senior Housing Developments are \$0.47 per sq. ft., and Parking and/or storage are \$0.10 per sq. ft. Level III fees are currently assessed at \$8.86 per sq. ft. Please note that at the time this project commences these figures might be different.

5-3

The District must insist that the County of Santa Cruz and their consultants use our 2008 Reports, furnished along with this letter and disregard any previous PVUSD Facility information you may have prior to the May 2008.

For Example, your reports is using information from the District dated June 24, 2005, table 3.12-1:PVUSD Enrollment . The report should be using our most current information as stated in the District's 2008 Facility Mater Plan regarding our 10 year enrollment history and 6 year enrollment projection, figure #7 on page #10.

5-4

If you have any questions regarding this matter, please feel free to contact me at the number noted above.

Respectfully,



Richard Mullikin, Interim Director of Construction
Pajaro Valley Unified School District

cc: Dorma Baker, PVUSD
Mary Hart, PVUSD

Enclosures (2)

- (1) CD – School Facilities Needs Analysis for PVUSD (May 2008), Developer Fee Justification Study (June 2008)
- (1) CD – PVUSD Facility Master Plan (November 2008)

rm/oc



Response to Comment Letter #5
Pajaro Valley Unified School District

April 22, 2009

Response to Comment #5-1

Current capacity of the elementary, middle, and high schools within the planning area is noted. Table 3.12-2: Capacity of Schools Serving the Planning Area on page 3.12-6 of the Draft EIR has been updated in Section 2.0: Revisions to the Draft EIR, to reflect the current enrollment of schools:

Table 3.12-2: Current Capacity of Schools Serving the Planning Area—2008

Grade Level and School Name	Current Enrollment (Students) in 2008	Maximum Capacity (Students)	Current Capacity (Students)	Average Class Size (Students)
<u>Elementary School</u>				
H.A. Hyde	592 607	616	24 9	29
Ann Soldo	596 614	556	40 58	29
MacQuiddy	629 662	602	27 60	29
Current Capacity Total	—	—	43 109	—
<u>Middle School</u>				
Cesar Chavez	565 572	740	175 168	—
Lakeview	624 641	772	148 131	—
E.A. Hall	597 630	728	131 98	—
Current Capacity Total	—	—	454 397	—
<u>High School</u>				
Pajaro Valley	1,563 1,610	2,200	637 590	—
Watsonville High	2,105 2,160	2,464	359 304	—
Current Capacity Total	—	—	996 930	—
Source: PVUSD Facility Master Plan 2008; PVUSD 2009				

Response to Comment #5-2

Comment noted. Growth ratios noted by the PVUSD for elementary school, middle school, and high school were used to determine the number of students that would be generated by the proposed project.

Response to Comment #5-3

Growth formulas noted by the Pajaro Valley Unified School District are noted. The growth rate for high school was incorrect in the Draft EIR and has been modified to address in Table 3.12-8: Proposed Project School Generation.



Table 3.12-8: Proposed Project Student Generation

School Type	Generation Rate	Proposed Project Population ¹	Projected Students Generated by the Project
Elementary	0.321	1,679	539
Middle	0.085		143
High School	0.144 0.114		241 197
Total			923 878
Notes: ¹ Population is based on the Department of Finance rate of 3.73 persons per housing unit multiplied by the 450 units proposed by the proposed project.			

Source: PVUSD 2008

The Pajaro Valley Unified School District’s 2008 Facility Master Plan was used to prepare the Educational Facilities setting in Section 3.12: Public Services, Utilities, and Recreation. The PVUSD’s comments regarding school facilities fees are noted and page 3.12-33 has been modified as follows:

“In addition, future development within the planning area would be required by law to pay development impact fees at the time of the building permit issuance. The PVUSD currently charges development fees in the amount of \$4.43 per square foot of residential development, \$0.47 for commercial and/or senior housing developments, and \$0.10 per square foot for parking and/or storage. These fees are used by the PVUSD to mitigate impacts associated with long-term operation and maintenance of school facilities. The project applicant’s fees would be determined at the time of the building permit issuance and would reflect the most current fee amount requested by the PVUSD. Project applicants within the planning area would also be required to pay any additional applicable fees, if the PVUSD implements additional funding measures, including those described in the Facilities Master Plan (refer to the Environmental Setting section). Pursuant to Section 65996(3)(h) of the California Government Code, payment of these fees “is deemed to be full and complete mitigation of impacts of any legislative or adjudicative act, or both, involving but not limited to, the planning, use, or development of real property, or any change in government organization or reorganization.” Any environmental impacts resulting from the construction of new schools would be analyzed by the PVUSD prior to construction. Therefore, the increased demand on the PVUSD is considered a **less than significant impact** on school services.”

Response to Comment #5-4

Comment regarding the PVUSD enrollment information is noted. Table 3.12-1: PVUSD Enrollment has been modified in Section 2.0: Revisions to the Draft EIR to include information in the 2008 Facility Master Plans follows:



Table 3.12-1: Pajaro Valley Unified School District Enrollment

Schools	98/99	99/00	00/01	01/02	02/03	03/04	04/05	05/06	06/07	07/08	08/09
Elementary	<u>9,373</u> <u>11,182</u>	<u>9,313</u> <u>11,270</u>	<u>9,297</u> <u>11,235</u>	<u>9,236</u> <u>11,180</u>	<u>9,056</u> <u>11,063</u>	<u>8,744</u> <u>10,826</u>	<u>8,957</u> <u>10,711</u>	<u>9,349</u> <u>10,588</u>	<u>9,823</u> <u>10,495</u>	<u>8,841</u> <u>10,696</u>	<u>8,983</u> <u>10,790</u>
Middle	<u>3,762</u> <u>2,842</u>	<u>3,808</u> <u>2,806</u>	<u>3,773</u> <u>2,826</u>	<u>3,765</u> <u>2,885</u>	<u>3,821</u> <u>2,843</u>	<u>3,942</u> <u>2,935</u>	<u>3,944</u> <u>3,053</u>	<u>4,041</u> <u>2,865</u>	<u>3,825</u> <u>2,827</u>	<u>3,653</u> <u>2,856</u>	<u>3,660</u> <u>2,821</u>
High	<u>4,927</u> <u>4,981</u>	<u>5,153</u> <u>5,288</u>	<u>5,243</u> <u>5,398</u>	<u>5,232</u> <u>5,393</u>	<u>5,173</u> <u>5,354</u>	<u>5,122</u> <u>5,363</u>	<u>5,045</u> <u>5,282</u>	<u>5,509</u> <u>5,482</u>	<u>5,429</u> <u>5,450</u>	<u>5,471</u> <u>5,440</u>	<u>5,085</u> <u>5,372</u>
Other	<u>1,341</u> <u>395</u>	<u>1,520</u> <u>403</u>	<u>1,589</u> <u>405</u>	<u>1,649</u> <u>405</u>	<u>1,638</u> <u>401</u>	<u>1,760</u> <u>398</u>	<u>1,591</u> <u>396</u>	<u>—</u> <u>394</u>	<u>252</u> <u>390</u>	<u>1,194</u> <u>395</u>	<u>1,659</u> <u>392</u>
Total	<u>19,403</u> <u>19,400</u>	<u>19,794</u> <u>19,767</u>	<u>19,902</u> <u>19,864</u>	<u>19,882</u> <u>19,863</u>	<u>19,688</u> <u>19,661</u>	<u>19,568</u> <u>19,522</u>	<u>19,537</u> <u>19,442</u>	<u>18,899</u> <u>19,329</u>	<u>19,329</u> <u>19,162</u>	<u>19,159</u> <u>19,387</u>	<u>19,387</u> <u>19,375</u>
Change from previous year		<u>391</u>	<u>108</u>	<u>-20</u>	<u>-194</u>	<u>-120</u>	<u>-31</u>	<u>-638</u>	<u>430</u>	<u>-170</u>	<u>228</u>
589		<u>367</u>	<u>97</u>	<u>-1</u>	<u>-202</u>	<u>-139</u>	<u>-80</u>	<u>-113</u>	<u>-167</u>	<u>225</u>	<u>-12</u>

Source: Terry McHenry, Pajaro Valley Unified School District, Office of the Associate Superintendent, June 24, 2005; the Pajaro Valley Unified School District Facility Master Plan, 2007,2008.



MONTEREY BAY

Unified Air Pollution Control District
serving Monterey, San Benito, and Santa Cruz counties

Air Pollution Control Officer
Richard Stedman

24580 Silver Cloud Court • Monterey, California 93940 • 831/647-9411 • FAX 831/647-8501

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County Cities

April 22, 2009

Sent Electronically To:

todd.sexauer@co.santa-cruz.ca.us

Original Sent by First Class Mail

Mr. Todd Sexauer, Project Planner
County of Santa Cruz Planning Department
County Government Center
701 Ocean Avenue, 4th Floor
Santa Cruz, CA 95060

SUBJECT: DEIR FOR ATKINSON LANE SPECIFIC PLAN AND PUD

Dear Mr. Sexauer:

The Air District submits the following comments for your consideration:

Conformity. Page 3.3-16.

Inasmuch as the North Central Coast Air Basin (NCCAB) is currently designated attainment for all federal air quality standards, federal conformity requirements do not apply.

6-1

Mitigation of Construction Emissions: Table 3.3-5. Page 3.3-19.

Though Mitigation Measure MM 3.3-1a would mitigate impacts of PM₁₀, there is nothing specified to mitigate the 270.89 lbs/day of ROG during 2012. The Final EIR should describe how the project would mitigate the ROG emissions from construction during 2012.

6-2

Applicable District Rules: Asbestos. Page 3.3-21.

As cited elsewhere in the DEIR, District Rule 424, NESHAPS, is the substantive rule that governs demolition that might involve the release of asbestos. District Rule 306, Asbestos NESHAPS Fees, specifies the applicable fees associated with the District's Asbestos Program.

6-3

Mitigation Measure MM 3.3-3. Page 3.3-24.

Inasmuch as this mitigation measure is proposed to reduce operational emissions of ROG to a less than significant level, it should be clearly defined, quantifiable, enforceable and feasible. Accordingly, the Air District suggests the following to ensure that the air quality impacts of wood-burning fireplaces and stoves are avoided during the life of the project:

6-4

Natural Gas Hearths / No Wood-Burning Fireplaces or Wood-Burning Stoves

“The installation or operation of a wood-burning fireplace or a wood-burning stove shall be prohibited in perpetuity on all residential properties included in the Atkinson Lane Specific Plan and Planned Unit Development. This restrictive covenant shall be recorded on the title of all parcels and shall run with the land.”

6-4
cont.

Thank you for the opportunity to review the document.

Sincerely,

Jean Getchell
Supervising Planner
Planning and Air Monitoring Division

cc: Mike Sheehan, Compliance Division



Response to Comment Letter #6
Monterey Bay Unified Air Pollution Control District

April 22, 2009

Response to Comment #6-1

Comment regarding attainment for all federal air quality standards is noted. Page 3.3-16 of the Draft EIR has been modified as follows:

“The MBUAPCD also uses many EPA and state requirements as the basis for determining the significance of air quality impacts under CEQA, including:

- Ambient Air Quality Standards. Exceedance of any national AAQS is considered a significant impact to air quality.
- New Source Review Offset Requirements. The MBUAPCD uses federal offset thresholds for PM₁₀ and CO as criteria for significance (82 and 550 lb/day, respectively).
- ~~Conformity. Federal regulations requiring that certain general and transportation projects conform with the State Implementation Plan (SIP) are used to help determine the cumulative significance of air quality impacts.~~
- Air Quality Management Plans. Project emissions that are not accounted for in the AQMP's emissions inventory are considered a significant cumulative impact to regional air quality.
- New Source Review Offset Requirements. Under State regulations, new or modified stationary sources that would emit 137 pounds per day or more of VOC or NO_x are required to offset their emissions.”

Response to Comment #6-2

As noted on page 3.3-16 of the Draft EIR, construction activities involving typical construction equipment (defined by the *MBUAPCD CEQA Guidelines* as scrapers, tractors, dozers, graders, loaders, and rollers) that temporarily emit precursors of ozone (i.e., reactive organic gases or oxides of nitrogen) are accommodated in the emission inventories of state and federally required air plans and would not have a significant impact on the attainment and maintenance of ozone AAQS. Therefore, the emissions of Reactive Organic Gases are accommodated in existing emission inventories. As buildout of the proposed Specific Plan and PUD would occur over several years, future project applicants would be required to consult with the MBUAPCD should construction activities require the use of “non-typical” equipment.

Response to Comment #6-3

Comment is noted. The second paragraph on Page 3.3-21 has been modified as follows and is incorporated into Section 2.0: Revisions to the Draft EIR:

“The proposed project is subject to the asbestos NESHAP, and thus would be required to comply with these specified work practices. The proposed project must also comply with MBUAPCD Rule 424 (National Emission Standards for Hazardous Air Pollutants (NESHAPS) 304 (Asbestos NESHAP Fees)), which determines fees for asbestos removal. Additionally, the proposed project shall comply with the NESHAP as established by the EPA. NESHAP specifies work practice requirements to limit asbestos emissions from



building demolition and renovation activities, including the removal and associated disturbance of asbestos containing materials. The requirements for demolition and renovation activities include asbestos surveying, notification, asbestos containing materials removal procedures and time schedules, asbestos containing materials handling and clean-up procedures, and storage, disposal, and landfilling requirements for asbestos-containing materials. All operators are required to maintain records, including waste shipment records, and are required to use appropriate warning labels, signs, and markings. In addition, mitigation measures **MM 3.7-3a** and **MM 3.7-3b** in **Section 3.7, Hazards and Hazardous Materials** would require that each structure is inspected by a qualified environmental specialist for the presence of asbestos containing materials (ACMs) and lead based paints (LBPs). If ACMs and LBPs are found during the investigations, a remediation program shall be developed to ensure that these materials are removed and disposed of by a licensed contractor in accordance with all federal, state and local laws and regulations, subject to approval by the MBUAPCD, City of Watsonville, and the Santa Cruz County Environmental Health Department, as applicable. Any hazardous materials that are removed from the structures will be disposed of at an approved landfill facility in accordance with federal, state and local laws and regulations. With implementation of this mitigation measure, the proposed project would not result in the emission of asbestos or lead based paint.”

Response to Comment #6-4

Comment is noted. Mitigation Measure 3.3-3 on page 3.3-24 has been modified to incorporate the MBUPACD’s recommendations for wood burning stoves as follows and is incorporated into Section 2.0: Revisions to the Draft EIR:

“**MM 3.3-3** Fireplaces proposed for future residential development within the planning area shall be gas-fired and meet U.S. Environmental Protection Agency (EPA) certification requirements. The use of wood-burning fireplaces or wood burning stoves shall be prohibited in perpetuity on all residential properties included within the proposed project and shall be recorded on the title of all parcels and run with the land. This measure shall be demonstrated on all proposed tentative maps and improvement plans prior to approval of building permits within the planning area. In addition, project applicants within the planning area shall consider implementation of MBUAPCD-recommended mitigation. The City of Watsonville Community Development Department and the County of Santa Cruz Planning Department shall review proposed tentative maps and improvement plans to identify emission reduction measures that are incorporated into the plans and staff may recommend additional measures as practical and feasible including the following:

- Incorporate energy-efficient appliances into residential uses.
- Orient buildings to minimize heating and cooling needs;
- Provide shade trees to reduce cooling needs;
- Include energy-efficient lighting systems;
- Include solar water heaters or centralized water heating systems; and
- Increase insulation beyond Title 24 requirements to minimize heating and cooling needs.”



April 22, 2009

Todd Sexauer, Environmental Planner
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060

Subject: Notice of Availability, Atkinson Lane Specific Plan and PUD

Dear Mr. Sexauer:

I am writing to respond to your Notice of Availability of the Draft Environmental Impact Report for the Atkinson Lane Specific Plan and Planned Unit Development. The Local Agency Formation Commission is a responsible agency and will use the Final Environmental Impact Report when considering any future applications subject to LAFCO review under State law. I believe that these applications are likely to be some combination of:

- County Phase 1 Water. Extraterritorial Water Service from the City of Watsonville
- County Phase 1. Sewer. Amendment of Freedom County Sanitation District Sphere of Influence and Annexation to Freedom County Sanitation District
- County Phase 1. Sewer. Extraterritorial Water Service from the City of Watsonville
- Other Phases. Amendment of City of Watsonville Sphere of Influence, Annexation to City of Watsonville, and Detachments from Various Special Districts.

7-1

The project description on pages S-1 and 2-1 should be expanded so that they clearly explain the potential LAFCO applications.

The data summarizing the current water use on the site (pages 3.12-15, 3.12-35, and 3.12-36) seem to be based upon a calculation in Table 3.12-7 that 19.9 acres of strawberries on the site currently use 109.9 acre-feet of water per year. That equates to a rate of 5.5 acre-feet of water per acre per year. A common rate of strawberry irrigation in the Pajaro Valley is 3 acre-feet of water per acre per year. Please check the calculation; and, if it is correct, explain why this field of strawberries uses water at such a high rate.

7-2

Given the situation that the Pajaro Valley aquifers are overdrafted, are there any additional feasible mitigation measures that would increase the amount of recharge that occurs to the aquifers?

7-3

Please contact me if you have any questions about this letter.

Very truly yours,

A handwritten signature in black ink that reads "P. M. McCormick". The signature is written in a cursive style with a horizontal line through the middle of the letters.

Patrick M. McCormick
Executive Officer



Response to Comment Letter #7
Santa Cruz County Local Agency Formation Commission

April 22, 2009

Response to Comment #7-1

Comment regarding the necessary LAFCO applications is noted. Page 2-1 in the Draft EIR and page S-1 in the Executive Summary have been modified to address these LAFCO applications. Section 2.8.1: Future Approvals Within the Planning Area has also been revised to address the LAFCO applications that would be required.

"2.4.1 Future Approvals within the Planning Area

Future approvals within the planning area may require additional site planning and related permits by the County of Santa Cruz and the City of Watsonville, and may include, but are not limited to:

- General Plan Amendment;
- Approval of Subdivision Map(s), pursuant to the Subdivision Map Act;
- Demolition Permits;
- All Final Improvement Plans;
- Utility Plans;
- Construction Phasing and Duration;
- Architectural and Site Plan Review;
- Landscaping and Lighting Plans;
- Grading and Building Permits;
- LAFCO approvals, including Extraterritorial Water Service from the City of Watsonville and Extraterritorial sewer service from the City of Watsonville for County Phases 1 and 2; Amendment of the City of Watsonville Sphere of Influence; Annexation to the City of Watsonville; and Detachments from Various Special Districts for Phase 2 (City site);
- Santa Cruz County Riparian Corridor and Wetlands Protection Ordinance Exception for the PUD;
- Santa Cruz County Roadway/Roadside Exception for the width of the Brewington Avenue Extension Right of Way;
- Annexation and Sphere of Influence Amendments; and/or
- All related subsequent actions to the greatest extent possible.

Subsequent development may also require obtaining a National Pollution Discharge Elimination System (NPDES) permits from the Regional Water Quality Control Board, a streambed alteration agreement from the California Department of Fish and Game (CDFG), and completion of a Section 7 consultation with the U.S. Fish and Wildlife Service, which would be a responsible agency under CEQA."

Response to Comment #7-2

Comment noted. See Master Response P-2 - Existing Water Use.



Response to Comment #7-3

A small portion of the planning area, adjacent to Corralitos Creek is identified as a groundwater recharge area. No development is proposed within this portion of the planning area.

The proposed project includes low impact development (LID) storm water retention techniques including including bioretention/bioswales, soil amendments, permeable and porous pavement and tree box filters that would provide groundwater recharge within the planning area, as well as reduce contamination in the stormwater runoff within the planning area. Groundwater recharge would also occur at the expanded Crestview Park and the temporary detention basin within the planning area. In addition, as described on page 3.12-28 of the Draft EIR, future development within the planning area would be required to pay the City's groundwater impact fee, which is currently set at \$347.56 per bedroom and is used to retrofit water fixtures (e.g. toilets, showerheads, etc.) within the City. The water retrofit program, which is funded by the groundwater impact fees results in a savings of 748 gallons of water per unit per month, would offset approximately 70 to 100 percent of the water consumption of new homes within the planning area.

Regionally, there is one active groundwater recharge project currently operating in the basin, which is being operated to reduce groundwater overdraft and increase recharge. This PVWMA's Harkins Slough recharge project which pumps Harkins Slough surface water to a recharge basin (pond) located on a coast side property. This program is limited to the volumes and the times of year the active recharge may operate as determined in the permit from the Regional Water Quality Control Board. Other surface water bodies including area lakes and streams have been proposed by the PVWMA for diversion and recharge.

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ COUNTY, CALIFORNIA**

Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Comments must be received by 5:00 pm April 22, 2009

Mail: County of Santa Cruz, Planning Department

701 Ocean Street, Santa Cruz, CA. 95060

Attn: Todd Sexauer (831) 454-3511

Name: John G. Eiskamp, Director, Div. D, Pajaro Valley Water Management Agency

Mailing Address: 205 Webb Road

City, State, Zip Code: Watsonville, CA 95076

Date: April 21, 2009

Comments:

The County of Santa Cruz General Plan, adopted in 1994, and certified by the California Coastal Commission, sets forth policies concerning water service that are pertinent to this DEIR. Listed on page 3.12-19 are Policies 7.18.2, 7.18.3, and 7.18.6 which must be met before approval of a development. Policy 7.18.2 requires written confirmation from the water service purveyor, here the City of Watsonville, that adequate water service is available. Policy 7.18.3 requires a review of the impacts on water systems and provisions for mitigation of impacts. Policy 7.18.6 requires measures for management and conservation of water in areas of groundwater overdraft.

8-1

To satisfy these requirements the DEIR relies on information, and statements, referred to in the City of Watsonville Urban Water Management Plan 2005 (UWMP), published in February 2006. Table 3.12-3 reproduces data from that document estimating future groundwater demand; 6,023 acre feet per year (AFY) in 2005, and 6,023 AFY in 2010. These are low when compared with billing records available from the Pajaro Valley Water Management Agency (PVWMA). For example, fiscal year beginning July 2007 indicates usage of 7,036, more than 15 percent greater than estimated. The UWMP and the DEIR admit that the Pajaro Valley groundwater basin is in a state of severe overdraft, but rely on completion of the project defined in the PVWMA Revised Basin Management Plan 2002 (BMP) to mitigate the overdraft condition by balancing the basin and thus stopping the resulting sea water intrusion. A key feature of this plan is the construction of an import pipeline connecting a coastal distribution system with water derived from the Central Valley Project (CVP). This would allow the importation of 13,400 AFY of fresh water to dilute 4000 AFY of reclaimed water produced by a new tertiary treatment facility constructed by the City. As described in the BMP, this water would replace agricultural groundwater extractions along the coast, thus stopping sea water intrusion into the basin's production aquifers. Statements refuting, or at least casting doubt, over this conclusion may be found in the Water Resources Investigations Report 03-4096, published in 2003 by the U. S. Geological Survey, prepared in cooperation with the PVWMA, in which may be found the following: "Under present conditions in the PVWMA, there is a pumping trough well inland from the coast, and a widespread area of below-sea-level water levels. Under these conditions, the sizes and depths of cones of depression near the coast are irrelevant to the regional problems, for sea water intrusion would continue even if there were no coastal cones of depression." Whether or not the project defined in the BMP would perform as described is somewhat of a moot point. A lawsuit filed by the PVWMA versus the public, to validate the "augmentation charge", which was the primary source of revenue for the agency, resulted in

8-2

8-3

a decision unfavorable to the agency. Long term survival of the agency is dependent on public approval of some combination of charges that would generate at least ten million dollars of revenue per year. The construction of the import pipeline would require millions more and the CVP supply of water has evaporated. The groundwater basin will, most likely, remain in overdraft for some time to come, unless groundwater extraction is greatly reduced with potentially devastating impacts.

8-3
cont.

The status of the overdraft was first comprehensively reported in the State Water Resources Board, Bulletin No. 5, Santa Cruz-Monterey Counties Investigation 1953". At that time, total groundwater demand in the Pajaro basin was 24,600 AFY. The "safe yield", with the pumping as then distributed, was 21,000 AFY. (Safe yield is the amount of groundwater that can be extracted without, in this case, causing sea water intrusion.) The results of model studies, performed by PVWMA consultants, were the basis for statements in the BMP that the estimated demand was 69,000 AFY and the safe yield was 24,000 AFY. Actual metered demand is about 60,000 AFY.

In 1953 groundwater demand by the City of Watsonville was negligible, but has increased over the years to a current demand in excess of 7,000 AFY. As the City has increased its reliance on groundwater, a significant hydraulic depression has developed encompassing its primary groundwater well field within the City and affecting wells on surrounding agricultural properties. Other widespread, shallow, hydraulic depressions develop seasonally in response to agricultural irrigation demands, but the depression related to the City now persists throughout the year. Wells in such depressions, serve as a locus of cones of hydraulic depression to which groundwater flows are directed. Sea water intrusion will result in areas coastal to such depressions if, as is here the case, the hydraulic level is below sea level. The DEIS does not adequately address these questions.

8-4

The City of Watsonville does not have an appropriative right to extract groundwater. The primary right to the use of groundwater lies with overlying property owners, who may extract as much groundwater as can be beneficially used on the overlying property. Those who extract groundwater and convey it to benefit distant properties are termed appropriators. The City of Watsonville is an appropriator of groundwater. An appropriator has the right to extract as much groundwater, without limitation, that is surplus to the needs of the overlying property owners. In a common groundwater basin, in a state of overdraft, there is, by definition, no surplus water, and appropriative rights do not exist. However, if an appropriator does extract water in a basin in overdraft, and that extraction is "open and notorious", it is considered to be a "hostile taking" and can be challenged through injunctions by property owners deeming it necessary to protect their rights from impairment by an appropriator who may claim an appropriative right by prescription. Such a prescriptive right can be claimed if the hostile taking of groundwater is continuous for five years, and, once established is, in practice, stronger than an overlying right. If there is insufficient groundwater to supply the needs of overlying property owners and the holders of prescriptive rights, the basin may be adjudicated, and water rights allocated in such a manner as to maximize groundwater usage, while preserving the basin from damage by salt water intrusion. With the PVWMA BMP plan uncompleted, and with the availability of the CVP water in question, various public entities, including the County of Santa Cruz, and the PVWMA, have entertained the prospect of initiating adjudication. If this were to happen, elimination of the persistent hydraulic depression encompassing the City's primary well fields, could force severe pumping restrictions, or require the City find an alternative water source. The impact on nearby agricultural properties could be devastating. None of these eventualities, which raise serious questions regarding water supply reliability, are discussed in the DEIR.

8-5

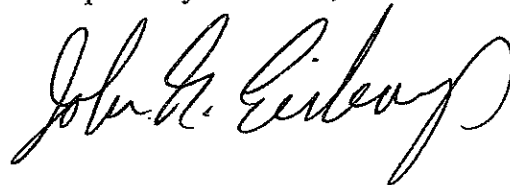
April, 2005, the City and the agency entered into a contractual agreement requiring the City to sell up to 2000 AFY of water from its system to the PVWMA, for dilution of the anticipated delivery of 4000 AFY of reclaimed water from the City's recycled water system. The contract was a result of Addendum 2 to the CEQA approved EIR for the projects defined in the PVWMA BMP. The PVWMA did not seek CEQA approval for the addendum since it was a temporary measure in effect until 2010

8-6

when, as stated, the import pipeline would be completed, and City water would only be used for peaking purposes. The contract does not contain a termination date, and continues until terminated by the agency. Considering the uncertain status of the import pipeline, the delivery of 2000 AFY of City water must continue indefinitely. This additional 2000 AFY of City extraction is not mentioned in the UWMP, or in the DEIR. Wording in the contract excluding this water from applying to a claim of prescriptive right in the event of adjudication, is probably meaningless, since neither the City nor the agency appear to have the authority to impose this on a court, being that the pumping is de facto. The recycled water facility has begun operation, and full delivery of the 2000 AFY is expected to begin shortly. The total groundwater demand by the City is then in excess of 9000 AFY, and represents over one third of the estimated safe yield of the basin. Together with the demand of other major appropriators and properties with domestic wells, the groundwater remaining from the estimated safe yield that can be provided for agriculture, is about 13,000 AFY. Current agricultural demand is about 50,000 AFY. None of these impacts, or the potential devastating effect on agriculture, are even mentioned in the DEIR.

The PVWMA and the City together intend to operate the portions of the BMP project that exist. This will consist of the City's recycled water facility, the PVWMA coastal distribution pipeline, and the PVWMA Harkins Slough project, to provide up to 7000 AFY of irrigation water to a portion of the coastal properties defined to be serviced in the BMP. The Harkins Slough has never operated as anticipated, and the successful operation of the existing system relies heavily on extraction of groundwater from a basin already in a serious state of overdraft. The existing project does not address, or claim to address, the problem of sea water intrusion, and will be operated without CEQA approval. State and federal grants and loans were used to pay a significant part of the project costs. They were given and received with the expectation that the project would carry CEQA approval. What liabilities may arise from not disclosing these facts are difficult to predict. The potential failure of the PVWMA to carry through its defined mission, undermines any credibility inherent in the City's UWMP, and, consequently, those sections of the DEIR that discuss the availability, and reliability of water service to the proposed Atkinson Lane development.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John G. Eiskamp". The signature is fluid and cursive, with a large, sweeping flourish at the end.

John G. Eiskamp



Response to Comment Letter #8
John G Eiskamp

April 21, 2009

[Response to Comment #8-1](#)

Comment noted. Consistency with Policy 7.18.2, 7.18.3, and 7.18.6 in the Draft EIR are analyzed in Table 3.9-1a in Section 3.9: Land Use and Planning in the Draft EIR. As noted on page 3.9-45 of the Draft EIR consistency with Policies 7.18.2 and 7.18.3, Section 3.12: Public Services, Utilities, and Recreation addresses impacts of new development on the City of Watsonville, which is the water purveyor for the proposed project. As described in Master Response P-1: Existing Water Use, buildout of the proposed Specific Plan and PUD would generate a water demand of approximately 017 acre feet of potable water every year. This is 6 AFY less than the estimated existing water use in the planning area. The City of Watsonville indicates they have adequate supplies to serve the proposed project. Future development on Phase 1 (County site) and the remainder of the planning area would be required to pay the City's groundwater impact fee, which is currently set at \$347.56 per bedroom and is used to retrofit water fixtures (e.g. toilets, showerheads, etc.) within the City. The water retrofit program, which is funded by the groundwater impact fees results in a savings of 748 gallons of water per month, would offset approximately 70 to 100 percent of the water consumption of new homes within the planning area. See Master Response P-3 – Groundwater Basin Overdraft for additional information regarding the City's water conservation program. In addition, the proposed project would be required to contribute towards a water conservation augmentation program that would ensure that the water consumption of new homes within the planning area is fully offset as required by mitigation measure (MM 4-3), which is incorporated herein in Section 2.0: Revisions to the Draft EIR.

[Response to Comment #8-2](#)

Comment noted. The City of Watsonville's service area utilizes approximately 6,800 AFY of groundwater (average groundwater use between the years 2003 and 2007) or 12.6 percent of the total water use within the groundwater basin.

[Response to Comment #8-3](#)

Comment noted. See Master Response P-3 – Groundwater Basin Overdraft and Master Response P-5 – Recycled Water Plant and Dilution of Recycled Water.

Comment noted regarding implementation of the PVWMA Revised Basin Management Plan and the augmentation fee. See Master Response P-4 – Viability of the PVWMA. While the PVWMA has had its augmentation fee challenged in court and subsequently reduced, four features of the PVWMA Revised Basin Management Plan are operating: 1) the recycled water project, 2) the coastal distribution system, 3) the Harkins Slough groundwater recharge and 4) two supplemental inland wells which provide a portion of the supply for the coastal distribution system. The PVWMA continues to collect augmentation fees and sell water to farmers and implement elements of its Basin Management Plan. The City has partnered with PVWMA by financing and developing the Water Recycling Plant. In addition the City has provided the PVWMA a variety of technical support.

[Response to Comment #8-4](#)

Comment noted. See Master Response P-3 – Groundwater Basin Overdraft regarding the safe yield of the basin. As stated in Response to Comment #8-2, the City of Watsonville's service



area utilizes approximately 6,800 AFY of groundwater (average groundwater use between the years 2003 and 2007) or 12.6 percent of the total groundwater pumping in the basin.

Commenter states that the year round pumping by the City's well field has created a persistent hydraulic depression centered under the City. The location of the hydraulic depression has more to do with the fact that the City is surrounded by the most intensively extractive agricultural wells in the basin than the city's year round well pumping.

[Response to Comment #8-5](#)

Comment noted on appropriate water rights. The City's right to appropriate groundwater is prescriptive. While the primary rights to groundwater lie with the overlying property owner, the majority of the City wells are located within the City limits where groundwater isn't extracted for agriculture. The City has not engaged in a hostile taking of groundwater nor has there been a devastating impact to nearby agriculture because of the relatively small amount of groundwater extraction by the City compared to the basin as whole and the responsible way the City has addressed the groundwater overdraft. As discussed in Master Response P-5 – Recycled Water Plant and Dilution of Recycled Water, the City's response includes development of a water recycle plant which recycles an amount equal to 50 percent of the City's groundwater pumping, the assessment of impact fees which funds the City's water conservation programs, planning for the improvement and expansion of its surface water diversion during the rainy season months, and its financial and technical participation with the development and implementation of elements of PVWMA's Basin Management Plan. Commenter is also referred to Response to Comment #8-3.

[Response to Comment #8-6](#)

Commenter notes that the City is under contract to sell PVWMA 2,000 AFY. This contracted water which is an amount not to exceed, is intended for either blending the water produced by the City's recycled water plant or for delivery, unblended, to coastal farms via the coastal distribution system. The blending water provides flexibility for the coastal distribution system, increasing supplies when irrigation demand is high and providing an uninterrupted supply of irrigation water if the recycled water plant stops producing for maintenance work for example. It is important to note that the 2000 AFY which PVWMA has contracted with the City for replaces water that farmers would pump from their coastal wells, which if allowed to continue would increase the extent of the saltwater intrusion and reduce the basin's sustainable yield.



Private Interests



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April 22, 2009

Mr. Todd Sexauer
Environmental Planner
County of Santa Cruz
Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Re: Atkinson Lane Draft Environmental Impact Report Comments

Dear Mr. Sexauer:

The Sierra Club submits these comments on the Draft Environmental Impact Report (DEIR) for the proposed Atkinson Lane Specific Plan and Planned Unit Development (ALSP) pursuant to the California Environmental Quality Act (CEQA). Additionally, we incorporate all other written and oral comments submitted by all persons and organizations commenting on this DEIR.

Where development is appropriate, the Sierra Club promotes the principles of higher density infill urban projects along existing and viable transportation corridors. In contrast, the ALSP DEIR describes a project that requires urban expansion at the margins, infringement of biologically productive ecosystems, permanent retirement of productive agricultural lands, and inadequate traffic and transit mitigation measures. The ALSP DEIR also fails to fully evaluate the water emergency that is occurring in the Pajaro Valley Water Basin. Further, all development of this magnitude must quantify, evaluate, and address climate change; therefore the Global Climate Change section of the DEIR is inadequate. Therefore, unless the DEIR is significantly revised and recirculated, any approvals made on the basis of the environmental analysis will be unlawful.

9-1
9-2
9-3

Determining the Proper Setting of Environmental Conditions

Several issues raised in this comment letter are based on the lack of a proper baseline with which to assess potential environmental impacts. This existing setting discussion is a critical component of the DEIR because a proposed project cannot be described in a vacuum. The lead agency must adequately describe the existing setting for the proposed project as "Knowledge of the regional setting is critical to the assessment of the environmental impacts." (CEQA

9-4

Guidelines section 15125 subd. (a).) Section 15151 of the CEQA Guidelines requires an EIR to provide a degree of analysis and detail about environmental impacts that will provide decision-makers with the necessary information to make intelligent judgments in light of the environmental effects of proposed projects. Further, Section 15151 of the CEQA Guidelines states that the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Therefore, the CEQA Guidelines require that the existing setting information must be complete and the project must be adequately described.

9-4
cont.

Biological Resource Impacts

The Biological Resources section of the DEIR recognizes several sensitive habitats (including wetlands, marsh, riparian area, and woodlands) and identifies several special-status species that are, or may be, present within the project area. These special-status species include the California Red Legged Frog (CRLF), the Western Pond Turtle (WPT), Ferruginous hawk, White tailed kite, yellow warbler, several bat species, and the dusky footed woodrat. In most cases, the presence of these special-status species is inadequately studied or addressed. Two examples follow.

9-5

California Red Legged Frog. In their October 30, 2008 letter regarding the special status amphibian and reptile site assessment for this project, the U.S. Fish and Wildlife Service (FWS) stated that the CRLF may complete their entire life cycle within a single habitat type or that they may move overland more than two miles. Further, the FWS reported that the CRLF is known to exist within 1.2 miles of the project area. Those observations notwithstanding, Section 3.4.5 the DEIR states that the presence of the CRLF is unlikely, but that protocol-level surveys would be conducted prior issuance of the building permit.

9-6

CEQA requires a more accurate site setting given that it is incumbent upon the lead agency to describe the “baseline” at the start of the environmental review process; these surveys must be conducted prior to issuance of the DEIR, as the results of the survey may demonstrate that a significant environmental impact is imminent requiring further mitigation measures that cannot be predicted without such studies.

The results of the protocol-level survey will be determinative of any appropriate mitigation measures required. The DEIR states that a section 7 consultation and a Biological Opinion, or a section 10a consultation and development of a Habitat Conservation Program may be required (DEIR 3.4-26). Putting off the studies to a future undisclosed date does not provide decision-makers with the degree of analysis and detail about environmental impacts necessary to make intelligent judgments in light of the environmental effects of the proposed project.

Western Pond Turtle. Likewise, preliminary surveys demonstrate that the WPT is present in the planning area, but the “viability” of the turtle populations has not been determined. Notwithstanding the fact that their mere presence would suggest viability, the studies to determine viability are to be conducted, again, at some undefined point in the future. Here, the county proposes to prepare a Habitat Enhancement Plan (HEP) after the determination of viability, in lieu of complying with the California Department of Fish and Game’s (CDF) *Amphibian and Reptile Species of Special Concern in California* (DEIR 3.4-28). Unfortunately,

9-7

the county is not required to adhere to any of the elements of the HEP provided in the DEIR as "...the habitat enhancement plan *may* include the following improvements..." (Emphasis mine).

This is problematic because the county has stated that it will not conform to the accepted CDF standard on the one hand, and on the other hand, the county's proposed HEP lacks specificity. Based on the foregoing, this mitigation measure lacks definition and the standard of adequacy cannot be determined. As with the CRLF, the source of this problem is centered on the lack of baseline information regarding the presence and viability of this species. Further, no additional public review is required for the HEP and as a result, the HEP is ill-defined and inadequate.

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cont.

These are only two examples where the evaluation of biological resources is flawed. Other examples where future studies will determine the presence of special-status species include bat species, dusky-footed woodrat populations, and various bird species. CEQA Guidelines section 15125, subd. (a) states, "Knowledge of the regional setting is critical to the assessment of environmental impacts. Special emphasis should be placed on environmental resources that are rare or unique to that region and would be affected by the project." Therefore, these studies need to be conducted prior to the preparation of the DEIR in order to fully evaluate the presence of these species, make a significance determination, and potentially discuss the impact of any appropriate mitigation measures.

9-8

Water Supply Impacts

The evaluation of the water supply impacts of the project are grossly inadequate in the DEIR. "The informational purposes of the California Environmental Quality Act are not satisfied by an environmental impact report that simply ignores or assumes a solution to the problem of supplying water to a proposed land use project. Decision makers must, under the law, be presented with sufficient facts to evaluate the pros and cons of supplying the amount of water that the project will need." *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova*, 40 Cal.4th 412.

The DEIR states that current demand on the Pajaro Groundwater Basin is 69,000 acre feet per year (AFY), while the safe yield is 24,000 AFY (DEIR 13.12-11). Therefore, the current annual overdraft is 45,000 AFY, and current demand for water in the Pajaro Basin exceeds the safe yield by 288%. Despite this unsustainable overdraft condition, the DEIR states that the ALSP project will have a less than significant impact on overall water use because the proposed project "would result in a reduction in the overall amount of water use within the planning area over existing conditions and therefore would not substantially deplete groundwater supplies or interfere with groundwater recharge to the extent that it would result in lowering of the groundwater table." (DEIR S-49).

9-9

The basis for this conclusion is the evaluation of existing water use in DEIR section 3.12-14; this limited analysis begs several questions. For example, the DEIR states "Water demand for lands owned by Israel Zepada Farms, Inc. are based on billing data provided by the owner." What years were included? How long have these crops been in place? Have there been any recent spikes in water use? Further, the DEIR states, "Water demands for lands owned by Grimmer Orchards were estimated using CUP+." Why are there no billing data for this parcel? What

years were included in the CUP+ evaluation? How long have these crops been in place? Have there been any recent spikes in water use? Why were the CUP+ data not included in the appendices?

As the baseline water usage is a necessary element in providing an evaluation of the impacts of proposed development on the groundwater supply of the surrounding area, this information is critical. “Without a determination and description of the existing physical conditions on the property at the start of the environmental review process, the EIR cannot provide a meaningful assessment of the environmental impacts of the project.” *Save Our Peninsula Committee v. Monterey Bay County Board of Supervisors*, 87 Cal. App. 4th 99.

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cont.

The ALSP DEIR also lacks a coherent evaluation of the impacts of supplying water to the proposed project. In *Vineyard*, the California Supreme Court held:

The ultimate question under CEQA...is not whether an EIR establishes a likely source of water, but whether it adequately addresses the reasonably foreseeable *impacts* of supplying water to the project. If the uncertainties inherent in long-term land use and water planning make it impossible to confidently identify the future water sources, an EIR may satisfy CEQA if it acknowledges the degree of uncertainty involved, discusses the reasonably foreseeable alternatives—including alternative water sources and the option of curtailing the development if sufficient water is not available for later phases—and discloses the significant foreseeable environmental effects of each alternative, as well as mitigation measures to minimize each adverse impact.” *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova*, 40 Cal.4th 412.

9-10

Therefore, *Vineyard* establishes the requirement of a discussion of both the uncertainty of water supplies and the reasonable foreseeable alternatives in an EIR; the ALSP DEIR does not provide a meaningful discussion of either. In fact, the DEIR relies on the Pajaro Valley Water Management Agency (PVWMA) for remedying the overdraft condition of the Pajaro Valley Basin by listing several projects that were proposed in their 2002 *Revised Basin Management Plan*. The DEIR cites this document without question, and relies on the PVWMA for providing tens of thousands of acre feet per year of groundwater to the basin.

There is hardly a mention of the logistical and legal problems facing the PVWMA; the DEIR states that “...the PVWMD is continuing to implement the Basin Management Plan in order to address the long-term impact of the groundwater basin...” There is not even a close to realistic evaluation of the current status of the PVWMD; this is an agency in crisis. The PVWMD owes millions of dollars in illegally collected fees. By their own admission, they are currently operating on a deficit and they have no realistic future funding sources to speak of.

The *Vineyard* court held that future water supplies identified and analyzed in an EIR must be reasonably likely to prove available; speculative sources and unrealistic paper allocations do not provide an adequate basis for decision making under CEQA. The ALSP DEIR provided exactly the type of analysis that *Vineyard* proscribed.

Further, the DEIR elevates the sustainable yield of the basin to a volume of 48,000 acre feet per year by assuming that the completion of the coastal distribution system will eliminate groundwater pumping at the coast with 100 percent reliable supplemental supplies. A discussion of the agricultural use of this water, volumes required, volumes provided, or any other objective analysis is missing from these assumptions. Then the DEIR states that the difference of 21,000 acre feet per year (which is grossly understated to begin with) will be derived from other water sources, such as recycled water and imported water.

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cont.

Recycled water? Imported water? These speculative sources do not provide an adequate basis for decision making under CEQA. As stated in *Vineyard*, “an EIR may satisfy CEQA if it acknowledges the degree of uncertainty involved, discusses the reasonably foreseeable alternatives--including alternative water sources and the option of curtailing the development if sufficient water is not available for later phases--and discloses the significant foreseeable environmental effects of each alternative, as well as mitigation measures to minimize each adverse impact.” There is no such evaluation here. For these reasons, the ALSF DEIR failed to adequately address the reasonably foreseeable impacts of supplying water to the project.

Global Climate Change

The DEIR is also flawed in its evaluation of global climate change. The DEIR states that “An individual project typically does not generate enough greenhouse gas emissions to significantly influence global climate change.” The EIR concludes, “The incremental effects of the proposed Specific Plan and PUD would not be cumulatively considerable as the proposed project would be designed and built to reduce vehicle trips and emissions and incorporate green building design. Therefore, no significant impacts would occur.” (DEIR 4-13.)

Global warming is an “effect on the environment” under CEQA and an individual project’s incremental contribution to global warming can be cumulatively considerable. Further, CEQA Guidelines section 21002.1(b) requires that “each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.”

9-11

In June 2008, OPR released a Technical Advisory to provide interim guidance to lead agencies regarding the analysis of greenhouse gases (GHGs) in environmental documents. The Technical Advisory encouraged lead agencies to: (1) identify and quantify the GHG emissions that could result from a proposed project; (2) analyze the effects of those emissions and determine whether the effect is significant; and (3) if the impact is significant, identify feasible mitigation measures or alternatives that will reduce the impact below the level of significance. *CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act (CEQA) Review* (June 19, 2008).

The ALSF DEIR does not identify or quantify GHG emission resulting from the project, analyze the effects of those emissions to determine significance, or identify feasible mitigation measures. In other words, the ALSF DEIR fails to evaluate global climate change in any meaningful way.

Traffic

The traffic impacts of the proposed ALSP demonstrate the profound changes that this project will have on the area. Several intersections in the vicinity of the project already operate at LOS E or F, and adding more than 1,600 new residents will create more hours of gridlocked traffic and congestion to the project vicinity. New and existing residents will bear the brunt of this poor planning effort in the form of increased time waiting in traffic and a resulting lower quality of life.

9-12

To make matters worse, the DEIR states that no improvements are warranted at certain intersections. For example, at the Airport Road/Ranport Road intersection no improvements are provided even though it operates at LOS F because the “intersection does not meet MUTCD signal warrants.”

9-13

Further, there are several intersections in the project vicinity that currently operate at LOS E or F where the proposed ALSP will add more than one percent to the volume to capacity ratio. In these cases, the DEIR states that the improvements will be paid on a pro rata basis by the project applicants to the County of Santa Cruz or the City of Watsonville. While the programs must be adopted prior to implementation of the first phase of the project, the project is not conditioned on these improvements.

9-14

Given the current status of the City and County’s budgets and the small contribution levied on the project applicants, these projects are not likely to be funded anytime in the near future. As a result, gridlock will become an increasing problem regionally. Therefore, this is a significant impact that is not avoided by the proposed mitigation measure.

Conclusion

Given the foregoing deficiencies, the DEIR must be revised and recirculated since the present DEIR cannot properly form the basis of a final EIR. CEQA Guidelines section 15088.5 requires a lead agency to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the DEIR for public review but prior to certification. New information is considered significant if “the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect...that the project’s proponents have declined to implement.”

9-15

Here, in order to address the defects in the DEIR, the revised DEIR must necessarily include substantial new information that triggers CEQA's recirculation request. Failure to do so would be a violation of CEQA.

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cont.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Sullivan". The signature is fluid and cursive, with the first name "Mark" being more prominent and the last name "Sullivan" following in a similar style.

Mark Sullivan, Esq.
Member, Executive Committee
Sierra Club-Santa Cruz County Group



Response to Comment Letter #9
Mark Sullivan, Sierra Club, Ventana Chapter

April 22, 2009

[Response to Comment #9-1](#)

Comment noted. On November 5, 2002, the voters of the City of Watsonville approved voter initiative Measure U, the “Watsonville Urban Limit Line and Development Timing Initiative,” formulated by Action Pajaro Valley. By defining a new ULL area, Measure U was designed to protect commercial agriculture lands and environmentally sensitive areas while providing the means for the City to address housing and jobs needs for the next 20 to 25 years. Measure U policies were added to the 2005 *City of Watsonville General Plan* by Resolution 199-02, adopted July 23, 2002. The Measure U-designated ULL provided for the development of Future Growth Areas, including development within the planning area. The planning area is surrounded on three sides by existing urban development and is considered an infill urban development project.

[Response to Comment #9-2](#)

Commenter does not provide specific details as to how the Draft EIR fails to fully evaluate traffic and transit mitigation measures and how the Draft EIR fails to fully evaluate impacts to the Pajaro Valley Water Basin and climate change. The commenter is referred to an evaluation of the Pajaro Valley Groundwater basin on pages 3.12-10 through 3.12-15 in Section 3.12: Public Services, Utilities and Recreation for additional baseline information on the groundwater basin. This information is also clarified herein based on comments on the Draft EIR. The commenter is referred to Master Comment P-3 regarding clarifications on the Pajaro Valley groundwater basin.

[Response to Comment #9-3](#)

Per Section 15088.5 of the CEQA Guidelines, a lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR for public review under Section 15087 but before certification. Per Section 15088.5(b) of the CEQA Guidelines, recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The clarifications to the EIR incorporated herein would not trigger the recirculation process per CEQA Guidelines section 15088.5.

[Response to Comment #9-4](#)

Commenter does not provide specific information as to how the environmental baseline was incorrect and/or does not provide enough detail to analyze the proposed project. The environmental setting for each environmental issue area is presented in Sections 3.1: Aesthetics and Visual Character through 3.13: Transportation and Circulation under “Environmental Setting” in the Draft EIR. The environmental setting presents the environmental baseline of conditions within the planning area when the Notice of Preparation (NOP) was distributed for the Draft EIR. The project description is presented in Section 2: Project Description of the Draft EIR.

[Response to Comment #9-5](#)

Comment noted. Adequate data gathering to meet the requirements of CEQA were conducted and documented in the Draft EIR and its appendices. EcoSystems West conducted site-specific biological surveys on May 23, 2008. The only sensitive wildlife species observed or expected to occur on the project site is the Western Pond Turtle. The California red-legged frog was not observed and the occurrence is unlikely and not expected to occur as stated in the Draft EIR. However, protocol surveys are proposed at the recommendation of the USFWS.



Section 15204(a) of CEQA states, “CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.”

[Response to Comment #9-6](#)

Comment noted. Please see response to Comment 9-3. Herpetologist Bryan Mori of Bryan M. Mori Consulting Services surveyed the site on June 5 and 17, 2008. Page 14 of the Special-status Amphibian and Reptile Preliminary Site Assessment prepared by Bryan Mori and contained within Appendix D states, “The presence of CRF on the project site also is considered unlikely, due to the combination of the following factors: 1) the aquatic habitats on site support bullfrogs, which are significant predators of native amphibians; 2) potential non-breeding habitat on the site is confined to only a few isolated patches of dense blackberry, willow thickets and smartweed; 3) the project site is largely isolated from other areas of potential habitat, due to extensive urbanization and agricultural uses surrounding the site; and 4) dispersal to the site from source populations is unlikely, since the closest know CRF populations are over one mile away, and because of the isolated nature of the site from these localities. Although CRF are known to use riparian corridors (such as Corralitos Creek) for migration and as non-breeding habitat, in this situation, no CRF observations are known from Corralitos Creek or nearby Salsipuedes Creek. The section of Corralitos Creek adjacent to the project site does not appear to provide a reliable source of standing water outside of the rainy season, and potential breeding ponds adjacent to the creek are lacking in the project vicinity.” However, at the recommendation of the USFWS, protocol level surveys are a requirement of MM 3.4-2 of the Draft EIR. These would occur prior to the issuance of a building permit.

[Response to Comment #9-7](#)

Comment noted. CDFG provided the County with no mitigation strategy or guidance for the western pond turtle during the public review period. Section 15086(d) of CEQA states, “Prior to the close of the public review period, a responsible agency or trustee agency which has identified what that agency considers to be significant environmental effects shall advise the lead agency of those effects. As to those effects relevant to its decision, if any, on the project, the responsible or trustee agency shall either submit to the lead agency complete and detailed performance objectives for mitigation measures addressing those effects or refer the lead agency to appropriate, readily available guidelines or reference documents concerning mitigation measures. If the responsible or trustee agency is not aware of mitigation measures that address identified effects, the responsible or trustee agency shall so state.” As stated on page 3.4-27 of the Draft EIR, “CDFG is currently preparing a conservation strategy for WPT with more broadly applicable standards (S. de Leon, personal communication, 2008). In the absence of standardized agency guidance, the County of Santa Cruz developed the following mitigation measures (MM 3.4-3a through 3.4-3l) to protect WPT and WPT habitat in the planning area.” The prescribed outcome for the western pond turtle mitigation strategy is outlined in detail in the Draft EIR under MM 3.4-3a through 3.4-3l. A Mitigation Monitoring and Reporting Program (see Chapter XX of the Final EIR) has been prepared and would be implemented by the County of Santa Cruz Planning Department to ensure compliance with the required mitigation measures.

[Response to Comment #9-8](#)

Comment noted. As stated in response to Comment 9-3, “Adequate data gathering to meet the requirements of CEQA were conducted and documented in the Draft EIR and its appendices.



EcoSystems West conducted site-specific biological surveys on May 23, 2008. The only sensitive wildlife species observed or expected to occur on the project site is the Western Pond Turtle.” Mitigation specified in the Draft EIR for additional sensitive species is to ensure that none are present in the future if and when the project is developed. Development is not expected in the near future on the project site. There is no project applicant for Phase 1 of the County site and the City has no immediate plans to annex the planning area into the City of Watsonville.

[Response to Comment #9-9](#)

Comment noted. The analysis of water supply and groundwater is presented in Section 3.12: Public Services, Utilities, and Recreation in the Draft EIR. The Draft EIR presents the baseline water use within the planning area with modifications presented herein as described in Master Response P-2: Existing Water Use. The proposed project would be required to pay groundwater impact fees to the City of Watsonville for implementation of a water conservation program, as well as comply with a water conservation augmentation program that would ensure that the water consumption of new homes within the planning area is fully offset as required by mitigation measure (MM 4-3), which is incorporated herein in Section 2.0: Revisions to the Draft EIR.

The Draft EIR cites estimates of the safe yield to be 24,000 AFY. This estimate is supported by several ground water models prepared over the years. These estimates assumed the continued production from coastal wells which is unrealistic as these wells have been rendered unusable by seawater intrusion. PVWMA’s Basin Management Plan estimates that with a redistribution of wells from coastal to inland locations the sustainable yield would be much greater, approximately 48,000 AFY. PVWMA is working in coordination with the USGS to develop a new model which accounts for the changing locations of the wells. Commenter is also referred to Master Response P-3: Groundwater Basin Overdraft.

[Response to Comment #9-10](#)

At issue in the California Supreme Court’s decision in Vineyard Area Citizens for Responsible Growth Inc. vs. City of Rancho Cordova (Vineyards case) was the sufficiency of the water supply analysis contained in an EIR prepared for a multi-phased 6,015 acre mixed use project with 22,500 homes, with a nearly 20-year buildout horizon. Since the project was over 600 homes a water supply assessment (WSA) was required in accordance with SB 610. The EIR’s water supply analysis identified near-term water supplies to serve the first phases of the proposed project, as well as potential long-term water supplies for the later phases of the proposed project. The Vineyards case established the requirement of a discussion of both the uncertainty of water supplies and the reasonably foreseeable alternatives in the Draft EIR. The status of the PVWMA’s Basin Management Plan and the City of Watsonville’s involvement in implementing the Basin Management Plan is discussed in the Draft EIR, as well as herein. Commenter is referred to Master Response P-2 - Existing Water Use and Master Response P-3 - Groundwater Basin Overdraft for additional information.

The City of Watsonville, as the water purveyor determined that the proposed project would not require preparation of a WSA as the proposed project would not demand an amount of water equivalent to, or greater than, the amount of water required by a residential development of more than 500 units and would not result in an increase of ten percent or more in the number of public water systems existing service connections. As stated on page 3.12-27 of the Draft EIR, the City of Watsonville is able to meet its water demands through the use of surface water and groundwater. The existing water system has sufficient capacity to provide water to the proposed project and the necessary infrastructure to serve the project site. Water sources to serve the



proposed project are not considered “speculative sources” and “unrealistic paper allocations” as suggested by the commenter.

Comment noted regarding the PVWMA’s augmentation fee. While the PVWMA has had its augmentation fee challenged in court and subsequently reduced, four features of its basin plan are operating: the recycled water project, the coastal distribution system, the Harkins Slough groundwater recharge and two supplemental inland wells which provide a portion of the supply for the coastal distribution system. The PVWMA continues to collect augmentation fees and sell water to farmers and implement element of its Basin Management Plan (BMP). The City has partnered with PVWMA by financing and developing the Water Recycling Plant. In addition the City has provided the PVWMA a variety of technical support.

[Response to Comment #9-11](#)

The commenter requests identification and quantification of greenhouse gas emissions, analysis of effects of those emissions to determine significance, and/or identification of feasible mitigation measures to provide evidence to support the County’s conclusion, as set forth in the Draft EIR, that the project’s incremental effect is not cumulatively considerable (and thus is not significant in and of itself). A qualitative assessment of project emissions is included in Section 4.5.3 (Cumulative Impact Analysis) of the Draft EIR. Background information on global climate change and regulatory efforts and actions also are also provided in that section of the Draft EIR. The state is developing emissions inventories and strategies to reduce greenhouse gas (GHG) emissions to 1990 levels. The Governor’s Executive Order S-3-05 and AB 32 (Health & Safety Code, § 38501 et seq.) both seek to achieve 1990 emissions levels by the year 2020. Executive Order S-3-05 goes even further than AB 32, and requires that by 2050 California’s GHG emissions by 80 percent below 1990 levels. AB 32 defines GHGs to include carbon dioxide, methane, nitrous oxide, hydrocarbons, perfluorocarbons, and sulfur hexafluoride.

The California Air Resources Board (CARB) identified 36 “early actions to mitigate climate change in California” in April 2007 as required by AB 32. These actions relate to low carbon and other fuel standards, improved methane capture at landfills, agricultural measures, reduction of hydrocarbons and perfluorocarbons from specified industries, energy efficiency, and a variety of transportation-related actions. The transportation sector accounts for nearly a third of the carbon dioxide emissions in the United States (Urban Land Institute 2008), and contributes 39 percent of California's gross GHG emissions, which makes it a key targeted element in the state's efforts.

In accordance with provisions of AB 32, CARB has completed a statewide Greenhouse Gas (GHG) Inventory that provides estimates of the amount of GHGs emitted to, and removed from, the atmosphere by human activities within California. The inventory includes estimates for carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs), which are often referred to as the “six Kyoto gases”. The current GHG Inventory covers years 1990 to 2004. Based on review of this inventory, CARB approved a 2020 emissions limit in December 2007 of 427 million metric tons, which is equivalent to the 1990 emissions level. A preliminary estimate of approximately 600 million metric tons has been estimated for 2020 without reductions. However, the preliminary numbers indicate that the difference between 1990 emissions level and ARB’s preliminary estimate for 2020 emissions is 172 million metric tons.

The state is in the process of determining levels of reduction and reduction strategies. The state adopted a Climate Change Scoping Plan on December 12, 2008 that identifies and makes “recommendations on direct emission reduction measures, alternative compliance mechanisms, market-based compliance mechanisms, and potential monetary and non-monetary incentives for sources and categories of sources that [CARB] finds are necessary or desirable to facilitate the



achievement of the maximum feasible and cost-effective reductions of greenhouse gas emissions by 2020. (Health & Safety Code, § 38561(a).)

Final CARB regulations are not due until January 1, 2011, and will not be operative until January 1, 2012. By the former date, CARB must adopt “greenhouse gas emissions limits and emissions reductions measures to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions in furtherance of achieving the statewide greenhouse gas emissions limit[.]” (Health & Safety Code, § 38562(a).)

As indicated above, the state has not adopted GHG Reduction Strategies or determined thresholds to be applied to individual projects, and the County and City has not completed emissions inventories. Senate Bill 97 (enacted in 2007) requires the Governor’s Office of Planning and Research (OPR) to develop CEQA guidelines “for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions,” which must be completed by July 1, 2009, so that they can certified or adopted by the California Resources Agency on or before January 1, 2010. (Pub. Resources Code, § 21083.05.) On April 13, 2009, OPR submitted to the Secretary for Natural Resources its proposed amendments to the state CEQA Guidelines for greenhouse gas emissions, as required by Senate Bill 97. The Natural Resources Agency will begin a formal rulemaking process to certify and adopt the amendments as part of the state regulations implementing CEQA, in accordance with the requirements of the Administrative Procedures Act (APA). The rulemaking process will be completed by January 1, 2010, as required by Public Resources Code section 21083.05(b). The Natural Resources Agency's rulemaking process will include additional opportunities for public involvement, including comment periods and public hearings. As required by the APA, the Resources Agency will respond to all public comments in writing before certifying and adopting the amendments. Please let me know if you have any questions on this process.

The California Air Pollution Control Officers Association (CAPCOA) suggests several possible approaches to evaluating a project’s impact to climate change, each of which has its pros and cons. The report considers the application of thresholds, reviews methodologies for quantifying GHG emissions, and inventories mitigation measures that could be applied to development projects. The paper indicates that as the state’s GHG reduction program evolves over time, GHG thresholds, policies and procedures for CEQA may undergo significant revisions and that uniform statewide thresholds and procedures may be adopted. These developments have not occurred yet, which is not surprising given that the ARB’s regulatory scheme will not be fully operational until the beginning of 2012.

One quantification method suggested in the CAPCOA report to calculate emissions related to project operations is use of the air model URBEMIS, which provides identification of carbon dioxide (CO₂) emissions. This tool is imperfect, however. As indicated in the Draft EIR, carbon dioxide is the mostly widely emitted greenhouse gas and is used as a reference for determining greenhouse gas emissions levels. CO₂ is primarily generated by fossil fuel combustion in stationary and mobile sources, and nearly 85 percent of the California’s GHG emissions in 2004 were carbon dioxide. Thus, URBEMIS can identify the majority of GHG emissions, but not all of them. The program accounts for vehicle trips and construction emissions, but does not account for project energy demands or trip reduction measures. Some other programs are referenced for new stationary and area sources/facilities and construction-only projects. The California Climate Action Registry (CCAR) Protocol includes calculations to determine indirect GHG emissions from project energy use.

Based on the above approach, a review of the URBEMIS calculations for the proposed project (see Appendix B of the Draft EIR) shows an estimated 9,137 pounds per day of CO₂ emissions during the summer and 11,605 pounds per day during the winter for Phase 1 of the proposed



project, which accounts for some area source emissions as well as project operational emissions related to traffic and 23,040 pounds per day during summer and 20,347 pounds per day for Phase 2.

The above estimate provides a general indication of the proposed project's direct operational GHG emissions, but does not include energy use or other indirect emissions. The California Climate Action Registry (CCAR) Protocol also establishes methods for calculating direct mobile and stationary source emissions, indirect emissions from electricity use, direct process emissions, and direct fugitive dust emissions. The proposed project is planned to be developed over a number of years. Thus, it would be difficult and speculative to try to determine future construction operations, equipment and building materials. Additionally, other state sources cited above do include indirect emissions from manufacture and transport of building materials. Notably, private construction contractors building private development projects are free to purchase building materials in the marketplace from a variety of sources, which are impossible for the County to predict in advance. Cement, steel, and wood products, for example, could come from any number of regions or countries, and thus could be transported to Watsonville from relatively short distances or much greater distances, depending on unpredictable factors such as future market prices and supply and logistical considerations. Any attempt today to predict the emissions associated with cement, steel, or lumber production and transport would therefore be purely speculative and would not lead to reliable information. Any attempted quantification might create an illusion of precision that would, in effect, deceive members of the public and decision-makers as well. The same considerations apply to the transport and use of other kinds of building materials.

Another factor to consider is that, phased buildout of the proposed project, CARB's AB 32 regulations may well regulate many of the energy producers, manufacturers, and vehicle engines that will be producing some of the "indirect emissions" of concerns to various commenters. Congress, too, may enact climate change legislation regulating out-of-state sources. Such prospects create the danger of "double-counting" emissions, with the result that lead agencies may be asking development projects to mitigate impacts from sources that are already themselves regulated and subject to mitigation requirements. By the time the proposed project would be fully builtout, California should already have achieved the reductions required by AB 32. Many of these reductions will likely come from the power plants that will supply the planning area and the vehicle engines that allow people to travel to and from the project site.

While a project's GHG emissions can be estimated with some level of accuracy, there is no currently adopted state or local threshold of significance. Although this fact, by itself, does not excuse the County of Santa Cruz from assessing whether a project's GHG emissions would be significant, the lack of consensus does indicate the difficulty associated with formulating a quantitative threshold. This state of affairs may change in the future, however. As discussed above, the Resources Agency, through SB 97, will be issuing guidance for CEQA analyses by January 2010, and CARB will be developing on a parallel track a series of programs, measures or regulations to reduce GHG emissions to the specified 1990 levels, which could affect standards and thresholds to be developed by local communities.

In the absence of emissions thresholds, and adopted strategies, there is no reliable gauge by which to measure the significance of project-specific quantification of GHG emissions. The County of Santa Cruz therefore opted to employ a qualitative approach to assessing the incremental effects of the proposed project on global climate change.

The CAPCOA report reviews several approaches to development thresholds including: no thresholds; a GHG threshold of zero; and approaches to developing a non-zero threshold. As noted in the CAPCOA report, AB 32 and Order S-3-05 target the reduction of statewide



emissions and do not specify that emissions reductions should be achieved through uniform reduction by geographic location or by emission source characteristics. Thus, one approach would be to develop reduction percentages to be consistent with the state's goal. As indicated above, however, determination of emissions reductions for new development projects would require knowledge of the efficacy of other GHG promulgated regulations and measures, and since the CARB strategies will not be available for several more years, it is difficult to determine accurately what the new project reductions might be in the short term (CAPCOA January 2008).

Most GHG emissions in California are attributable to transportation and energy consumption over which the County has no control. Some applicable strategies that are being considered by the state are summarized in Table 4-1 (page 4-14 through 4-15) of the Draft EIR. State programs have not yet been formulated or put in place which could affect offsets by development, although most preliminary state-identified actions recommended by the CARB are related to fuel and energy consumption. However, it is also advocated that development projects incorporate measures to reduce vehicle miles traveled, which would also address transportation-related emissions. A number of publications have identified project-level mitigation measures that could be applied to specific development projects. Generally these include measures such as:

- Infill, mixed-use development
- Energy-efficient building design and heating/cooling systems
- Incorporation of transit facilities
- Implementation of vehicle-reduction measures
- Use of energy- and water-efficient appliances and equipment

The proposed project is located and designed in a manner intended to reduce vehicle miles traveled, air pollution, and energy consumption, and thus to substantially reduce GHG emissions. More specifically, the proposed project already incorporates many of the "smart growth" concepts that are advocated for project-level mitigation in many leading articles and treatises. The project is considered an infill development that is surrounded on three sides by existing development and is accessible to transit facilities, incorporates alternative transportation features including bike lanes and sidewalks. Thus, the proposed project incorporates many of the measures that are recommended as mitigation for development project GHG emissions. Additional reductions would occur with buildings designed in accordance with LEED ratings to further reduce indirect energy use and other emissions. Until the State of California or the federal government take steps requiring utilities to supply the project site with clean electricity and requiring vehicle manufacturers to ensure that the vehicles (including transit vehicles) are powered with clean energy sources, neither the County of Santa Cruz or the City of Watsonville can eliminate most of the GHG sources associated with the proposed project.

Since the project implements many of the mitigations measures recommended for specific development projects, the County of Santa Cruz has concluded that the project's incremental contribution to a significant cumulative impact related to GHG emissions and global climate change is not cumulatively considerable. Neither the state, County of Santa Cruz, or the MBUAPCD has developed a threshold of significance or determined that development projects should result in a zero net increase in GHG emissions. The commenter noted that feasible mitigation measures were not identified within the EIR to reduce greenhouse gas emissions. While additional measures could also help reduce project-related greenhouse gas emissions, given the incorporation of other measures cited above, the Draft EIR properly concludes that the project's incremental effect to global climate change impacts as well as impacts to the proposed project from the effects of global warming is not cumulatively considerable. As a result, additional measures would not be required.



[Response to Comment #9-12](#)

Comment is noted regarding increased traffic from the proposed project, which would result in additional delay at study intersections. Project traffic impacts and mitigation measures were identified in Section 3.13: Transportation and Circulation and in Section 4: CEQA Considerations for the proposed project and under cumulative conditions, respectively. Mitigation measures are identified for those intersections that would result in a potentially significant impact.

[Response to Comment #9-13](#)

As noted in Response to Comment #1-1, since the majority of the planning area is located in the County of Santa Cruz and the County is serving as lead agency under CEQA, the analysis measured the resulting levels of service against the County thresholds of significance to determine the level of potential impact. Per the County of Santa Cruz thresholds, for unsignalized intersections significant impacts are defined to occur when: 1) the addition of project traffic causes intersection operations to degrade from LOS D or better to LOS E or F, and the peak hour signal warrant from the MUTCD is satisfied, or 2) project traffic is added to an intersection operating at LOS E or F, and the peak hour signal warrant from the MUTCD is satisfied. Therefore, although the Airport Boulevard/Ranport Road intersection operates at level of service (LOS) F in the worst approach, since the intersection does not meet signal warrants, no improvements are warranted at this intersection in accordance with the County of Santa Cruz significance criteria.

[Response to Comment #9-14](#)

Comment is noted. Payment of traffic impact fees for identified improvements would be required prior to issuance of building permits. Therefore, fees would be collected in order to implement identified improvements. The fee program and fee ordinance would be based on the City's Capital Improvement Program, which would be implemented over time by the City of Watsonville for identified improvements.

[Response to Comment #9-15](#)

See Response to Comment #9-3 regarding recirculation of the Draft EIR.



Watsonville Wetlands Watch

P. O. Box 1239 • Freedom CA 95019

Dedicated to protecting, restoring and appreciating the wetlands of the Pajaro Valley.

Watsonville Wetlands Watch (WWW) endorsed Measure U and continues to support the concept of concentrating urban growth within service limits and protecting agricultural and open space lands outside of the urban growth area.

As a member of the Atkinson Lane technical advisory committee I have voiced concerns from the beginning of the process about 1) Water resources and 2) Timeliness of biotic assessments.

- 1) **Water Supply** On pgs. 4-20 and 4-21 of the report WWW agrees with the opening statement: *“The water supply for the City of Watsonville and surrounding unincorporated Santa Cruz County is drawn solely from surface water and the Pajaro Valley Groundwater basin, which as a whole is currently experiencing overdraft conditions and seawater intrusion. Implementation of the proposed project, in combination with foreseeable future growth would increase the cumulative demand for groundwater resources.”*

WWW questions the statement that the City of Watsonville has sufficient capacity to meet its water demand and provide water to the proposed project. The City has projections of doubling its population in the next 20 years. It shares the groundwater basin with agricultural and wild lands systems in the valley, which as stated is currently in an overdraft situation. While it is true that it can currently pump from the center of the groundwater basin, those at the edges of the basin are feeling the effects. WWW disagrees with the statement: *“The PVWMD is continuing to implement their Basin Plan in order to address the long-term impact of the ground water basin...”*. The PVWMA is charged with addressing the long term needs of water in the valley. The “Basin Plan” they adopted included a water pipeline to import over 16,000 acre feet of water from outside the Pajaro Valley. That plan is not currently functional. There is no money for the proposed pipeline and if it were funded there is currently no source of water to put into the pipeline. WWW supports the PVWMA’s current process of searching for new solutions to the current overdraft conditions.

WWW supports the “LID” water retention techniques mentioned in the Specific Plan on pgs. 5-10 to 5-12. We noted that these techniques are NOT requirements in the current plans but only possibilities.

Because the project depends on a diminishing supply of groundwater and (as written) the project will interfere with groundwater recharge that is currently happening on the project site:

; WWW agrees with the final paragraph of the “Conclusion” on pg 4-21: *“the proposed project in combination with reasonably foreseeable future growth would result in an incremental increase of water use that would continue to contribute to the depletion of water supply within the Pajaro Valley Groundwater basin, which is currently in overdraft condition. This would be considered a significant and unavoidable cumulative impact.”*

10-1

10-2

10-3

10-4



Watsonville Wetlands Watch

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2) **Biological Resources** (Section 3.4) WWW does not believe that enough data on biological resources has been gathered to adequately characterize the site. Many of the surveys needed have been deferred to be required of a developer at a later time. The timing is not specific enough to protect the species. We do not agree that a builder should be responsible to hire the biologist to determine if a species of concern exists. Data collection efforts are not mitigations even though they are listed as such in several places. We recommend that data is collected **now** to determine the presence of concerned species such as Red Legged Frog, bats, birds and others listed as "possible". Wildlife Corridors were mentioned in the Biotic Assessment, but were never discussed in the planning process nor mentioned in the Draft EIR as a mitigation to protect populations.. The mitigation measures need to include performance standards and desired outcomes for any of these sensitive species. For the known species that are present such as the Western Pond Turtle and Santa Cruz Tar Plant what are the prescribed outcomes and how will they be monitored? See notes below for specific comments.

10-5
10-6
10-7
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10-10

Bob Culbertson
President of the Board, Watsonville Wetlands Watch

Chapter	Section	Page Number	Item	Comment
2	Project Description	2-9	Designation of wetland buffer	Urban Open Space: define this designation and why it is appropriate for this area.
2	Project Description	last para insection	Wetland and Riparian Buffer	PUD will include a 50' buffer, instead of a 100' buffer per the general plan. Justification for this is based on the fact the site is disturbed. However, the presence or possible use of the project area by sensitive species and several sensitive habitats would indicate the area is higher value and should be protected per the ordinance.
2	Req. Approvals	2-13 - 2-15	Regulatory approval	Due to the presence and potential presence of several sensitive species and habitat, the language should indicate regulatory consultations and permits for the project, including the US Fish and Wildlife Service, California Department of Fish and Game and the Regional Water Quality Control Board. Also possibly the US Corp of Engineers if they determine that wetlands on the site are jurisdictional. The applicable laws and regulations associated with these agencies should also be included and these agencies should be indicated as responsible agencies under CEQA.
3	Biological resources	3.4-4	Riparian habitat	habitat value not mentioned
3	Biological resources	3.4-14	Relevant Project Characteristics	Note in the text that the high density housing elements are immediately adjacent to the site wetland resources and the PGE easement with Tar plant present.
3	Biological resources	3.4-14	Urban Open Space as a designations	Again, why this designation, where does it come from?
3	Biological resources	3.4-20	Discussion on Cal. Red Legged Frogs	Discussion on life history, habitat use and so on is lacking here. This is not consistent with how other species are treated in the rest of the text. Also, the language in the EIR is not consistent with language in the technical appendices. Modify the language to indicate that presence of RLF could not be confirmed due to lack of focused surveys. Currently the language only indicates that the presence of the species is unlikely. This is misleading. Additionally, the lack of sufficient data with respect to the presence of the this species makes the conclusion that the impacts are reduced to a less than significant level unjustified. Page 22 of the Biotic Assessment recommends that protocol level surveys be completed to determine the status of RLF frog at the site. Language in the DEIR is not consistent with this.
	Biological resources	3.4-20	Western Pond Turtle	Status of Western Pond Turtle at the site should be further refined through data collection. Impacts to and preservation of wildlife corridors for turtle and other species, specifically related to Corralitos Creeks should be further assessed. Current language is inadequate and not consistent with language in the Biotic Assessment on page 23 and page 25.
3	Biological resources	3.4-21	With regard to habitat for ground nesting birds and a prey base for raptors	Current language in the document indicates that existing ag. Activities limit the presence of ground nesting birds and the presence of prey base for raptors. The document is not clear that this conclusion is indicated by actual data collected from the site. Have studies or sufficient field work indicating seasonal use of available habitats by potential prey items (all rodentia, rabbits, other amphibians, snakes and so on) been done to support this conclusion? This is not evident in the attached technical appendices. Therefore the conclusion made can not be supported. The language should be taken out, or justified with appropriate data. The lead agency should note that raptors have been extensively observed using agricultural land adjacent to open space in the project area (note Struve Slough, Pajaro River).What seasonal surveys for sensitive birds have been completed? What time of day, time of year and techniques were used to determine foraging v. breeding activity and so on. The technical appendices were very general in this regard.
3	Biological resources	3.4 -21	Bats	Very limited survey data to determine existing conditions and indicate if mitigation is reducing the potential impact to a less than significant level. This determination can not be made with out knowing what is currently at the site, as indicated on page 24 of the Biotic Assessment. Analysis here is inadequate. Please revise with appropriate data.
3	Biological resources	3.4-25	Tar Plant Site	Page 21 of the Biotic Assessment recommends active management for tar plant at the project site, including assessment of seed banks. This recommendation is omitted from the DEIR and not included in mitigation efforts. Explain. Will there be development of a restoration plan as part of the mitigation to maintain the site and insure that the resource is not lost due to indirect impacts from the development? If not, explain why.

Page *Wetlands*
Water

Chapter	Section	Number	Item	10-22	10-24	Comment	10-25	10-23
						Temporary construction impacts are considered, but permanent impacts are not. Also, surveys alone are not acceptable mitigation. Success criteria should be defined. Consultation with FWS should be going on now to ensure analysis in document is consistent with their requirements. This does not appear to be going on. Also, as with comment on page 3.4-20, the language regarding the status of the species at the project site is not consistent with language in the technical appendices which indicate that no detailed surveys have been conducted to confirm use of the project site. Page 22 of the Biotic Assessment indicates that protocol level surveys should be conducted now and will be conducted in 2009 per FWS recommendation. This is not consistent with recommendations in the DEIR which defer surveys to future project applicants. Additionally, wildlife corridors have not been considered in the DEIR as recommended in the Biotic Assessment. Please revise language.		
3	Biological resources	3.4-26	RLF	10-26				
3	Biological resources	3.4-26	RLF	10-27				
3	Biological resources	3.4-26	RLF	10-28		Pre-construction surveys are not mitigation - how is the impact reduced? What is the success criteria? Status of the species should be known to evaluate impacts.	10-29	
3	Biological resources	3.4-27	WPT	10-30		Status of the turtle population should be known in order to sufficiently evaluate impacts and to determine if mitigation is reducing the impact to a less than significant level. Data collection efforts included as mitigation are not mitigation and should be completed to have a adequate analysis.		
3	Biological resources	MM3.4-a	WPT	10-31		How does the Habitat Enhancement Plan reduce the impacts to a less than significant level? Especially when some wetland features at the site will be removed? Impact assessment should address permanent loss of habitat. Success criteria for the HEP should be set up now if the concept is going to be used as a mitigation tool. Otherwise the lead agency has not demonstrated that the impact is reduced to a less than significant level.		
3	Biological resources	MM3.4-3c	WPT	10-32		Has the holding of relocated turtles for up to 2 years been effective in other projects? Please describe and reference. The feasibility of this mitigation measure is unclear. Where and under what conditions will the turtles be held? Suggest this measure has not been adequately analyzed to justify reducing the impacts to western pond turtles to a less than significant level.		
3	Biological resources	MM3.4-3e	WPT mitigation	10-33		tagging and documenting caught turtles is a data collection effort, not mitigation. This activity does not reduce the impact to turtles to a less than significant level. Remove. In addition, all other WPT mitigation following this one are typically Best Management Practices and not mitigation.		
3	Biological resources	MM3.4-3k	Monitoring	10-34		Monitoring for species is not mitigation. Language is too vague to justify reducing the impact from this effort. Success criteria should be indicated. What steps will be taken if relocation is not successful? Otherwise the impact is not reduced to less than significant.		
3	Biological resources	MM3.4-3l	mitigation	10-35		permanent loss of habitat is indicated as a potential impact for birds, but not for frogs or turtles. Explain. Habitat loss is likely to occur for all sensitive species at the site.		
3	Biological resources	mm3.4-4a		10-36		is this consistent with ordinance		
3	Biological resources	MM3.4-5a	mitigation	10-37		With regard to replacement of roost structures for bats, has this been shown to be effective? What data is present to indicate this? How will the project evaluate the effectiveness, what are the success criteria and how does this reduce the impact to less than significant?		
3	Biological resources	MM3.4 - 8a		10-38		Habitat and wetland creation should be evaluated further to determine effectiveness at reducing potential impacts? Again, what are the success criteria? Is this proposal consistent with regulatory requirements associated with sensitive species and habitats at the project site?		
3	Biological resources	-	Mandatory findings	10-39		Why were mandatory findings with respect to sensitive biological resources not discussed in this document or noted in the NOP?		
4	CEQA Considerations	table 4-4	no project alternative	10-40		it is unclear how the no project alternative has "similar environmental impacts" to other alternatives. Please clarify the language in this determination.		



Response to Comment Letter #10 Watsonville Wetlands Watch

April 22, 2009

Response to Comment #10-1

While the Pajaro Valley Water Management Agency (PVWMA) has had its augmentation fee challenged in court and subsequently reduced, four features of its basin plan are operating: the recycled water project, the coastal distribution system, the Harkins Slough groundwater recharge and two supplemental inland wells which provide a portion of the supply for the coastal distribution system. The PVWMA continues to collect augmentation fees and sell water to farmers and implement element of its Basin Management Plan (BMP). The City has partnered with PVWMA by financing and developing the Water Recycling Plant. In addition the City has provided the PVWMA a variety of technical support. See Master Responses P-3, P-4, and P-5 for additional information.

Response to Comment #10-2

The proposed project includes low impact development (LID) storm water retention techniques including including bioretention/bioswales, soil amendments, permeable and porous pavement and tree box filters that would result in a reduction of pollutant loads to receiving waters, which creates groundwater recharge. The requirement for LID is also mandated by both the City's and County's SWMP.

Response to Comment #10-3

See Master Response P-2 – Existing Water Use regarding the existing water use and effects to the groundwater recharge within the planning area. The proposed project would result in an overall reduction in water use over existing conditions. In addition, the LID stormwater techniques that would be required as part of the final drainage plans for the proposed project would ensure that the proposed project would not interfere with groundwater recharge within the planning area.

Response to Comment #10-4

Comment noted. Comment makes a statement regarding the conclusion in Section 4: CEQA Considerations regarding the impact to the Pajaro Valley Groundwater Basin. Commenter is referred to Master Response P-3 – Groundwater Basin Overdraft for additional information.

Response to Comment #10-5

Adequate data gathering to meet the requirements of CEQA were conducted and documented in the Draft EIR and its appendices. Page 5 of the Biotic Assessment (Appendix D) of the Draft EIR states; "An EcoSystems West Biologist conducted a botanical assessment of the project area on 23 May 2008. The entire site was thoroughly evaluated on foot and all vascular plant species in identifiable condition when the site visit was conducted, regardless of regulatory status, were identified to species or infraspecific taxon using keys and descriptions..." EcoSystems West also stated; "We characterized and mapped all habitat types occurring on the site, and recorded data on physiognomy, dominant and characteristic species, topographic position, slope, aspect, substrate conditions, hydrologic regime, and evident disturbance for each habitat type." The survey also followed guidelines from the California native Plant Society (2001) coincided with time periods for identifying those special-status plant species for which suitable habitat was present within the survey area.



Section 15204(a) of CEQA states, “CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.”

[Response to Comment #10-6](#)

Any biologist selected by the builder to conduct the required preconstruction surveys would be required to meet the same standards as any other consulting biologist working on a project under County review. In addition, all surveys and subsequent reports would require a peer review by the County-approved consulting biologist to ensure completeness of reports and compliance with CEQA and County policies and ordinances.

[Response to Comment #10-7](#)

Please see response to Response to Comment #10-5. Adequate data gathering to meet the requirements of CEQA were conducted and documented in the Draft EIR and its appendices. Subsequent data collection (pre-construction surveys) is required to ensure that site conditions have not changed immediately prior to the issuance of the building permit. The proposed project would be phased and construction would not commence for several years.

[Response to Comment #10-8](#)

The primary regional wildlife corridor located within the project study area is directly adjacent to, and within Corralitos Creek and its associated riparian canopy. Wildlife may use the Pajaro River, Salsipuedes and Corralitos Creek corridors as a conduit between the undeveloped, high habitat value areas in the Santa Cruz Mountains that lie north and northeast of the planning area, and the hills that lie to the south between the Pajaro River and Elkhorn Slough. The proposed project would not impact the area adjacent to Corralitos Creek due to the proposed 200-foot agricultural buffer from the northern property line, the 150-foot seismic hazard zone precluding structures within 150 feet of the top of bank of Corralitos Creek, and the 50 foot setback from the drip line of the riparian vegetation as required by the County’s Riparian Corridor and Wetlands Protection Ordinance. Although there is evidence of wildlife movement on the project site (e.g., observations of wildlife, trails, tracks, scat, and prey remains), no other significant wildlife corridor exists within the property that would be impacted by the proposed project.

[Response to Comment #10-9](#)

Comment noted. Section 15126.4 (a)(1)(B) of the CEQA Guidelines states, “Formulation of mitigation measures should not be deferred until some future time. However, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way.” The mitigation measures incorporated in the Draft EIR include performance measures that would ensure that mitigation is not deferred.

[Response to Comment #10-10](#)

CDFG provided the County with no mitigation strategy or guidance for the western pond turtle during the public review period. Section 15086(d) of CEQA states, “Prior to the close of the public review period, a responsible agency or trustee agency which has identified what that agency considers to be significant environmental effects shall advise the lead agency of those effects. As to those effects relevant to its decision, if any, on the project, the responsible or trustee agency shall either submit to the lead agency complete and detailed performance objectives for



mitigation measures addressing those effects or refer the lead agency to appropriate, readily available guidelines or reference documents concerning mitigation measures. If the responsible or trustee agency is not aware of mitigation measures that address identified effects, the responsible or trustee agency shall so state.” As stated on page 3.4-27 of the Draft EIR, “CDFG is currently preparing a conservation strategy for WPT with more broadly applicable standards (S. de Leon, personal communication, 2008). In the absence of standardized agency guidance, the County of Santa Cruz developed the following mitigation measures (MM 3.4-3a through 3.4-3l) to protect WPT and WPT habitat in the planning area.” The prescribed outcome for the western pond turtle mitigation strategy is outlined in detail in the Draft EIR under MM 3.4-3a through 3.4-3l. A Mitigation Monitoring and Reporting Program (see Chapter 3.0 of the Final EIR) has been prepared and would be implemented by the County of Santa Cruz Planning Department to ensure compliance with the required mitigation measures.

As stated on page 3.4-25 of the Draft EIR, “A population of federally Threatened and California Endangered Santa Cruz tarplant (*Holocarpha macradenia*) is located entirely within the PG&E parcel in the westernmost portion of the planning area on Assessors Parcel Number 048-211-24. No development is proposed for this portion of the planning area; however, the proposed residential development may result indirect impacts to the population.” In order to avoid or reduce the potential indirect impacts to a less than significant level, future development within the planning area would be required to implement MM 3.4-1.

[Response to Comment #10-11](#)

Policy 5.11.1 of the County General Plan states, “Urban Open Space (O-U) identifies those lands within the Urban Services Line and Rural Services Line that are not appropriate for development due to the presence of one or more of the following resources or constraints: (a) Coastal bluffs and beaches; (b) Coastal lagoons, wetlands and marshes; (c) Riparian corridors and buffer areas; (d) Floodways and floodplains; (e) Wooded ravines and gulches which separate and buffer areas of development; (f) slopes over 30 percent; and (g) Sensitive wildlife habitat areas and biotic resource areas.” As defined by General Plan Policy 5.11.1, the O-U designation would be appropriate for the wetland and riparian areas of the project site under County jurisdiction.

[Response to Comment #10-12](#)

As stated on page 2-9 of the Draft EIR, “The proposed PUD includes a 50-foot wetland buffer from the edge of the seasonal wetland and freshwater marsh in the western portion of the planning area, which would require an exception to Policy 5.25, Setback from Wetlands in the County of Santa Cruz General Plan. The County of Santa Cruz determined that the proposed project would not be required to provide a 100-foot setback, as long as the proposed project was consistent with the Riparian Corridor and Wetlands Protection Ordinance, which requires a 100 foot buffer from the wetland. The exception is proposed since the area outside of the existing buffer zone has been intensively modified through previous agricultural operations; the feature is an isolated impoundment that is fed primarily by urban runoff; the feature is isolated and not under the Army Corps of Engineers jurisdiction; the freshwater marsh and seasonal wetland is a man-made abandoned agricultural pond that is surrounded on three sides by existing development; and the freshwater marsh and seasonal wetland is isolated from local and regional wildlife corridors.”

The only sensitive species known or expected to occur within the freshwater marsh is the western pond turtle. Please see response to Comment #10-10. With implementation of Mitigation Measures 3.4-3a through 3.4-3l, impacts to the western pond turtle would be less than significant under the proposed project (with the proposed 50 foot wetland buffer).



[Response to Comment #10-13](#)

Section 2.8.1 of the Draft EIR has been revised in the Final EIR to read, “Subsequent development may also require obtaining a National Pollution Discharge Elimination System (NPDES) permits from the Regional Water Quality Control Board, a Streambed Alteration Agreement from CDFG, and completion of a Section 7 or 10a consultation with the U.S. Fish and Wildlife Service which would be a responsible agency under CEQA.”

[Response to Comment #10-14](#)

The riparian woodland habitat within the project area is recognized as an important habitat by the County of Santa Cruz and is protected under the County of Santa Cruz Riparian Corridor and Wetland Protection Ordinance. The purpose for the ordinance is to “eliminate or minimize any development activities in the riparian corridor in order to preserve, protect, and restore riparian corridors for: protection of wildlife habitat; protection of water quality; protection of aquatic habitat; protection of open space, cultural, historical, archaeological and paleontological, and aesthetic values; transportation and storage of floodwaters; prevention of erosion; and to implement the policies of the General Plan and the Local Coastal Program Land Use Plan (Section 16.30.010 of the County of Santa Cruz Code).”

[Response to Comment #10-15](#)

Please see page 3.4-25 of the Draft EIR for a discussion of impacts and mitigation measures for potential indirect impacts to the Santa Cruz tarplant. A 50-foot wetland buffer is proposed. A riparian exception would be required to comply with Section 16.30.060 of the County Code. Please see page 2-9 of the Draft EIR for a complete discussion of the proposed 50-foot wetland buffer.

[Response to Comment #10-16](#)

Please see Response to Comment #10-11 for a complete discussion of the Urban Open Space designation.

[Response to Comment #10-17](#)

The following text has been added to page 3.4-20 of the Draft EIR and is included in the Final EIR.

The historic range of the CRLF extended southward from Marin County coast, and inland from Shasta County south to Baja California (Jennings and Hayes 1994). The CRLF has been extirpated from 70 percent of its former range (USFWS 1996). Presently, CRLF is found primarily in central coastal California in natural and artificial ponds, quiet pools along streams and in coastal marshes (USFWS 1996). In the breeding season, CRLF mostly inhabit pools greater than two feet deep, although shallow, perennial marsh habitat may also be productive if it is free of non-native aquatic predators (Hayes and Jennings 1988; B. Mori, pers. obs.). Optimal aquatic habitat is characterized by dense emergent or shoreline vegetation for cover. Seasonal ponds with little emergent/shoreline cover located in grasslands, however, may also be used for breeding, where water levels permit the metamorphosis of larvae and rodent burrows offer cover (USFWS 2002). Breeding typically occurs between December and April, depending on annual environmental conditions and locality. Radio-telemetry data indicate that adults engage in straight-line movements irrespective of riparian corridors or topography, and they may move up to 1.7 miles between non-breeding and breeding sites (Bulger, et al. 2003; Fellers and Kleeman 2007). Much of this species’ habitat has undergone significant



alteration by agricultural, urban development and water projects, leading to exit of many populations (USFWS 1996). Other factors contributing to the decline of red-legged frogs include its historical exploitation as food; competition and predation by bullfrogs (*Rana catesbeiana*) and introduced predatory fishes (Jennings and Hayes 1985; Hayes and Jennings 1988; Lawler, et al. 1999); and salinization of coastal breeding habitat (Jennings and Hayes 1990).

The text in the Draft EIR is consistent with the technical appendix. Page 14 of the Special-status Amphibian and Reptile Preliminary Site Assessment contained within Appendix D states, “The presence of CRF on the project site also is considered unlikely, due to the combination of the following factors: 1) the aquatic habitats on site support bullfrogs, which are significant predators of native amphibians; 2) potential non-breeding habitat on the site is confined to only a few isolated patches of sedge blackberry, willow thickets and smartweed; 3) the project site is largely isolated from other areas of potential habitat, due to extensive urbanization and agricultural uses surrounding the site; and 4) dispersal to the site from source populations is unlikely, since the closest known CRF populations are over one mile away, and because of the isolated nature of the site from these localities. Although CRF are known to use riparian corridors (such as Corralitos Creek) for migration and as non-breeding habitat, in this situation, no CRF observations are known from Corralitos Creek or nearby Salsipuedes Creek. The section of Corralitos Creek adjacent to the project site does not appear to provide a reliable source of standing water outside of the rainy season, and potential breeding ponds adjacent to the creek are lacking in the project vicinity.” At the recommendation of the USFWS, protocol level surveys are a requirement of MM 3.4-2 of the Draft EIR. These would occur prior to the issuance of a building permit.

[Response to Comment #10-18](#)

Please see Response to Comment #10-11.

[Response to Comment #10-19](#)

Regular disking occurs throughout the planning area including those areas not currently in agriculture. Biological surveys by EcoSystems West concluded that successful reproduction of ground nesting raptors and birds would be precluded due to regular disking within the planning area. Also, please see Response to Comment #10-5.

[Response to Comment #10-20](#)

Please see Response to Comment #10-5. The majority of habitat that has the potential to support special-status bat species would not be impacted by the proposed project. Setbacks are proposed from the riparian areas of Corralitos Creek. In addition, the wetland area is buffered with a 50-foot setback. The remainder of the site contains few trees and minimal structures, most of which are currently occupied. For these reasons, it was concluded in the Draft EIR that implementation of mitigation measure MM 3.4-5 would reduce impacts to special status bat species to a less than significant level.

[Response to Comment #10-21](#)

Comment noted. Page 21 of the Biotic Assessment does make “recommendations” that are used to manage populations of Santa Cruz tarplant in other parts of the County. However, the population located on the PG&E parcel would not be directly impacted by the proposed project. The project only proposes annexation of the parcel into the City of Watsonville. Mitigation Measure 3.4-1 is intended to address any potential indirect impacts from the residential development. Active management of the Santa Cruz tarplant population on the PG&E site is the



responsibility of PG&E. The Draft EIR concludes that any potential (indirect) impacts to the Santa Cruz tarplant would be reduced to a less than significant level.

[Response to Comment #10-22](#)

See Response to Comment #10-17. Protocol surveys are proposed only at the recommendation of the USFWS. The presence of the CRLF is unlikely and not expected to occur as stated in the Draft EIR. MM 3.4-2a states, “If CRLF are observed (during protocol surveys), the project applicant shall initiate consultation with the USFWS and CDFG to determine the appropriate permitting action; a Section 7 consultation and development of a Biological Opinion or a Section 10a consultation and development of an HCP may be required. Project conditions may be developed in consultation with USFWS and CDFG to avoid “take” of CRLF that may occur within the planning area during construction activities. Project activities shall not resume until final federal approval of the proposed project is received.” Permanent impacts would be addressed through the USFWS consultation process and the development of either a Biological Opinion or HCP.

[Response to Comment #10-23](#)

Comment noted. Please see Response to Comment #10-22.

[Response to Comment #10-24](#)

Comment noted. Please see response to Comment #10-22. MM 3.4-2 states, “Project conditions may be developed in consultation with the USFWS and CDFG to avoid “take” of CRLF that may occur within the planning area during construction activities. Project activities shall not resume until final federal approval of the proposed project is received.” The mitigation clearly demonstrates that no significant impacts to the CRLF would occur as a result of the proposed project.

[Response to Comment #10-25](#)

Comment noted. Consultation would occur between the any future project applicant and the USFWS under Section 10a, the likely scenario if a consultation were to be required. The County of Santa Cruz, as lead agency, would not participate in the consultation process. However, it would be the responsibility of the County Planning Department to ensure that all mitigation measures are implemented. Therefore, a Mitigation Monitoring and Reporting Program has been included in the Final EIR (see Section 3: Mitigation Monitoring and Reporting Program (MMRP)).

[Response to Comment #10-26](#)

Comment noted. Although the Biological Assessment anticipated that the protocol-level surveys would be conducted in 2009, the actual timeline for the surveys is not known due to the uncertainty of a project applicant. There is not currently a project applicant with a development proposal for the planning area. In addition, knowing that USFWS protocol-level surveys are only valid for a period of two years, it is very likely that any protocol-level surveys conducted at this stage of the planning process would no longer be valid by the time an application is submitted. For these reasons, protocol-level surveys are not being required at this time, but are called out in MM 3.4-2 to be completed prior to the issuance of a building permit.

[Response to Comment #10-27](#)

Comment noted. They have been considered. Please see Response to Comment #10-8.



[Response to Comment #10-28](#)

Comment noted. Please see Response to Comment #10-17.

[Response to Comment #10-29](#)

Comment noted. Please see Responses to Comments #10-22 and #10-24.

[Response to Comment #10-30](#)

Comment noted. Please see Response to Comment #10-5. Although the number of individual WPTs occurring within the onsite freshwater marsh is not known, biological surveys have established the presence of WPT. Due to the uncertainty of the development timeline of this project, capturing and tagging the existing pond turtles at this stage in the planning process would not serve any real purpose. It is likely that the existing population would likely have changed by the time a development a building permit is issued. Also, please see responses to Comment #10-7, #10-10 and #10-26.

[Response to Comment #10-31](#)

Comment noted. The only wetland feature within the planning area that would be removed would be the agricultural detention basin located in the northern portion of the planning area. Hydrology to this agricultural basin is fed only by pumping groundwater into the basin. Groundwater pumping has ceased and the agricultural basin is currently dry. However, mitigation measure MM 3.4-8a and MM 3.4-8b are designed to reduce the impacts associated with the removal of the agricultural basin during Phase 2 of the City site by creating freshwater marsh habitat at a 2:1 replacement ratio, and replacing impacted oak trees (greater than 6 inches DBH) at a 3:1 replacement ratio.

[Response to Comment #10-32](#)

The following discussion describes successful capture, breeding, and re-release of western pond turtles in Washington state under a head-start program. The program is outlined in the Washington State Recovery Plan for the Western Pond Turtle, August 1999. Temporary pond turtle relocation would be identified in the Habitat Enhancement Plan to be developed according to MM 3.4-3b.

Since 1990, a head-start program — where eggs are taken from certain sites, hatched and the young raised until they are an adequate size for re-release —has been used to improve the chances of survival for hatchling turtles from wild nests. The total number of western pond turtles in known Washington populations is estimated at only 1,250 individuals, approximately 80-85% of which went through the head-start program at Woodland Park Zoo. Oregon Zoo is now also participating in the head-start program (http://www.zoo.org/conservation/pond_turtle.html).

The Woodland Park Zoo, Center for Wildlife Conservation, and Department of Wildlife initiated a joint project in 1990 to improve recruitment in the Columbia Gorge populations. The objective of the program is to increase the survival chances of young turtles in the wild by “head starting” them at Woodland Park Zoo to a size where they can escape predation by bullfrogs. Head starting has been demonstrated to improve survival of hatchling freshwater turtles where predation by bullfrogs is a problem (Haskell et al. 1996). Hatchlings are captive reared in an environment optimally suited for rapid growth. Juvenile turtles kept in these conditions year round can attain the size of a 2-year old wild turtle in a single year (Washington Department of Fish and Wildlife, 1999).



To obtain hatchlings from wild nests, adult female turtles are trapped in the spring and equipped with transmitters. All captured turtles (except for the smallest juveniles) are marked for individual identification by filing notches in the marginal scutes of the carapace according to the system described by Bury (1972a). Transmitter-equipped turtles are monitored at two-hour intervals from 8:00 a.m. until dark starting on May 15 each year, and monitoring is continuous when a female is discovered to have left the pond. Monitoring of transmitter-equipped females continues until the turtle has laid eggs or until July 15, whichever comes first. This program relies heavily on volunteers to monitor the transmitter-equipped females (Washington Department of Fish and Wildlife, 1999).

Once a female has nested, a frame is placed over the nest to exclude predators and hold in any hatchlings that might emerge. Expected hatching dates are calculated based on the known dates on which the eggs are laid. Arrangements are made to visit nests at the appropriate time to check on the status of the eggs. Once hatching is underway, the hatchling turtles are taken to the zoo to begin a 1 to 2-year stay in captivity. Prior to release back to the wild, juvenile turtles are individually marked with notches in the marginal scutes of the carapace and a Passive Integrated Transponder (PIT tag) is inserted under the skin of a hind leg. The PIT tag is a computer chip encapsulated in medically safe glass that is pre-programmed with an identifying number that can be read with a portable reader (Washington Department of Fish and Wildlife, 1999).

The Woodland Park Zoo has successfully reared and released 187 juvenile western pond turtles under the head-start program. The 187 head start and 38 captive-reared juveniles were released at the Klickitat (139) Skamania (60) and the Lakewood, Pierce County (26) sites. Of 142 juveniles released by fall 1997, 61 had been recaptured at least once by fall 1998 (K. Slavens, unpubl. data). Each was weighed and found to have grown significantly since release. Visual surveys suggest that the survival of these head-started turtles is better than is indicated by the recapture information. Re-sightings of juveniles indicate that the program is likely to be successful at producing recruits that will eventually bolster the breeding population. Size distribution of captured turtles appears to be showing an increase in size classes between 80 and 120mm (Washington Department of Fish and Wildlife, 1999).

[Response to Comment #10-33](#)

Comment noted. Tagging and documenting caught turtles is included as a mitigation measure. It is not a requirement of the County or the CDFG. Please see response to Comment #10-10. The best management practices have been included to ensure that they are documented in the Mitigation Monitoring and Reporting Program (see Section 3: Mitigation Monitoring and Reporting Program of the Final EIR) and implemented.

[Response to Comment #10-34](#)

Monitoring of the WPT is part of the mitigation strategy to determine success. Also, please see response to Response to Comment #10-33. The purpose of the Habitat Enhancement Plan (MM 3.4-3b) and WPT monitoring (MM 3.4-3i) is to ensure and document success.

[Response to Comment #10-35](#)

Comment noted. MM 3.4-3i is intended for WPT only. The measure was drafted in response to Impact 3.4-3. Other mitigation measures are directed towards other sensitive species.



[Response to Comment #10-36](#)

The Significant Tree Ordinance does not apply to this site because it is located outside of the Coastal Zone. Mitigation Measure 3.4-4a would be enforced through the PUD and Specific Plan.

[Response to Comment #10-37](#)

Though a wide range of bat house sizes and styles are being used, through their North American Bat House Research Project, Bat Conservation International (BCI) has found that bats prefer larger houses and those mounted on buildings or other large wooden or concrete structures. Both preferences help buffer day-to-night temperature fluctuations, which appear to be a dominant concern for roosting bats, especially nursery colonies. For bat houses mounted on buildings, those with chambers at least 20 inches (50.8 centimeters) wide (side to side) were inhabited 82 percent of the time (83 of 101 houses); houses of the same width and with chambers at least 25 inches (63.5 centimeters) tall achieved 90 percent occupancy (37 of 41 houses).

Local testing has contributed dramatically to bat house successes, with occupancy improving from 23 percent in 1995 to 61 percent by 2000. Those who carefully follow BCI's latest guidelines for construction and mounting are achieving success rates of 80 to 90 percent! The Bat House Research Project enabled continent-wide sharing of consistent data.

The species most commonly reported in North American bat houses are the little brown myotis (*Myotis lucifugus*), Mexican free-tailed bat (*Tadarida brasiliensis*) and big brown bat (*Eptesicus fuscus*). Most of the occupied houses attracted bats within the first year (average: nine months), while 89 percent were used within two years (The Bat House Researcher, Volume 12, No.1, Spring 2004).

[Response to Comment #10-38](#)

Mitigation Measure MM 3.4-8a is intended to mitigate impact to freshwater marsh per the City of Watsonville and CDFG. To ensure success, created wetland habitat would be designed by a certified landscape architect and wetland specialist to function as wetlands, support wetland vegetation during the rainy season, and would be planted with native wetland vegetation typical of the Central California coast region at the stormwater detention basin in the southern portion of the planning area within the expanded Crestview Park. The Mitigation Monitoring and Reporting Program (see Section 3 of the Final EIR) would ensure compliance. Please see the revised language on page 3.4-36 of the Final EIR.

[Response to Comment #10-39](#)

Section 15065(a) of the CEQA Guidelines states, "A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, ..." The County and City jointly decided that preparation of an EIR was appropriate. Mandatory finding of significance are normally made during the preparation of an Initial Study. However, no Initial Study was prepared for this project due to the early decision to prepare an EIR. The Draft EIR address significant impacts. As stated on page 3.0-1 of the Draft EIR, "The Impacts and Mitigation Measures section provides a brief description of standards that were used to evaluate whether an impact is considered significant based on standards identified in CEQA, the State CEQA Guidelines, and agency policy or regulations."



[Response to Comment #10-40](#)

The No Project Alternative does not mean “no development.” In some instances, the No Project Alternative would result in similar impacts to the proposed project due to existing zoning. Page 4-26 of the Draft EIR states, “Phases 1 and 2 (County site), Phase 1 (City site), as well as the northeastern portion of Phase 2 (City site) are currently designated for residential uses with the remainder of the planning area designated for agricultural uses. Phase 1 and 2 (County site) are designated R-1 (Single Family Residential – Low Density) in accordance with the Santa Cruz County Code and Phase 1 (City site) is designated R-1 (Residential-Single Family) under the City of Watsonville Zoning Ordinance. The remainder of the planning area within Phase 2 (County site) is zoned CA (Commercial Agriculture).

Page 4-26 of the Draft EIR also states, “Development under Alternative #1 – No Project Alternative would allow for development of approximately 1.9 acres for approximately 15 single family homes within Phase 1 (City site), and development of approximately 6.8 acres for approximately 30 to 50 single family homes within Phase 1 (County site) for a maximum total of 65 single family homes.

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April 22, 2009

Mr. Todd Sexauer, Environmental Planner
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
Hand Deliver

Re: Atkinson Lane Area Specific Plan and PUD Draft EIR

Dear Mr. Sexauer:

My office represents a number of homeowners in the vicinity of the Atkinson Lane project in Watsonville. I have been retained to review certain elements of the draft EIR recently published which covers this proposed project. My comments and questions are generally aimed at the traffic, public services and water supply elements of this EIR.

I. DEMOGRAPHICS - OCCUPANCY PREDICTION

- A. Is the family size of the demographic which is expected to occupy these housing units, particularly the low-income housing units, accurately reflected in the family-size estimates used to predict total occupancy of the project? While I understand that the project is using state demographic data, is there any adjustment done specifically for low-income housing units? Has any survey been completed by the City of Watsonville or the County of Santa Cruz to more accurately reflect the actual number of persons living, per unit, in low-income housing in the Watsonville area? Also, given that the state demographic data is based on all households in the particular community, including the one- or two-person households, empty-nesters, etc., is there any adjustment to be made for family sizes typically living in low-income housing units? Is it possible that using the Watsonville-wide population estimate could significantly under-predict the total number of occupants for the project?
- B. If the occupant predictions are incorrect, would this have an impact on the analysis of traffic, noise, public services, water use, etc.? How would a change of

11-1

11-2

Mr. Todd Sexauer, County of Santa Cruz

Re: Atkinson Lane Project Draft EIR

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+5% in estimated occupation of the project affect the other elements of the EIR?
What about +10%?

11-2
cont.

II. TRAFFIC IMPACTS:

A. What is the legal justification for using Santa Cruz County regulations to determine whether or not the impact on a surface street intersection is "substantial" when the intersection is located on either City of Watsonville or State of California lands and subject to those other government entities' regulations?

11-3

B. Impact 3.13-5 indicates a significant impact at the intersection of East Lake Ave. and Holohan Road, and that improvements must be built as Mitigation Measure 3.13-5. The project will pay a "fair share" of the costs of those improvements. To the extent that the "fair share" payment(s) is/are not sufficient to cover the cost of the improvements, what other funds are available and committed to building the improvements called for in the draft EIR? What government agency, if any, is currently planning for these improvements? What government agency, if any, is obliged to build the improvements? What is the projected completion date, if any, for this project?

11-4

C. Impact 3.13-6 indicates a significant impact at the intersection of Highway 1, Northbound, and Harkins Slough Road, and that improvements must be built as Mitigation Measure 3.13-6. The project will pay a "fair share" of the costs of those improvements equal to 2.36% of the expected cost of \$520,000 for these improvements. What other funds are available and committed to building the improvements called for in MM 3.13-6? The mitigation description says that "the City of Watsonville shall coordinate with Caltrans on improvements to this intersection." Does this mean that Watsonville and/or Caltrans is in the active planning state for this intersection? What government agency, if any, is obliged to build the improvements? What is the projected completion date, if any, for these improvements?

11-5

D. Impact 3.13-7 indicates a significant impact at the intersection of Airport Blvd. and Freedom Blvd., and that improvements must be built as Mitigation Measure 3.13-7. The project will pay a "fair share" of the costs of those improvements equal to 7.57% of the expected cost of \$1,047,000 for these improvements. What other funds are available and committed to building the improvements called for in MM 3.13-7? What government agency, if any, is currently planning for these improvements? What government agency, if any, is obliged to build the improvements?

11-6

TIMOTHY J. MORGAN

ATTORNEY AT LAW

Mr. Todd Sexauer, County of Santa Cruz

Re: Atkinson Lane Project Draft EIR

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- E. Impact 3.13-8 indicates a significant impact at the intersection at the Highway 1, Northbound Ramps, and Larkin Valley Road, and that improvements must be built as Mitigation Measure 3.13-8. The project will pay a "fair share" of the costs of those improvements equal to 8.70% of the expected cost of \$1,260,000 for these improvements. What other funds are available and committed to building the improvements called for in MM 3.13-8? The report indicates that the City of Watsonville shall coordinate with Caltrans to prepare a "Project Study Report" for improvements to this intersection. However, what government agency, if any, is obliged to build the improvements? 11-7
- F. The "first project applicant within the planning area" is expected to pay for the entire costs associated with Mitigation Measure 3.13-11, namely the design and construction of an extension on the southbound left-turn pocket from Freedom Blvd. to Crestview Drive. The costs associated with this improvement are to be credited against the project's responsibility to pay "fair share" costs under MM 3.13-5 through 3.13-8 and MM 4-1 and 4-2. What is the anticipated cost of this left-turn pocket extension? 11-8
- G. The "first project applicant within the planning area" is expected to pay for the entire costs associated with Mitigation Measure 3.13-12, namely the design and implementation of traffic calming measures on local surface streets in residential neighborhoods, including Brewington Ave., north of Crestview, Gardner Ave., east of Freedom Blvd., and Atkinson Lane, east of Freedom Blvd. The costs associated with these improvements are to be credited against the project's responsibility to pay "fair share" costs under MMs 3.13-5 through 3.13-8 and MMs 4-1 and 4-2. What is the anticipated cost of these traffic calming devices? 11-9
- H. Under cumulative impacts in Section 4, two mitigation measure are indicated for traffic. MMs 4-1 requires the installation of a traffic signal at East Lake Avenue and Wagner Avenue. The project is required to pay a "fair share" of the estimated cost of \$325,000. No percentage or absolute number is provided to describe this fair share payment. What is the expected fair share payment for this improvement? If the fair share fee does not cover the entire cost of constructing this improvement, what other funds are available for this project? Is the City of Watsonville obligated to build this improvement if the fair share payment is received? What is the projected completion date, if any, for this improvement project. 11-10
- I. MMs 4-2 requires the project to make a "fair share" payment towards a "traffic calming plan" on Brewington Avenue, south of Crestview Dr. No total cost, or percentage owed by the project is indicated. What is the projected cost of this 11-11

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plan? Is the project obligated to pay only for the development of a plan, or for the installation of the traffic calming measures called for in the plan? If the fair share fee does not cover the entire cost of constructing this improvement, what other funds are available for this project? Is the City of Watsonville obligated to build this improvement if the fair share payment is received? What is the projected completion date, if any, for this improvement project.

11-11
cont.

J. What is the aggregate sum expected to be owed as "fair share" contributions towards the traffic improvements outlined in MMs 3.13-5 through 3.13-8 and MMs 4-1 and 4-2?

11-12

K. After paying for the entirety of the expenses associated with impacts 3.13-11 and 3.13-12, how much money will the project be obligated to pay as "fair share" contributions towards all the other mitigation projects?

III. PUBLIC SERVICES

A. Phase 1 Impact on Police Services

Phase 1 of the project is to be built on County property, and is to be serviced by the Pajaro Valley South Service Center of the County Sheriff's office, at least until the City of Watsonville can annex the property.

"According to the County Sheriff's office, Phase 1 (County site) is not anticipated to result in a short-term impact to the existing service in the area." Page 3.12-30. What percentage increase in the total number of people living in that service area is represented by Phase 1? What percentage increase in designated low-income housing units within that service area does Phase 1 represent? Has the Sheriff's department prepared any analysis of the service demands represented by Phase 1?

11-13

B. "Fair Share" Funding of Public Services Through PILOT, CFD/Mello-Roos District(s)

Several public services will be impacted by this project, including fire protection, police protection, parks, and libraries. To mitigate these impacts, the EIR 'specifies' nebulous undertakings by the City and County to fund these increased services through PILOT payments, and/or the creation of Community Facilities Districts under Mello-Roos. What is absent is any idea of how much money is estimated to be needed to fully fund all of the measures to mitigate the impact of this project or whether these measures can actually be expected to be implemented.

11-14

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What is the estimated cost of any new infrastructure and/or facilities required to provide adequate fire, police, park and library services to the residents of this project? Please define what any such infrastructure/facilities items would be, what they are estimated to cost, and what portion of that cost the project would be expected to cover.

Is there any expectation of having to issue bonds for any infrastructure/facilities improvement?

What is the estimated total funding to be required on a yearly basis to provide on-going adequate fire, police, park and library services to the residents of this project?

What tax and/or fee breaks will be offered to the builder(s) of the units in this project that are designated low-income units? How will those incentives affect PILOT payments to offset public services impacts?

11-14
cont.

What tax or assessment breaks will the low-income housing in the project receive on an on-going basis?

When would it become clear whether or not a Mello-Roos CFD would be required? This is relevant as to how it would have to be enacted. If the project were built, and occupied before the creation of a Mello-Roos CFD, then it would require a two-thirds vote of the property owners in the district. Can the EIR justifiably rely on the success of such a vote to mitigate the impact?

If the Mello-Roos district were to be created before completion of the project, it could presumably be created by the developer or County or other government agency which effectively owns the property. If it were so created, how would the Mello-Roos charges interact with any property tax offsets for the low-income units? In that case, to what extent would the non-low-income units, in effect, be subsidizing the owners of the low-income units?

IV. WATER SUPPLY

A. Does the City of Watsonville have the right to appropriate the groundwater needed to supply this project with potable water?

The Draft EIR recognizes that the project will be built over the Pajaro Valley Basin, which is in overdraft status, and has been for decades. The project will be supplied with fresh water by the Watsonville Public Works and Utilities Department, which serves as the local water company. WPWUD gets approximately 85% of its water supply from pumped groundwater, and it maintains several wells to extract the groundwater for use in Watsonville.

11-15

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The Draft EIR rightly indicates that the Pajaro Valley Groundwater Basin has not been subject to an adjudication of groundwater rights. However, this does not mean that Watsonville has an unlimited right to pump as much groundwater as it wants.

How many acre feet does the WPWUD have the right to pump as of the date of this Draft EIR?

Is the WPUWD pumping more water now than it has the right to pump?

Will the WPWUD have to pump additional water from its own wells in order to supply the project?

If the WPWUD has to pump more water than it has a right to, how will it acquire the rights to do so?

11-15
cont.

B. Regarding the Pajaro Valley Water Management Agency

The Draft EIR seems to rely, at least in part, on the efforts of the PVMWA to resolve the overdraft situation in the Pajaro Basin. The Draft EIR states baldly that "PVWMA is continuing to implement the Basin Management Plan." It is?

Is the Pajaro Valley Water Management Agency currently able to work on any project? Isn't the PVWMA essentially bankrupt in view of the unlawful fees it collected and is obligated to return?

Hasn't the PVWMA suffered from the threatened or actual loss of substantial state funding for its projects due to its inability to actually make progress on them since they have to return the bulk of the funds they've raised?

11-16

Why should anyone believe that the PVWMA can finish any of the projects it has completed, and which are explicitly relied upon in the Draft EIR to help with the groundwater overdraft situation in the Pajaro Basin?

Please clarify which projects of PVWMA are expected to be completed, the basis for such expectation(s), the expected completion dates, whether funds are currently available to complete the projects, and their estimated effect(s) on the basin.

C. Regarding "Recycled Water" on page 3.12-1

Is it not true that the PVWMA is contemplating or has actually begun pumping additional groundwater to dilute the tertiary-treated recycled water coming from Watsonville treatment plant which is distributed to through the coastal pipeline system?

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There is no mention of this dilution in the Draft EIR, but a reference to it appears in the Santa Cruz Sentinel article "Feds tapped for water project funding", March 6, 2009 (link: http://www.santacruzsentinel.com/ci_11849642?source=rss). The article says, in relevant part:

WATSONVILLE -- As long as the money's there, why not try to grab some?

That thinking led officials with the city of Watsonville and the Pajaro Valley Water Management Agency to try to tap the federal stimulus package for \$7 million for water supply projects.

The money would pay to build eight million gallons of storage for irrigation water produced by the city's new wastewater treatment plant *and to drill two new wells to provide water to dilute the treated water.* [Emphasis added]

Why is there a need to dilute the treated water before delivery to the farmers?

How much groundwater is currently being pumped from existing wells to dilute the 4,000 AFY of recycled water?

What is the ratio of fresh water to treated water that is ultimately supplied via the pipeline to the farmers?

Has this additional draw for diluting the treated wastewater been factored into the groundwater use projections for the basin?

If not, how will this additional pumping affect the basin and, thus, the Atkinson Lane project?

D. Gross over-estimates of current agricultural water use.

The Draft EIR uses estimates of crop water requirements derived from "Consumptive Use Program + (CUP+), a tool developed by the California Department of Water Resources (DWR)." These estimates yield a total use of 163.5 AFY in those parcels currently under cultivation in the project area.

I am informed by the Santa Cruz County Farm Bureau, which agency I am led to believe will be separately commenting on this matter, that the average use estimates relied upon in your EIR are substantially excessive. I understand that, for the Watsonville area, 3 AFY per year for Strawberries is a "high estimate" and 0.5 to 1 AFY would be used to irrigate Apples in an

11-17
cont.

11-18

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established orchard.¹ Using the 'high' estimates of 3 AFY for Strawberries and 1 AFY for Apples, the total use on the acreage under production in the project area is 77.3 AFY, This is less than 50% of the Draft EIR estimate.

The following chart demonstrates the differences in the estimates:

Crop/Use:	EIR AFY/Acre	Acres	Total Use	Farm Bureau Est. AFY/Acre	Acres	Total Use
Strawberries	5.523	19.9	109.9	3.0	19.9	59.7
Apples	3.045	17.6	53.6	1.0	17.6	17.6
	Subtotal:		163.5	Subtotal:		77.3
Other Current Uses			1.3	Other Current Uses		1.3
	TOTAL		164.8	TOTAL		78.6
Projected Use			107.2	Projected Use		107.2
Decrease Use			57.6	Increase Use		28.6

11-18
cont.

The disparity in the numbers is very substantial, and undercuts the notion that the project will use less water than the current agricultural use. The Draft EIR estimates fresh water consumption of 107.22 acre-feet/year for the project when built out. That number is, itself, highly suspect. However, assuming for the moment that the number is correct, the project represents a **net increase** of almost 30 acre-feet/year rather than the stated decrease of nearly 60. There is a delta of approximately 86 acre-feet/year in your figures for determining the impact on water use in the basin.

The Draft EIR seems to take the position that the decrease in water use, by definition, means there is no significant impact from the project.

Leaving aside, for the moment, the legal question as to whether Watsonville even has the right to pump the additional water needed to service this project, how does this increase in water use over the former use affect your analysis of the impact of the project?

¹. Indeed, are wells on the subject properties metered? Would it not be possible to simply use the actual consumption of water on these parcels, rather than some hypothetical number?

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E. Disparity in estimated water use versus wastewater generation.

The Draft EIR estimates that the project will consume approximately 107.22 acre-feet/year of potable fresh water.

The Draft EIR also estimates that each household will generate approximately 400 gallons per day of wastewater. At 450 units, that is 180,000 gallons of wastewater per day, which is 65,700,000 gallons per year. An acre-foot is approximately 325,851.4 US gallons. So, that means the project will create 201.63 acre-feet of wastewater per year.

11-19

How is it that the project will create nearly twice as much wastewater as it consumes in potable water. While there may be some disparity, would it not be reasonable to assume that the net in-flow would *exceed* the net out-flow? Instead, the estimates in the EIR show out-flow at 188% of in-flow.

Can you clarify this apparent disparity?

F. Effect of household size on estimated water use.

The estimated water use per household is derived from Watsonville utility averages for all households in the City. Is there any adjustment necessary to account for family size contemplated for the specific types of housing units in this project?

11-20

CONCLUSION

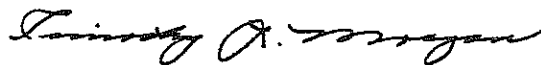
The projected occupancy numbers for the project seem low. The traffic impact mitigation requirements are too often illusory and the standard chosen to determine whether there is an impact or not seems to be capricious. There are serious questions about how to pay for increased public services. The water supply problem seems only to exacerbate the overdraft of the basin, not actually reduce water use in the basin.

11-21

11-22

I look forward to the County's reply on these issues.

Sincerely,



Timothy J. Morgan
Attorney at Law

Cc: Clients



Response to Comment Letter #11
Timothy J. Morgan, Attorney-at-Law

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[Response to Comment #11-1](#)

The number of people per households that was used for the population generation estimates in the EIR was based on the Department of Finance (DOF) estimates for the City of Watsonville, which is 3.73 persons. These are the same population estimates that are used by the City of Watsonville and the Association of Monterey Bay Area Governments (AMBAG). The persons per household for the City of Watsonville is much greater than other incorporated and unincorporated portions of the County of Santa Cruz. For comparison purposes, the City of Capitola has a rate of 2,062 persons/household, City of Santa Cruz has a rate of 2.383 persons/household, and the City of Scotts Valley has a rate of 2.506 persons/household, which are much lower than the City's generation rate. The City of Watsonville, DOF, and the Association of Monterey Bay Area Governments do not have population estimates for "low income" housing units.

[Response to Comment #11-2](#)

Since the persons per household is based on a number that has been verified by the DOF based on population estimates in the City, the impact to other technical sections, which are based on population estimates would not be affected. Traffic estimates are based on the Institute of Transportation Engineers (ITE) trip generation rates for specific uses (e.g. residential), which is based on industry standards.

[Response to Comment #11-3](#)

As noted in Response to Comment #1-1, since the majority of the planning area is located in the County of Santa Cruz and the County is serving as lead agency under CEQA, the analysis measured the resulting levels of service against the County thresholds of significance to determine the level of potential impact. Several of the intersections and roadway segments are State Highway facilities under the jurisdiction of Caltrans. The *Caltrans Guide for the Preparation of Traffic Impact Studies* states that if an existing State Highway facility is operating at less than the target LOS, the existing LOS should be maintained, thus adding any trips to a facility operating at an adverse LOS would be considered significant. However, impacts have been evaluated according to County of Santa Cruz significance criteria.

[Response to Comment #11-4](#)

The County of Santa Cruz collects traffic impact fees through the Pajaro Valley Planning Area traffic impact fee towards construction of planned improvements in the County's Capital Improvement Program, which includes the East Lake Avenue/Holohan Road intersection. The proposed project would be required to pay "Roadside Improvement" and "Transportation Improvement" fees to the County of Santa Cruz. In accordance with the County Code Ch. 15.12, roadside improvement fees would provide funding for roadside related infrastructure improvements (i.e. curbs, gutters & sidewalks) as found in the Santa Cruz County Capital Improvement Program for a total of \$178,000 (200 units at \$890/unit) for Phase 1 (County site). Transportation improvement fees would provide funding for transportation related infrastructure improvements (e.g. roads and bridges) as found in the Santa Cruz County Capital Improvement Program for a total of \$533,400 (200 units at \$2,667/unit).



The County of Santa Cruz and Caltrans are currently preparing a Project Study Report (PSR) for the proposed improvements to this intersection, which will identify the schedule for improvement. The intersection falls under Caltrans jurisdiction and final improvement permits will be obtained from Caltrans. Cumulative projects would continue to contribute to this improvements on a fair share basis as part of the Pajaro Valley Area traffic impact fee program. The County of Santa Cruz is currently pulling the funding together to complete the improvements for this intersection and is hoping to qualify for \$1,000,000 in Minor A funding through the PSR process. The County of Santa Cruz has also applied for a "Safe Route to School" grant that would provide \$540,000 and will be applying for a "Congestion Management and Air Quality" grant in June 2009 for up to \$200,000 to complete design and construction.

[Response to Comment #11-5](#)

The Draft EIR indicates that a Project Study Report (PSR) shall be prepared by the City of Watsonville and Caltrans. The City has entered into discussion with Caltrans about the PSR; however a schedule for the proposed improvements has not been developed at this time.

Payment of the proposed projects fair share contribution towards the improvement identified in Mitigation Measure 3.13-6 at the Highway 1 NB ramp/Harkins Slough Road intersection is appropriate mitigation under CEQA provided that there is an enforceable plan providing for construction of the improvements. The mitigation measure states that the City of Watsonville would update their traffic impact fee program and fee ordinance that would be tied to the City's Capital Improvement Program prior to implementation of the proposed project. This would provide a program to ensure that the improvements would be constructed by the City when warranted. The fair-share concept assigns funding responsibilities for mitigation measures based on a project's relative contribution of traffic generated by a given development on a specific intersection.

[Response to Comment #11-6](#)

As noted in Response to Comment #11-5, payment of the proposed projects fair share contribution towards the improvement identified in Mitigation Measure 3.13-7 at the Freedom Boulevard/Airport Boulevard intersection is appropriate mitigation under CEQA provided that there is an enforceable plan providing for construction of the improvements. The mitigation measures require that the City of Watsonville update their traffic impact fee program and fee ordinance that would be tied to the City's Capital Improvement Program prior to implementation of the proposed project. This would provide a program to ensure that the improvements would be constructed by the City of Watsonville when warranted. The fair-share concept assigns funding responsibilities for mitigation measures based on a project's relative contribution of traffic generated by a given development on a specific intersection.

[Response to Comment #11-7](#)

Mitigation Measure 3.13-8 on pages 3.13-23 and 3.13-24 states that a PSR shall be prepared by the City of Watsonville and Caltrans for improvements to the Highway 1 NB Ramps/Larkin Valley Road intersection. The City has entered into discussion with Caltrans about the PSR; however a schedule for completing the project study report and for the proposed improvements has not been developed at this time.

Payment of the proposed projects fair share contribution towards the improvement identified in Mitigation Measure 3.13-8 is appropriate mitigation under CEQA provided that there is an enforceable plan providing for construction of the improvements. The mitigation measure requires that the City of Watsonville update their traffic impact fee program and fee ordinance



that would be tied to the City's Capital Improvement Program prior to implementation of the proposed project. This would provide a program to ensure that the improvements would be constructed by the City when warranted. The fair-share concept assigns funding responsibilities for mitigation measures based on a project's relative contribution of traffic generated by a given development on a specific intersection.

[Response to Comment #11-8](#)

The anticipated cost of the design and construction of an extension of the southbound left-turn pocket from Freedom Boulevard to Crestview Drive (Mitigation Measure 3.13-11) is approximately \$20,000. Mitigation Measure 3.13-11 on page 3.13-25 has been modified as follows and has been incorporated into Section 2.0: Revisions to the Draft EIR:

[Mitigation Measure](#)

MM 3.13-11a The first project applicant on APNs 048-221-09, 048-251-09, 048-231-17, or 048-231-18 within the planning area shall design, fund and implement the southbound left-turn pocket from Freedom Boulevard to Crestview Drive by at least 50-feet. The estimated cost of this improvement is \$20,000 and shall be funded by the first applicant within the planning area. This improvement shall be installed prior to occupancy of any portion of these parcels. The first applicant within the planning area shall fund and implement this improvement and shall be credited against the projects fair share contribution of traffic impact fees by implementing this improvement. A cost share agreement will be developed by both the City and the County to ensure that these improvements are fully implemented

MM 3.13-11b All project applicants shall contribute their fair share toward the installation of traffic improvements in MM 3.13-11a through the collection of TIA fees and/or any other fees through the cost sharing agreement.

[Response to Comment #11-9](#)

Mitigation Measure 3.13-12 in the Draft EIR proposes to mitigate increased traffic on the following neighborhood streets: Brewington north of Crestview, and Atkinson and Gardner east of Freedom. The traffic calming plan could include width reducing islands at the following intersections: Brewington/Jasmin (2 corners); Brewington/Paloma (2 corners); Brewington/Crestview (4 corners); Atkinson/Mata (2 corners); Atkinson/Kadderly (2 corners); Atkinson/Vic Rugh (2 corners); Atkinson/Arista (2 corners); and Gardener/VicRugh (2 corners). The estimated cost of this improvement is \$200,000.

Mitigation Measure 3.13-12 on page 3.13-27 of the Draft EIR has been broken up into two mitigation measures and modified as follows and has been incorporated into Section 2.0: Revisions to the Draft EIR:

[Mitigation Measure](#)

MM 3.13-12a: Prior to occupancy of any project on APNs 048-211-25, 019-226-42, 019-226-44, 019-236-01, or 048-231-01, the proposed project project applicants shall develop and implement a traffic calming plan on: 1) Atkinson Lane, east of Freedom Boulevard and 2) Gardner Avenue, east of Freedom Boulevard 1) Brewington Avenue north of Crestview Drive; 2) Gardner Avenue, east of Freedom Boulevard, and 3) Atkinson lane, east of Freedom Boulevard along the streets



that are affected by the proposed project. The estimated cost of this improvement is \$200,000. A cost share agreement will be developed by both the City and the County to ensure that these improvements are fully implemented. The first applicant within the planning area on any of these parcels shall fund and implement this improvement and shall be credited against the projects fair share contribution of traffic impact fees to the City of Watsonville for implementation of this improvement.

MM 3.13-12b: Prior to occupancy of any project on APNs 048-221-09, 048-251-09, 048-231-17, or 048-231-18, project applicants shall develop and implement a traffic calming plan on Brewington Avenue north of Crestview Drive along the streets that are affected by the proposed project. The estimated cost of this improvement is \$160,000. A cost share agreement will be developed by both the City and the County to ensure that these improvements are fully implemented.

[Response to Comment #11-10](#)

Comment noted. The City has collected fees for the installation of a signal at this location. The Vista Montana Subdivision located east of the intersection deposited half of the estimated amount for the signal. The proposed project would pay their proportionate fair share of \$81,250.00, which is the cost of one leg or a quarter of the cost to design and construct the signal at the East Lake Avenue/Wagner Avenue intersection. The City of Watsonville would pay the remainder of the fees city wide traffic impact fees for installation of this signal. The estimated improvement costs to the intersection have been incorporated into Mitigation Measure 4-1 on page 4-24 has been modified as follows and incorporated into Section 2: Revisions to the Draft EIR and into the Mitigation Monitoring and Reporting Program.

[Mitigation Measure](#)

MM 4-1 Project applicants within the planning area shall pay their proportionate fair share of \$81,250 towards installation of a traffic signal at the East Lake Avenue/Wagner Avenue intersection prior to occupancy of the proposed project. The estimated cost of this improvement is \$325,000. The City of Watsonville is updating their fee program and fee ordinance and will adopt the program prior issuance of a building permit. ~~first phase of the proposed project.~~ The City of Watsonville shall coordinate with Caltrans to approve design and installation of the signal.

[Response to Comment #11-11](#)

Comment noted. The anticipated cost of implementation of traffic calming measures on Brewington Avenue (south of Crestview Drive) as required by mitigation measure MM 4-2 is approximately \$500,000. The estimated improvement costs to the intersection have been incorporated into Mitigation Measure 4-2 in Section 2: Revisions to the Draft EIR and into the Mitigation Monitoring and Reporting Program.

[Response to Comment #11-12](#)

Comment is noted regarding the aggregate sum of expenses associated with mitigation measures 3.13-5 through 3.13-12. The following table presents the fair share percentage, improvement costs, and the projects fair share contribution towards transportation and circulation related mitigation measures included in the Draft EIR.



Improvement	Fair Share Percentage	Total Improvement Cost	Project Contribution
1) East Lake Avenue (Highway 152)/Holoan Road (MM 3.13-5) ¹	--	\$1,500,000	\$711,400
2) Highway 1 NB Ramps/Harkin Slough Road and the Highway 1 SB Ramps/Harkin Slough Road (MM 3.13-6)	2.36 percent	\$520,000	\$12,272
3) Airport Boulevard/Freedom Boulevard Intersection (MM 3.13-7)	7.57 percent	\$1,047,000	\$79,257
4) Highway 1 NB Ramps/Larkin Valley Road Intersection (MM 3.13-8)	8.70 percent	\$1,260,000	\$109,620
5) Left turn pocket at Freedom Boulevard/Crestview Drive Intersection (MM 3.13-11)	100 percent	\$20,000	\$20,000
6) Traffic calming plan on Atkinson Lane (east of Freedom Boulevard) (MM 3.13-12a)	100 percent	\$200,000	\$200,000
7) Traffic calming plan on Brewington Avenue (north of Crestview Drive), Gardner Avenue (east of Freedom Boulevard) (MM 3.13-12b)	100 percent	\$160,000	\$160,000
8) East Lake Avenue/Wagner Avenue Intersection (MM 4-1)	1 leg (1/4 of the total cost)	\$325,000	\$81,250.00
9) Traffic calming plan on Brewington Avenue (south of Crestview Drive) (MM 4-2)	100 percent	\$500,000	\$500,000
Total			\$1,873,799
Notes:			
1. Pajaro Valley Planning Area "Roadside Improvement" and "Transportation Improvement" fees.			

[Response to Comment #11-13](#)

The CEQA Guidelines require that a lead agency evaluate a projects potential to “result in a substantial adverse physical impact associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant impacts, to maintain acceptable service ratios, response times, or other performance objectives for any of the public services, including fire protection, police protection, schools, parks, or other public facilities. Impact 3.12-2 in Section 3.12: Public Services, Utilities, and Recreation in the Draft EIR analyzed the increased demand to the County Sherriff’s office for law enforcement services within the planning area and determined that the proposed project would not result in an impact to the existing service in the area and/or result in substantial adverse physical impacts due to the need for new or physically altered governmental facilities.

[Response to Comment #11-14](#)

See Master Response P-1: Public Services and Fiscal Mitigation.

[Response to Comment #11-15](#)

Comment noted. The City of Watsonville Public Works and Utilities Department (PW&UD) has a prescriptive right to pump groundwater from wells that the City operates. Like other groundwater extractors within the PVWMA boundary, no limits on the allowable amount of pumping have been established for the various groundwater extractors. The City of Watsonville Public Works and Utilities Department (PW&UD) would have to deliver 107.2 AFY to supply



the proposed project. This water would be produced by both groundwater pumping and surface water sources.

[Response to Comment #11-16](#)

Comment is noted. The PVWMA is not “essentially bankrupt” as suggested by the commenter. It continues to operate collect fees and pursue its mission and goals. Notably, it recently launched delivery of recycled water through its coastal distribution pipeline. PVWMA is the recipient of a variety of state grants for its Basin Management Plan initiatives which, due to the state’s budget problems, have been postponed.

PVWMA has finished the following projects:

- Coastal Distribution pipeline
- Harkins Slough Groundwater Recharge project
- Recycled Water project

PVWMA is pursuing additional surface water diversions for irrigation (Pinto and College Lake) and for recharge (Murphy’s Crossing).

[Response to Comment #11-17](#)

PVWMA has contracted with the City of Watsonville for delivery of up to 2,000 AFY from the City’s inland wells. This water is intended for blending with the recycled water or to be delivered unblended to coastal farms. Since this quantity of pumped water replaces irrigation water which farmers would otherwise pump, this pumping doesn’t represent an additional demand from the groundwater basin.

The recycled water is blended with the pumped water to provide sufficient supplies to coastal farms when demand is high. In addition, the 2,000 AFY provides flexibility for the coastal distribution system if the supply of recycled water is interrupted during plant maintenance work for example. The tertiary treated recycled water contains 900 mg/l of dissolved solids and is suitable for irrigation water without dilution. Prior to the availability of the recycled water, coastal farms were irrigating their fields with coastal wells with a dissolved solids content as high as 1400 mg/l.

[Response to Comment #11-18](#)

Comment noted. See Master Response P-2 – Existing Water Use.

[Response to Comment #11-19](#)

The County staff appreciates the comment regarding wastewater generation rates. Wastewater generation rates presented in the Draft EIR were incorrect and the Final EIR text has been clarified to reflect the wastewater generation rates from the City of Watsonville. Impact 3.12-6 on page 3.12-35 of the Draft EIR has been modified to reflect wastewater generation rate of 200 gallons per unit per day as follows:

[“Increased Wastewater Demand](#)

Impact 3.12-6: The proposed project would generate approximately ~~180,000~~ 90,000 gallons a day of wastewater, increasing the demand on the Watsonville Wastewater Treatment Plant (WTP). However, the existing service provider has an adequate capacity to meet this demand. Therefore, this would be considered a less than significant impact.



The proposed project would generate up to ~~180,000~~ 90,000 gallons per day of wastewater, which is based on 450 units x ~~400~~ 200 gallons per unit per day). The Watsonville WWTP, which would serve the proposed project, has the capacity to treat 12.1 million gallons per day. However, the WWTP treats on average seven million gallons of wastewater from residential, commercial and industrial sources. The wastewater contribution of the proposed project to the WWTP would represent approximately ~~4.4~~ 0.7 percent of the total daily wastewater treated at the wastewater treatment plant.”

This minor clarification did not change the conclusions in the Draft EIR for wastewater generation. Therefore no additional information is necessary.

[Response to Comment #11-20](#)

Demand factors for residential use water are based on the type of residential use. Multi-family uses for example use 0.2 AFY/unit and single family homes use 0.322 AFY/unit. Water use for single family residential uses was determined by dividing water deliveries to single family homes (3,868 AFY) by the number of family accounts (11,920 accounts) for 2005 as shown in Table 11 in the City of Watsonville Urban Water Management Plan (UWMP). This demand factor should represent a conservative water demand estimate since single family homes (low density residential) typically have larger lots (higher landscaping demand) and higher occupancy compared to low, medium, and high density homes based on the *City of Watsonville General Plan*.

[Response to Comment #11-21](#)

Comment noted. See Response to Comment #11-1 regarding population generation estimates

[Response to Comment #11-22](#)

See Response to Comment #1-1 regarding thresholds of significance that were used to evaluate the transportation and circulation impacts of the proposed project.

[Response to Comment #11-23](#)

See Master Response P-1: Public Services and Fiscal Mitigation.

[Response to Comment #11-24](#)

Commenter is referred to Master Response P-2- Existing Water Use regarding the existing water use within the planning area.

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April 22, 2009

Mr. Todd Sexauer [HAND DELIVERED]
Santa Cruz County Planning Department
Santa Cruz County Governmental Center
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

RE: Comments on Behalf of the Santa Cruz County Farm Bureau on the Draft
Environmental Impact Report for the Proposed Atkinson Lane Specific Plan
and Planned Unit Development

Dear Mr. Sexauer:

This letter provides comments on the above-mentioned Draft Environmental Impact Report, and is submitted on behalf of the Santa Cruz County Farm Bureau. The Farm Bureau has a vital interest in the proposed Atkinson Lane Specific Plan and Planned Unit Development (PUD), and of course has an interest in the proper evaluation of proposed projects under the California Environmental Quality Act (CEQA).

The Santa Cruz County Farm Bureau, as an organization, and its members, individually, are dedicated to the protection and preservation of the commercially viable agricultural land that makes possible the continued existence of commercial agriculture in Santa Cruz County. The Farm Bureau urges all the decision makers who will review the EIR on this proposed project to take very seriously the comments submitted here. The Farm Bureau's review of the relevant documents convinces the Farm Bureau that the proposed project would have very significant adverse impacts on commercial agriculture, as well as other significant adverse environmental impacts, and that adequate mitigation measures to eliminate those impacts, or to reduce them to insignificance, are not properly and adequately identified in the Draft EIR.

CEQA and the courts that have applied it make clear that local government agencies cannot make informed and appropriate decisions unless they are provided with information that will allow them fully to understand the possible environmental impacts related to their proposed decisions. As these comments demonstrate, the current Draft EIR is not adequate to support informed and appropriate decisions on the proposed Atkinson Lane Specific Plan and the proposed County PUD. Thus, the Farm Bureau urges the County (and the City of Watsonville) to take steps to revise and amend the current Draft EIR, to respond to the Farm Bureau's comments, and to other comments received, and to then to recirculate a revised Draft EIR (or EIRs) for further public comment.

The Farm Bureau's specific comments follow:

1. The "heart" of CEQA is the preparation by governmental agencies of an adequate Environmental Impact Report (EIR) on actions that such agencies propose to take, if those actions might have a significant adverse impact, direct or indirect, on the physical environment. The EIR is supposed to be an "informational document," useful both to the public and to governmental decisionmakers. Volumes of material and reams of paper do not establish the "adequacy" of an EIR, or make it "informational" in the way that CEQA requires. An EIR is only "adequate" when it adequately addresses the topics that CEQA requires be covered; provides an understandable explanation of the project that is proposed; accurately outlines all of the various environmental impacts that the proposed project might have; and then clearly delineates ways that the identified impacts may be eliminated or minimized to the greatest degree feasible. Unfortunately, the Draft EIR on the proposed Atkinson Lane Specific Plan and Planned Unit Development does not meet CEQA's test of adequacy, and it fails in its informational mission. The Draft EIR is very long, at something like 535 pages, not counting three extremely lengthy volumes of technical appendices. The length of this Draft EIR, however, coupled with the repetitive nature of its description of the "environmental setting" (with much duplicate verbiage found in each and every subsection of the incredibly long Chapter 3), mainly has the effect of making it difficult to understand what project is specifically being proposed, the impacts of what is being proposed, and the mitigation measures that might eliminate or reduce the impacts of what is being proposed. Out of the entire 535 pages of text in the Draft EIR (again, not counting the appendices), only 40 pages are devoted to the review of the specific topics that CEQA requires be analyzed (namely, Chapter 4.0, entitled "CEQA Considerations"), and the "analysis" provided in that section is summary at best. The scant substantive environmental analysis provided in the Draft EIR renders it completely inadequate. 12-2

2. Part of the problem with this particular Draft EIR can be attributed to the fact that it represents an effort to make this single document serve as the Draft EIR for at least three separate governmental actions, to be carried out by at least three different governmental agencies: (1) First, the approval of a PUD by the County of Santa Cruz on certain property adjacent to Atkinson Lane (namely Assessor's Parcel Numbers 048-221-09 and 048-211-25); (2) Second, the approval of an Atkinson Lane Specific Plan by a completely different agency, the City of Watsonville, on property that is adjacent to the property on which the County's PUD is proposed; (3) Third, the amendment of the City of Watsonville's Sphere of Influence and City Limit line, to be considered by the Santa Cruz County Local Agency Formation Commission (LAFCO), and which would have to be accomplished before the City's proposed Specific Plan could be implemented. While agencies are encouraged to do an analysis of the "whole project," and not attempt to "piecemeal" their proposals, this Draft EIR is trying to do so many different things at the same time, for so many different agencies, that it ends up not doing adequately the things it needs to do to comply with CEQA. Specifically, CEQA requires that there be an accurate, stable and finite description of "the project" for which the EIR is being done. In this case, the "project" identified in the Draft EIR at Page 1-1 appears to be all three of the proposed actions identified above (and certainly at least two of them, the proposed County PUD and the proposed City Specific Plan). Because the Draft EIR has combined at least three separate governmental actions into what is being called one "project," it 12-3

falls into confusion, and thus fails in its informational purpose. Because there are three different governmental agencies involved, and the required governmental actions for these agencies are different from each other, and the rules and regulations of the various agencies are different, it is extremely confusing and misleading to have the Draft EIR provide what purports to be a unified analysis of what it calls a single "project." As an "informational document," an EIR must be clear and understandable, and must relate specific impacts and mitigations to the specific governmental actions being proposed. If an EIR does not do that, it does not truly "inform" either the public or the decisionmakers about the project being proposed, and about what the impacts of that proposed project might be, and about what could be done to eliminate or reduce the identified impacts. This Draft EIR is both confused and confusing, and thus is not truly "informative." To meet the demands of CEQA, it must be revised and recirculated.

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cont.

3. As one example of the general confusion within the Draft EIR, and an example that is of great importance to the Farm Bureau, the Draft EIR continually refers to a 200-foot agricultural buffer setback that is supposedly going to be incorporated into the "project," and that would help mitigate the significant adverse impacts that the proposed intensive residential development will have on the adjacent commercial agricultural lands. To what regulation or requirement does the Draft EIR refer, in repeatedly making the statement that a "200-foot" buffer is being provided? Please note that the County of Santa Cruz does have a regulation requiring a 200-foot agricultural buffer setback, as spelled out in Chapter 16.50 of the Santa Cruz County Code (see specifically Section 16.50.095). The City of Watsonville's requirements are different. Which set of requirements does the Draft EIR reference? What are the specific requirements of these different regulations, and what are the different impacts of the two sets of regulations? Would one set of regulations do a better job than the other in achieving long term protection for agricultural activities on lands adjacent to the lands where residential development is projected? What about the standards utilized by LAFCO? Have the farmers who farm the lands adjacent to the proposed project area been asked which set of regulations will provide them with adequate protection? Is the buffer being proposed for this project different from the buffer required with respect to the development associated with the Franich annexation? Is it different from the buffer required in connection with the Burgstrom annexation, the first project carried out under Measure U? Weren't both the Burgstrom annexation and the Franich annexations to the City of Watsonville allowed only on the condition that a 200-foot agricultural buffer be maintained, in compliance with the Santa Cruz County standards? Why should this project, which also includes a proposal to annex land currently in the County to the City of Watsonville, be held at a different standard? These are the kinds of questions that should be explored in an adequate EIR, and it should be clear from reading the EIR what specifically is proposed, and what the impacts are, and what alternatives might eliminate or reduce the impacts.
4. Relying on the actual experiences of its many members directly engaged in commercial agriculture (and with this comment thus reflecting a truly expert opinion about the impact of the proposed agricultural buffer setback on agriculture), the Farm Bureau unequivocally states that its reading of the Draft EIR indicates that what is proposed is not a 200-foot agricultural buffer setback, but is actually a 150-foot agricultural buffer setback. The Farm Bureau further states that this proposed 150-foot setback will not provide adequate protection for agriculture from the kind of conflicts that the agricultural

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buffer setback requirement is intended to address. The experience of Farm Bureau members is that when streets and other public facilities are included within the so-called "buffer" area, the result is conflict and complaints that adversely affect agricultural activities on the adjacent land. The Farm Bureau believes that the Draft EIR must be revised to require a true 200-foot agricultural buffer setback, and provide truly adequate and "real world" information to the decisionmakers. Would a true 200-foot agricultural buffer provide a more effective and environmentally adequate way to lessen the conflicts between residential uses and adjacent agricultural activities, and provide better protection for ongoing commercial agriculture than the buffer setback actually proposed?

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cont.

5. The Farm Bureau does not believe that the Draft EIR's analysis of the water supply related impacts of the proposed project is adequate. First, Chapter 3.8 of the Draft EIR, which is approximately 21 pages long, is titled, "Hydrology and Water Quality," yet this Chapter of the Draft EIR contains no analysis whatsoever of the very significant water quality impacts and significant water overdraft conditions that continuing groundwater pumping is causing to the entire Pajaro Valley groundwater aquifer. The Draft EIR must state that overdraft induced seawater intrusion is leading to extremely significant degradation of the quality of the freshwater aquifer upon which both agricultural and municipal and industrial uses depend. And is it not true that the Draft EIR must note the contribution that the proposed project(s) will make to that ongoing overdraft? The stormwater and drainage impacts discussed in Chapter 3.8 are very important, but the possible impact of the project on the groundwater resources of the Pajaro Valley, and on groundwater quality, needs to be adequately identified and analyzed. Why doesn't the Draft EIR specifically address and analyze the impact of the County's proposed PUD, since that part of the proposal will definitely impact the overdraft situation, since approximately half of the area around the Portuguese Hall is "fallow land" and open space with no historical water use? To be adequate, the Draft EIR must analyze the significant adverse impacts that increased water use will have in an already overdrafted basin. The Draft EIR also needs to analyze how water impact fees could be used offset the increased water demand to achieve zero new water use in the current overdrafted condition.
6. In the section of the Draft EIR that discusses Public Services (Section 3.12), the Draft EIR does describe the groundwater basin (Pages 3.12-10 to 3.12-12), but this is an example of the problem noted in Comment #1 in this letter. There are lots of conclusory statements, but there is essentially no analysis. The Draft EIR, for instance, states that "the water basin is in overdraft condition and the City is committed to pursuing a variety of options to limit the amount of impact on the groundwater basin.... (Page 3-12-10)." What are the ramifications of the overdraft on the environment? What are these "options" that the City is pursuing, and how do they relate to the proposed project? How effective will they be in eliminating the very serious environmental problems that continuing overdraft will undoubtedly cause? Why were the "options" not disclosed to the public in the Draft EIR?
7. There is no listing of any impacts related to groundwater overdraft in Table S-1, the "Executive Summary of Project Impacts." However, the Draft EIR admits (at Page 4-20) that "implementation of the proposed project ... would increase the cumulative demand for groundwater resources." Is there a reason that the Draft EIR does not explore what the

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environmental impacts of this continued and cumulative overdraft are likely to be? Is there a reason that the project's contribution to ongoing groundwater overdraft is not identified as a significant adverse environmental impact? Why are there no mitigation measures to avoid or lessen the impact of the direct and cumulative increase in the demand for groundwater resources that will be caused by the project?

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cont.

8. On Page 3.12-11, the Draft EIR says that "The Pajaro Valley Water Management Agency (PVWMA) *manages* the basin to prevent further increase in long-term overdraft...." However, the Draft EIR does not, in fact, further describe or analyze this supposed "management." Furthermore, as the Draft EIR notes at Page 3.12-11, "Currently, the pumping demand on the Basin is approximately 69,000 AFY. Under current conditions, the safe-yield of the Basin, the amount of water that can be taken from a source without depleting that source beyond its ability to be naturally replenished, is approximately 24,000 AFY." This indicates that continuing groundwater overdraft is a *huge* problem, with an average annual overdraft in the approximate amount of 45,000 acre feet, which is almost twice the annual replenishment amount. If this is how the PVWMA "manages" the basin to prevent further increase in long-term overdraft, the Agency is failing in its mission. This is a critical environmental impact that has not been expressly or properly identified. The Draft EIR must analyze this significant adverse impact and recommend appropriate mitigations related to this project. This ongoing groundwater overdraft is and will have huge environmental consequences in the Pajaro Valley, and will directly affect commercial agriculture, as well as residential and industrial water use. But what are those adverse environmental effects, specifically, and what are they likely to be, if this rate of overdraft continues? The Draft EIR needs to be revised to address these questions.

12-9

9. Why, specifically, does the Draft EIR not discuss the current fiscal crisis associated with the Pajaro Valley Water Management Agency (PVWMA), and the impact of this crisis on the Agency's ability to provide for groundwater mitigation to halt saltwater intrusion? The Agency's lack of money for necessary management activities affects the City of Watsonville's ability to provide additional water without further overdraft of the aquifer.

12-10

10. What about the impact of the proposed new impervious surfaces on groundwater recharge? The proposed project may well reduce the groundwater recharge currently occurring, and thus make long term groundwater overdraft worse. This potential impact needs to be analyzed in the Draft EIR.

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11. At Page 3.12-10, the Draft EIR presents a chart which shows significantly increased future groundwater pumping by the City of Watsonville, and pumping for the proposed project is one part of this ongoing, cumulative increase. Why does not the Draft EIR properly analyze the cumulative impacts of the increased groundwater overdraft, since the Draft EIR does make clear that the groundwater basin is currently in a critical condition of overdraft? In view of the critical groundwater overdraft situation, even assuming that the proposed project would not make it worse, why were mitigation measures not suggested to require, at a minimum, that the project "offset" any water proposed for use on the property, as a way for the proposed project to help minimize the continuing and critical environmental impacts associated with groundwater overdraft?

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12. Approval of the project would cause a significant impact on long term water supplies by creating a new water demand that is inflexible (because the water will be used to serve residential uses that cannot easily be curtailed), as opposed to continuing the current situation, in which water demand is flexible, since the water provided is used for agriculture, and can more easily be reduced in drought years and/or when significant adverse impacts related to overdraft are experienced. Why is not the environmental impact of this proposed change in the *kind* of water use associated with the proposed project identified as a significant issue, and analyzed? 12-13
13. Table 3.12-7, found on Page 3.12-15, purports to show "Existing Water Use." How were the indicated figures for water use for Phase 2 (City site) derived? The indicated demand for strawberries shows 19.9 farmed acres, with a total water demand for that acreage of 109.9 AFY, which is 5.74 acre feet of water per acre, per year. In fact, it is the experience of members of the Farm Bureau (this comment, too, reflecting a truly expert opinion) that annual water use for strawberries is usually 3.5 acre feet per year, and that it may be as low as 2.5, or in some cases 2.0 acre feet per year. The indicated demand for apples shows 17.6 farmed acres, with a total water demand of 53.6 AFY, which is 3.05 acre feet of water per acre, per year. In fact, it is the experience of members of the Farm Bureau that in well established orchards like the orchard located on the Phase 2 City site, no irrigation is needed in wet years, so that the average water demand figure for apples should be approximately 0.5 AFY. Please see the attached March 24, 2009 letter from the Pajaro Valley Water Management Agency, the 2004 University of California Cooperative Extension report on "Sample Costs to Produce Strawberries," and the 1993-1994 U.C. Cooperative Extension report entitled, "Production Practices and Sample Costs to Produce Organic Apples for the Fresh Market," which document these figures. 12-14
14. If the Draft EIR is revised to reflect accurate water demand figures for the current agricultural uses, as these water demand figures are outlined in our Comment #13, it appears that the current total water demand for the site will be approximately 80 AFY. Since the total water demand estimated for the proposed residential development is 107.22 AFY (Table S-1, Page S-49) it seems clear that approving the entire project as proposed would actually increase water demand associated with the site, not reduce it, as the Draft EIR claims. In addition the "kind" of water use would be changed, from a current use that allows dry year or emergency water curtailments to a type of water use that would not be subject to curtailment, since it would be associated with residential uses. To conform to CEQA, the Draft EIR must be revised to describe and analyze the water demand aspects of the project correctly, and to recommend ways to eliminate the negative impacts related to the water demand that would be created by the project.
15. The Executive Summary of Project Impacts chart, at Page S-49, claims that the proposed project would result in a "reduction in the overall amount of water use within the planning area." As indicated in an earlier comment, this appears to be inaccurate; what mitigation measures could reduce actual water use to zero, within the proposed development, or by utilizing offsets, so that the project would avoid or reduce the environmental impacts associated with continuing and critical groundwater overdraft? 12-15
16. The Draft EIR's analysis of the proposed widening of Wagner Road, as a part of the implementation of the proposed Specific Plan, is grossly inadequate. While the Draft EIR 12-16

notes the amount of agricultural land that would be directly taken for non-agricultural uses, in connection with the proposed road widening, the Draft EIR does not discuss or analyze the impacts that the widening of Wagner Road would have on the adjacent agricultural lands that are not proposed for development. Would there, in fact, be any indirect or growth inducing impacts or development pressures placed on the adjacent agricultural lands if Wagner Road were widened as proposed? Are other mitigation possibilities available? Is the Wagner Road widening, as proposed, required to deal with new traffic to be generated by the proposed project? If the expansion of Wagner Road is seen as necessary to provide traffic and circulation opportunities to the site, what other solutions, that would not lead to development pressures on adjacent agricultural lands, are available as alternatives? Is the widening of Wagner Road consistent with Watsonville's Measure U, or are the capital improvements proposed on Wagner Road outside the Measure U boundary, and thus not consistent with the provisions of that voter-approved measure? All of these questions need to be addressed in a revised Draft EIR.

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cont.

17. The Draft EIR does not properly discuss and analyze consistency with either the Santa Cruz County General Plan or the Watsonville City General Plan. For instance, how does the proposed widening of Wagner Road relate to the County and City General Plan policies intended to protect and preserve agricultural land and to support commercial agriculture, including those parts of the Watsonville City General Plan enacted by Measure U? For that matter, why was Measure U not included in this voluminous document (at least in an appendix), and why was there not a detailed analysis of the proposed projects consistency, or inconsistency, with this key land use measure, adopted by the voters of the City of Watsonville?

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18. Measure J, adopted by the voters in June 1978, states in simple but forceful terms that "it shall be the policy of Santa Cruz County that prime agricultural lands and lands which are economically productive when used for agriculture shall be preserved for agricultural use." How does the proposed project carry out, or violate, this basic land use policy?

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19. Additionally, what alternatives are available, to allow agricultural uses to continue on the lands that are not planned for development, and that both the City and County general plans indicate should be protected and preserved for agricultural use?

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20. As previously noted, the Draft EIR has an extensive section that deals with stormwater runoff and drainage issues (Pages 3.8-1 to 3.8-19). Unfortunately, as is common throughout the Draft EIR, the voluminous text is replete with "description," but is legally inadequate when it comes to actual analysis. It appears that the proposed project will very significantly alter existing drainage patterns, and runoff amounts, with impacts on adjacent agricultural lands. What exactly will these impacts be?

12-20

21. In the section of the Draft EIR dealing with Hydrology and Water Quality, it is made clear that there will be extensive new drainage and stormwater problems associated with the proposed new developments. What measures could eliminate any new offsite stormwater flows, for ten year storms, 25-years storms, and even larger storm events? CEQA requires a project EIR to inform the public and decision makers about expected adverse environmental impacts, and explore what feasible alternatives and mitigation

measures might eliminate them, or reduce them to the greatest degree feasible. This Draft EIR does not do this, with respect to stormwater and drainage issues.

22. The Executive Summary of Project Impacts chart, at Page S-38, lists as an impact the alteration of existing drainage patterns, and an increase in stormwater runoff, but the Executive Summary claims that this impact is “less than significant,” based on a proposed mitigation that will control the rate and volume of stormwater runoff to pre-development conditions for a variety of storm event up to the 10-year storm. What does this mean over the lifetime of the proposed project, which is certainly proposed to exist for at least 50 years, and probably longer? What will the impacts of a greater than 10-year storm? How often will such storms occur, and what will be the specific impacts on adjacent agricultural lands? Unless a revised Draft EIR is prepared, and answers these questions, CEQA will be violated. 12-20 cont.
23. Global warming is mentioned in the Draft EIR, but only by way of description (at Pages 4-8 to 4-15). There is virtually no effort to document how the proposed project might contribute to global warming, or how climate changes might impact the proposed project. With respect to the latter, will climate change have a significant impact on water supplies in the Pajaro Valley, and if so, how will that impact the project? Will climate change have other impacts on the project? CEQA requires that the EIR both examine and analyze how the project might lead to global warming, and how global warming might impact the project. Neither of these topics is properly addressed in the Draft EIR. 12-21
24. On Page S-3 of the Draft EIR, the loss of approximately 42.4 acres of prime farmland is listed as having a “significant impact,” but no mitigation measures are suggested. This is not an adequate response to the mandates of CEQA. What feasible alternatives or mitigations applied to the project could reduce or eliminate the significant impact identified? 12-22
25. The Executive Summary of Project Impacts chart, at Page S-43, claims that land use compatibility conflicts will be “less than significant,” because of the requirement for a “200-foot buffer.” What kind of buffer is actually being proposed, and would a 150-foot buffer reduce the land use conflicts to a “less than significant” status? Is a true 200-foot buffer feasible, with no construction or other activity permitted within that 200-foot setback? 12-23
26. The Executive Summary of Project Impacts chart, at Pages S-51 to S-58, lists the transportation and circulation impacts of the proposed project, as discussed in Chapter 3.13, and Technical Appendix I, and finds all of the possible impacts to be “less than significant.” As documented in comments from Farm Bureau representatives speaking at the study sessions leading up to the development of the Atkinson Lane Specific Plan, anyone familiar with the area will quickly understand that access from the site onto Freedom Boulevard will be extremely difficult, if not impossible, at Atkinson Lane, and that there will be significant neighborhood impacts elsewhere as well. How will all of the following streets be impacted by the proposed project: Atkinson Lane, Freedom Boulevard, Kadderly Lane, Vic Rugh Lane, Gardner Avenue, Blanca Lane, Brewington Avenue, Crestview Drive, Eastlake Avenue, and Martinelli Avenue? How will new and existing traffic gain access to and from Eastlake Avenue and Freedom Boulevard, which 12-24

- provide access to the regional highway network? The EIR must be revised to show actual traffic patterns for both ingress and egress from the project site(s), with an analysis indicating where it will be possible to make right and left turns onto Eastlake Avenue or Freedom Boulevard to gain access to the regional highway network. Persons familiar with the neighborhood know that any significant new traffic demand will cause circulation problems with respect to entry and exit from and to Eastlake Avenue and Freedom Boulevard, and the EIR should be revised to propose new traffic mitigation measures, other than payments into a fund not leading to actual improvements, that will be constructed concurrent with the new traffic generated from the proposed developments. 12-24 cont.
27. On Page 2-9, it is claimed that the proposed project includes development of 3.5 acres of parkland adjacent to Crestview Park. Is it true that 3 acres of this would be a detention basin (see Page 2-10)? How would the project have to change to provide genuine park space that would not frequently be inundated by stormwater overflow from the proposed development? 12-25
28. On Page 2-11, site access is identified. How would such site access and associated impacts change if there were no connection to Wagner Avenue? 12-26
29. Also on Page 2-11 the “internal street network” proposed for the project is discussed, and 52-foot and 60-foot rights of way are indicated. How would the project change if the internal right of way widths were reduced, to minimize impervious surfaces, and to help reduce traffic speeds within the development? What would be the lessened environmental impacts of reduced internal street widths? 12-27
30. Page 2-14 lists various anticipated probable future approvals that would take place within the Planning Area. No permit approvals are indicated with respect to any endangered species issue. Is this correct, or will there be endangered species issues that require federal or state approval? 12-28
31. Should not the EIR attempt to minimize the possible environmental impacts of the proposed developments by requiring conditions of approval that mandate the maximum feasible use of solar energy and solar orientation and both active and passive solar energy techniques? 12-29
32. How can approval of the project ever comply with the County of Santa Cruz “Conversion of Commercial Agricultural Lands” policy quoted on Page 3.2-11 or the policy relating to “Conversion to Non-Agricultural uses Near Urban Areas” quoted on page 3.2-12? 12-30
33. How could the County approve an agricultural buffer that is effectively less than the 200-foot buffer called for in County Policy 5.13.23, as cited on page 3.2-12? 12-31
34. Page 3.2-14 discusses the LAFCO policy on “infill.” Measure U also encourages “infill.” What are the infill alternatives, within the existing Watsonville City Limits? What infill alternatives exist in other unincorporated portions of Santa Cruz County? The Draft EIR is absolutely inadequate in its examination of urban infill alternatives that could achieve the housing objectives of the City of Watsonville and the County of Santa Cruz without 12-32

- the significant impacts associated with the conversion of prime agricultural land to urban uses, particularly as that agricultural land conversion would be accompanied by the traffic and water quality and drainage problems that would go along with the proposed development. 12-32 cont.
35. On Page 3.2-15, the City of Watsonville Agricultural Buffer Policy is outlined. This is the policy that is routinely referred to as requiring a “200-foot” buffer. What is the comparable County policy, and how is it different? Is it true that the County requires a true 200-foot buffer and that the City’s buffer is actually 150-feet, if the same standards required by the County are considered? 12-33
36. The statement is made on Page 3.2-18 that “The County of Santa Cruz and the City of Watsonville [sic] contain no policies or implementation programs that require mitigation or offsets for the conversion of Important Farmland. Therefore, there are no feasible mitigation measures available.” Does the Draft EIR seriously suggest that if there is not an existing program that it is “not feasible” to require mitigations as part of a conditional project approval? How can the quoted statement be legally or otherwise supported? Is not it true that there are mitigations possible, and if there are, is not the EIR required to consider them? 12-34
37. If the County General Plan designates most of the County PUD area as “Urban Residential-Low Density,” as indicated on Page 3.2-18, doesn’t this mean that the proposed PUD is inconsistent with the County General Plan, since higher density developments are contemplated? Is a General Plan Amendment also proposed? 12-35
38. On Page 3.2-19, the City and County agricultural buffer policies are again referenced. Are the policies in fact identical? What are the exact requirements of each? The Draft EIR fails as an “informational document” to the extent that it fails to inform decision makers and the public on this critically important issue. 12-36
39. Page 3.2-20 indicates that “no impact” is expected on adjacent agricultural lands, because of the Urban Limit Line established by Measure U. Is not the continued existence of this ULL less than perfectly certain? What might change it? Again, should the Draft EIR provide a real analysis of Measure U, since this policy has such an important bearing on the proposed project? 12-37
40. On Page 3.4-27, the Draft EIR suggests a set of mitigation measures to protect the Western Pond Turtle, even though there is an “absence of agency guidance.” Why does the Draft EIR consider the lack of agency guidance about how to mitigate the loss of prime agricultural land something that therefore makes it “infeasible” to design a set of mitigation measures to respond to the clear impacts of the proposed project(s)? 12-38
41. On Page 3.4-30, it is suggested that “access into the freshwater marsh habitat and associated wetland buffer by humans and/or pets shall be discouraged” as a mitigation measure to protect endangered species and habitats. How can this actually be accomplished? What specifically is being proposed as a mitigation measure? 12-39

42. On Page 3.4-31, a suggested mitigation measure is to impose the following condition: “future development within the planning area shall retain mature trees to the extent possible.... (Emphasis added).” How is this sufficient? What is the standard by which the “extent possible” will be measured? Is not a more precise and enforceable mitigation measure required? 12-40
43. On Pages 3.4-32 and 3.4-33, possible mitigation measures to protect bats, if on site, are discussed. Why is this suggested measure adequate, since it seems to say that the project should be approved *before* a survey for bats is conducted? Why can’t such a survey be done as part of the environmental review that should be part of this Draft EIR, so that if in fact there are bats present, a firm and appropriate condition and mitigation measure can be required? 12-41
44. A similar question must be asked about the mitigation measure suggested on Page 3.4-34, with respect to the possible presence of the San Francisco dusky footed woodrat. Why is not a survey being done as part of the Draft EIR, so that an appropriate mitigation condition can be required if this animal is present on the site? 12-42
45. On Page 3.4-36, mitigation measures for the loss of native oaks are discussed. Can the larger existing oaks be moved on site, as opposed to destroying them, and then replacing them with new plantings? 12-43
46. On Page 3.12-39, it is indicated that a five-acre detention pond could contain a 100-year storm event (but the proposal is for a three-acre detention pond). Why should not the project be designed with the larger detention pond? What would be the different environmental effects of these two different detention strategies? 12-44
47. On Page 4-2, the Draft EIR says, unequivocally, that “The proposed project is consistent with Measure U....” The text of Measure U is not provided as part of the Draft EIR, so this assertion cannot be evaluated by the public, within the confines of the Draft EIR itself. Is not it true that the extension of Wagner Avenue would be a new road through agricultural land, outside the Urban Limit Line boundaries of Measure U? Is this, in fact, consistent with the requirements of Measure U? 12-45

As noted at the beginning of this letter, an EIR is only “adequate” when it adequately addresses the topics that CEQA requires be covered; provides an understandable explanation of the project that is proposed; accurately outlines all of the various environmental impacts that the proposed project might have; and then clearly delineates alternatives and mitigations that may eliminate or minimize the identified impacts to the greatest degree feasible.

The Draft EIR does not adequately address the topics that CEQA requires be covered. As a specific example, it fails to analyze the growth inducing effects of this project on adjacent agricultural lands, and feasible alternatives or mitigation measures that might avoid the consequences of the proposed development on such adjacent agricultural lands. Also, the EIR fails to consider the impacts of and possible alternatives and mitigations for the widening of Wagner Road. The Draft EIR also fails adequately to evaluate the effectiveness of the proposed agricultural buffer setback on continued agricultural activities on adjacent lands not planned for 12-46

development. It also fails to consider the impacts that altered drainage patterns will have on adjacent agriculture.

12-46
cont.

Because the Draft EIR is directed towards three different governmental actions, to be carried out by three different governmental agencies, it makes it very hard, if not impossible, for members of the public and decision makers fully to understand what the impacts might be as to each project. This means that the Draft EIR fails in its basic "informational" objective. As an example, while the impacts of the County PUD might well be compatible with commercial agriculture, at least if conditioned properly, the three projects taken together not only result in the permanent loss of over 40 acres of prime agricultural land, they also put commercial agriculture at risk on adjacent lands, because of the impacts of the widening of Wagner Road, the lack of a fully adequate agricultural buffer setback, the drainage issues that will impact adjacent farmlands, and the lack of water in an overdrafted basin, and that are not properly resolved in the project design.

12-47

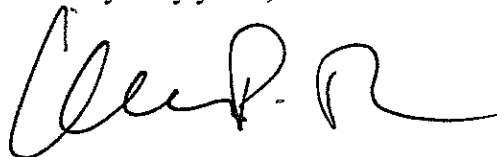
In closing, the Farm Bureau is particularly concerned about the proposed project's significant impact on long term water supplies by creating a new water demand that is inflexible (because the water will be used to serve residential uses that cannot easily be curtailed), as opposed to continuing the current situation, in which water demand is flexible, since the water provided is used for agriculture, and can more easily be reduced in drought years, or when significant adverse impacts related to overdraft are experienced. Currently, the agricultural industry, through the Strawberry Commission, the University's research, and private companies is continuing to reduce water use, and crops can and will change. Agriculture, in other words, is working towards a solution to our current water crisis. In the opinion of the Farm Bureau, the proposed project moves away from, and not towards a solution.

12-48

We urge the County to insist upon a revision and recirculation of the Draft EIR to respond to all the comments received.

12-49

Very truly yours,



William Parkin
WITTWER & PARKIN, LLP

cc: Santa Cruz County Farm Bureau
Members, Santa Cruz County Board of Supervisors
Mayor and Council Members, City of Watsonville
Santa Cruz County Local Agency Formation Commission



PAJARO VALLEY WATER MANAGEMENT AGENCY

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March 24, 2009

Mr. James Nagamine
Santa Cruz County Farm Bureau
141 Monte Vista Avenue
Watsonville, CA 95076

Subject: Crop Water Use Estimates

Dear Mr. Nagamine:

In response to your phone request last week for crop water use estimates used by the PVWMA, I am attaching Technical Memorandum 2.3 for Subtask 6.2, dated June 17, 1999. This memo documents water use and pumping estimates used by the agency in ground water modeling work done for the 2002 Basin Management Plan.

Table 3 of the memo (page 9), depicts average unit crop water use for water years 1994- 1997 in various sub-regions of the Pajaro Valley. On average, based on extraction reporting, strawberry usage is 2 to 3 acre-feet per acre per year (AF/Acre, vegetables about 2 AF/Acre, and apples below 1 AF/Aacre.

For our updated MODFLOW groundwater model, the U.S. Geological Survey is currently working on revising the crop use values for the Valley. I will forward that information when it is available. I hope this is helpful, please call if you need additional information.

Sincerely,

Mary Bannister
General Manager

Cc: Brian Lockwood - Hydrologist

ORIGINAL IN MAIL		Date	# of pages
Post-It [®] Fax Note	7671	3/24	2
To	James Nagamine	From	MARY B
Co./Dept.	SCC FB	Co.	PVWMA
Phone #		Phone #	cell 254-2015
Fax #	724 5821	Fax #	722 3139

Table 3
Comparison of Pajaro Valley IGSM Pumping Estimates with PVWMA Extraction Report
Average Unit Crop Water Use for Water Years 1994-97
(AP/Acre)

Crop Type	Corralitas (1)		Las Lomas (12)		Riverside (6)		San Andreas (3)		San Juan (6)		Springfield (9)	
	Extraction Report	PVIGSM	Extraction Report	PVIGSM	Extraction Report	PVIGSM	Extraction Report	PVIGSM	Extraction Report	PVIGSM	Extraction Report	PVIGSM
Strawberries	n/a	2.27	2.55	2.60	2.83	2.95	2.99	3.02	3.5	2.95	2.43	2.51
Vegetable	n/a	1.88	n/a	2.15	1.81	2.19	2.1	2.08	2.21	2.19	1.7	1.83
Roy Crops												
Raspberries	2.99	2.47	n/a	2.82	2.98	2.69	n/a	2.76	4.81	2.69	n/a	2.72
Field	n/a	2.24	2.4	2.59	n/a	2.34	2.51	2.46	n/a	2.34	n/a	2.40
Flowers												
Greenhouses	n/a	2.51	n/a	2.88	2.74	2.74	2.92	2.80	n/a	2.74	n/a	2.77
Apples	0.53	1.37	N/a	0.00	0.92	1.43	n/a	n/a	n/a	1.43	n/a	0.00

PVWMA Unit Extraction Values are from : Crop Water Use Study (1994-97), March 1998
 PVIGSM Unit Extraction estimates are from preliminary calibration runs, April 1999.

ST-CC-04

UNIVERSITY OF CALIFORNIA COOPERATIVE EXTENSION

2004

**SAMPLE COSTS TO PRODUCE
STRAWBERRIES**



CENTRAL COAST REGION
Monterey & Santa Cruz Counties

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UNIVERSITY OF CALIFORNIA COOPERATIVE EXTENSION

SAMPLE COSTS TO PRODUCE STRAWBERRIES Central Coast Region - Monterey & Santa Cruz Counties - 2004

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Acknowledgements. Thank you to the California Strawberry Commission growers and staff, the Pest Control Advisers, fieldmen and various suppliers who provided cultural and cost information.

INTRODUCTION

The sample costs to produce strawberries in the Central Coast Region - Monterey and Santa Cruz counties are presented in this study. The study is intended as a guide only, and can be used to make production decisions, determine potential returns, prepare budgets and evaluate production loans. The practices described are based on production procedures considered typical for this crop and area, and will not apply to every farm. Sample costs for labor, materials, equipment and custom services are based on current figures. A blank column, "Your Costs", is provided to enter your actual costs on Tables 1 and 2.

The hypothetical farm operation, production practices, overhead, and calculations are described under assumptions. For additional information or explanation of calculations in the study, call the Department of Agricultural and Resource Economics, University of California, Davis, (530) 752-3589 or the UC Cooperative Extension office in your county.

Sample Cost of Production Studies for many commodities can be downloaded at <http://coststudies.ucdavis.edu>, requested through the Department of Agricultural and Resource Economics, UC Davis, (530) 752-4424 or obtained from the local county UC Cooperative Extension office. Some archived studies are also available on the website.

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ASSUMPTIONS

The following assumptions refer to Tables 1 to 7 and pertain to sample costs to produce strawberries in the Central Coast Region - Monterey and Santa Cruz counties. The cultural practices described and materials used are considered typical for a well-managed strawberry field in the region. The costs, materials and practices will not apply to all situations every production year. Cultural practices and costs for the production of strawberries vary by grower and region, and can be significant. **The use of trade names and cultural practices in this report does not constitute an endorsement or recommendation by the University of California nor is any criticism implied by omission of other similar products or cultural practices.**

Farm. The farm consists of 50 contiguous acres of rented land. Strawberries are being planted on 45 acres. The unplanted five acres are roads, open areas and irrigation system. The crop is farmed by the renter and is established on ground previously planted to vegetable and/or strawberry crops. For this study, the planted ground is assumed to be fairly flat. Some of the strawberry acres in the area are planted on rolling hills and will require erosion control, which is not included as a cost in this study.

Production Operating Costs

Land Preparation. The grower does a series of operations: discing 3X (X = number of passes over the land), subsoiling 2X, discing 2X, chiseling 2X, leveling 2X, discing 1X, and bed listing/shaping. The field is discing a total of 8X, chiseled 12 inches deep 4X, subsoiled or ripped 30 to 36 inches deep 2X. Beds 52-inches wide and 14-inches high are listed and shaped in one operation. In this study, it is assumed the grower owns the equipment, however, growers with this amount of acres will often rent a large tractor for land preparation or have the work done by a custom operator. Land preparation costs by a custom operator range from \$500 to \$650 per acre.

Plant Establishment. Several varieties are available for planting in the region, but no specific variety is assumed in this study. Bed width in the region ranges from 48 to 56 inches. In this study the strawberries are planted on 52-inch beds, two rows per bed at 12-inch plant spacing for a total of 20,105 plants per acre. Five percent of the plants (1,005) are replanted and included in the planting costs. Plastic mulch is laid on the bed prior to planting with a mulch-laying machine. Planting holes are punched in the plastic mulch with a mechanical punch machine. Plants are delivered to the edge of the blocks where planting labor gathers the plants in a bucket and then places the strawberry plants in the punched holes.

Fertilization. Slow release 18-8-13 fertilizer at 500 pounds per acre is drilled preplant in the bed using a fertilizer drill with bed shaper. Depending upon nutrient requirements during the growing season, growers may apply additional fertilizers through the drip system. Some fertilizers applied are CAN 17 (17-0-0-8Ca), CN9 for calcium and nitrogen, potassium nitrate for potassium and nitrogen, 0-0-52 for potassium, and minor nutrient fertilizers such as iron, zinc, and boron.

Irrigation. The grower rents sprinkler pipe for the two preplant and establishment sprinkler irrigations. Six men including the tractor driver layout and pickup the pipe. The drip tape is buried in the bed at two lines per bed. Ditches are made at the field edge with a tractor and blade to lay and bury the lateral lines. The drip tape is trimmed and connected to the lateral lines and the lines are tested for leaks. Beginning immediately after

planting, the plants are sprinkled one-hour per day for one week, then one and one-half hours on alternate days the following week. From March through September, the plants are irrigated two times per week through the drip lines. Effective rainfall is not taken into account; therefore a total of 36 acre-inches (including the preplant irrigations) are applied to the field.

Water. The water cost of \$14.00 per acre-inch (\$168/acre foot) is estimated based on growers who pump from their wells paying utility charges and those growers in the water management district that receive district water or who pump from their own wells, paying utility charges and a district assessment for groundwater depletion. Water cost will vary depending upon water district and well characteristics.

Pests. The pesticides and rates mentioned in this cost study are listed in the *UC IPM Pest Management Guidelines, Strawberries*. For more information on other pesticides available, pest identification, monitoring, and management visit the UC IPM website at www.ipm.ucdavis.edu. Pesticide applications, timing, and materials vary according to pest pressure. The pesticide program that is shown in Table A represents a typical program for the region. Inputs cited in this report are based on grower surveys and the pesticide use reports, and are not recommendations. Written recommendations are required for many commercially applied pesticides and are made by licensed pest control advisers. For information and pesticide use permits, contact the local county Agricultural Commissioner's office. Adjuvants are recommended for many pesticides for effective control and are an added cost. The adjuvants in this study are not included as a cost in the applications. Pesticide costs may vary by location and grower volume. Pesticide costs in this study are taken from a single dealer and shown as full retail.

Fumigation. Arthropods, soilborne fungi/diseases, nematodes, and weeds are controlled with preplant fumigation. Flat fumigation by a custom operator is the most likely method in this area. The custom operator furnishes the fumigant material (methyl bromide plus chloropicrin), plastic tarp, glue, and three men including the tractor driver. The grower furnishes two additional men to shovel and seal the plastic. The five men can do approximately 1.5 to 2 acres per hour. The grower can incur additional costs, which are not included in this study of \$10 to \$25 per acre to obtain the fumigation permit. These costs include field measuring, field maps and fumigation layout, obtaining permission from nearby residents, and meeting with county representatives.

Fumigation Alternatives. The phaseout of methyl bromide has prompted growers to try alternative methods. According to industry information, a common alternative used by a few growers is applying soil fungicide and nematicide materials such as Inline through the drip line. Research data has provided information on the alternative methods, although the long-term effects on disease and weed management are unknown.

TABLE A. DISEASE AND INSECT MATERIAL APPLICATIONS

MONTH	DISEASE			INSECTS		
	Borlytis	Mildew	Anthracoze	Mites	Worms	Lyrus
March	Captan	Rally		Savey		
March				Persimillis		
April				Persimillis		
April		Quadris	Quadris		Dipel	
April	Elevate	Rally			Succesa	
May	Captan	Thiolux		Acramite	Dipel	Malathion
May		Quadris	Quadris			
June	Elevate	Rally		Acramite		Malathion
June	Captan	Thiolux				
July		Quadris				Dibrom
August		Thiolux		Danitol		Danitol
September		Thiolux				

RATES PER ACRE in study: (Not Recommendations - see label or your PCA)

Captan	4.0 lb	Dibrom	16.0 oz
Elevate	1.5 lb	Dipel	1.0 lb
Rally	5.0 oz	Malathion	2.0 pt
Thiolux	5.0 lb	Savey	6.0 oz
Quadris	12 floz	Succesa	5.0 floz
Acramite	1.0 lb	Persimillis	20,000 ca
Danitol	16.0 oz		

Research data is available on the California Strawberry Commission website at <http://www.calstrawberry.com>. Grower costs for the drip method using Inline fungicide/nematicide and a chloropicrin material with application will cost the growers \$800 to \$1,000 per acre. The effects on yield, weed, and pest control are variable and these variables may add to the production costs and/or reduce yield.

Weeds. In addition to preplant fumigation, weeds are controlled by hand weeding from December through September. Although weeding times vary by grower and month, the study assumes an average of 10.2 hours per acre per month over 10 months.

Diseases. Powdery mildew (*Sphaerotheca macularis*), Botrytis fruit rot (*Botrytis cinerea*), and Anthracnose (*Colletotrichum actatum*) are the diseases treated in this study. Treatments are combined (tank mixed) with the insect control applications. Fungicide treatments are made every 12 to 16 days through May and every 20 to 25 days thereafter ending in early September.

Insects. Two-spotted mite (*Tetranychus urticae*), beet armyworm (*Spodoptera exigua*), lygus (*Lygus hesperus*) and cutworm (*Agrotis ipsilon*) are the insects controlled. Treatments for insects are combined with the fungicide treatments, which are shown in Table A.

Harvest. The crop is harvested from April through early October with peak harvest in June and July. Based on weight, the percent of the crop harvested each month in this study is shown in Table B. The grower hires a crew foreman to supervise a 35-man crew early and late in the season and two 35-man crews during the peak season. The picker pushes a picking cart that holds a tray with eight one-pound containers down the furrow. The ripe strawberries are picked by hand and placed in the containers/tray. Other container types and sizes are used, but are not included in this study. Picking rate per picker ranges from 3 trays per hour early and late in the season and 5 to 8 trays per hour during the peak harvest. Additional field labor includes one field checker to check for proper picking, and one picking card puncher per crew to count the trays picked by each picker. To load and haul the fruit, one truck loader stacks the trays on the truck and the truck driver delivers the strawberries to the cooler. The grower uses two one-ton flatbed trucks that holds two to three pallets at 110 trays per pallet or 330 trays per load for delivery to the cooler. Trays per pallet will vary by container types. The truck driver takes about an hour per load to deliver the filled trays. The grower will have at least one tractor, one trailer, and one toilet in the field. (See Labor for picking rates).

Table B. Percent Crop Harvested by Month

	April	May	June	July	Aug	Sept	Oct
Fresh %	5	12	25	25	18	12	2

Yields. The crop yield in this study for fresh market production is 5,500 trays per acre. Strawberry yields are measured in trays per acre. The standard consumer tray holds 8 x 1-pound containers and ranges from 8.5 to 10.0 pounds per tray. There are other tray arrangements with different size containers as well as the former standard tray containing 12 1-pint containers, which ranged from 10.5 to 12 pounds per tray. The weight used in this study is 9.5 pounds per tray. Over the years, various tray weights were used to convert the yields to weight per acre. Yields of 50,200 pounds per acre (5,500 trays) in this study is the 2001-2003 average yield for the Watsonville - Salinas area (2003 Processing Strawberry Board). Average county yields for total production over the last five years are shown in Table C.

Table C. YIELDS and RETURNS¹

YEAR	MONTEREY			SANTA CRUZ		
	ACRE	tray/acre	\$/tray	ACRE	tray/acre	\$/tray
98	6,540	4,900	6.19	2,716	4,400	6.05
99	6,864	3,743	8.47	3,458	5,090	6.20
00	6,990	5,388	6.05	4,580	5,048	5.47
01	6,941	5,356	7.45	3,500	4,113	8.23
02	6,980	5,068	6.41	3,586	4,267	7.02

¹Ag Commissioner Crop Report, Monterey, Santa Cruz counties. '12 to

Returns. Based on average weighted returns from 2001 to 2003, the grower FOB returns are \$7.61 per tray for fresh market. Fresh market returns less selling commission and cooling costs equals a payment to the grower of \$6.45 per tray. Strawberry prices are based on trays and not weight, therefore the \$6.45 tray price is used in this study to provide a basis for a range of yields and prices for a 9.5-pound tray as shown in Table 4. Average county grower fresh market returns for the last five years are shown in Table C.

Assessments. The grower pays \$.045 per tray to the Strawberry Commission for research and marketing. Fresh market assessment is per tray (9.5 lbs in this study) and the freezer assessment is on a 14-pound tray.

Year-end Cleanup. The plants are mowed. The plastic mulch and drip tape are pulled and rolled by hand and hauled to the dump. The field is then disked one time in preparation for the next crop and the disking operation is incorporated with the land preparation in this study.

Labor. Labor rates of \$12.73 per hour for machine operators and \$9.72 for general labor includes payroll overhead of 34%. The basic hourly wages are \$9.50 for machine operators and \$7.25 for general labor. Pickers are often paid a base pay plus piecework, or straight piecework depending on the time of harvest and if machine or non-machine harvest. In this study, picker pay is calculated using the field labor rate. The overhead includes the employers' share of federal and California state payroll taxes, workers' compensation insurance for strawberry crops (code 0079), and a percentage for other possible benefits. Workers' compensation costs will vary among growers, but for this study the cost is based upon the average industry final rate as of January 5, 2004 (California Department of Insurance). Labor for operations involving machinery are 20% higher than the operation time given in Table 1 to account for the extra labor involved in equipment set up, moving, maintenance, work breaks, and field repair.

Equipment Operating Costs. Repair costs are based on purchase price, annual hours of use, total hours of life, and repair coefficients formulated by the American Society of Agriculture Engineers (ASAE). Fuel and lubrication costs are also determined by ASAE equations based on maximum power takeoff (PTO) horsepower, and fuel type. Prices for on-farm delivery of diesel and gasoline are \$1.45 and \$1.88 per gallon, respectively. The fuel prices are averaged, based on four California delivery locations plus \$0.24 per gallon, which is one-half the difference between the high and low price for regular gasoline in 2003 from the California State Automobile Association Monthly Survey. The cost includes a 2.25% sales tax (effective September 2001) on diesel fuel and 7.25% sales tax on gasoline. Gasoline also includes federal and state excise tax, which can be refunded for on-farm use when filing your income tax. The fuel, lube, and repair cost per acre for each operation in Table 1 are determined by multiplying the hours per acre for the selected operation by the total hourly operating cost in Table 6 for each piece of equipment used in that operation. Tractor time is 10% higher than implement time for a given operation to account for setup, travel and down time.

Interest On Operating Capital. Interest on operating capital is based on cash operating costs and is calculated monthly until harvest at a nominal rate of 6.89% per year. A nominal interest rate is the typical market cost of borrowed funds. The interest cost of post harvest operations is discounted back to the last harvest month using a negative interest charge.

Risk. While this study makes every effort to model a production system based on typical, real world practices, it cannot fully represent financial, agronomic and market risks that affect the profitability and economic viability of strawberry production. The risks associated with producing and marketing strawberries should not be minimized.

Cash Overhead

Cash overhead consists of various cash expenses paid out during the year that are assigned to the whole farm and not to a particular operation. These costs include property taxes, office expense, liability and property insurance, sanitation services, and equipment repairs. Employee benefits, insurance, and payroll taxes are included in labor costs and not in overhead (see Labor).

Property Taxes. Counties charge a base property tax rate of 1% on the assessed value of the property. In some counties special assessment districts exist and charge additional taxes on property including equipment, buildings, and improvements. For this study, county taxes are calculated as 1% of the average value of the property. Average value equals new cost plus salvage value divided by 2 on a per acre basis.

Insurance. Insurance for farm investments varies depending on the assets included and the amount of coverage. Property insurance provides coverage for property loss and is charged at 0.676% of the average value of the assets over their useful life. Liability insurance covers accidents on the farm and costs \$516 for the entire farm.

Office Expense. Office and business expenses are calculated from strawberry grower budgets/actuals and are approximated at \$700 per acre. These expenses include office supplies, telephones, bookkeeping, accounting, legal fees, office and shop utilities, and miscellaneous expenses.

Sprinkler Pipe. Sprinklers are rented during land preparation through plant establishment. The typical grower cost is \$250 per acre.

Land Rent. The 50 acres are rented for cash at \$2,500 per acre or \$2,444 per producing acre. The rented land includes the irrigation system that is maintained by the landlord.

Sanitation Services. Sanitation services provide portable toilets with washing equipment and cost the farm \$4,500 annually or \$100 per producing acre. The cost is derived from grower budgets/actuals.

Supervisor/Management Salaries. Grower input cost for ranch supervision averaged \$500 per acre. Wages for management are not included as a cash cost. Returns above total costs are considered a return to management and risk.

Non-Cash Overhead

Non-cash overhead, shown on an annual per acre basis is calculated as the capital recovery cost for equipment and other farm investments. Farm equipment on strawberry farms in the Central Coast Region is purchased new or used; this study shows the current purchase price for new equipment. The new purchase price is adjusted to 40% to indicate a mix of new and used equipment. Annual ownership costs are shown in Tables.

Capital Recovery Costs. Capital recovery cost is the annual depreciation and interest costs for a capital investment. It is the amount of money required each year to recover the difference between the purchase price and salvage value (unrecovered capital). It is equivalent to the annual payment on a loan for the investment with the down payment equal to the discounted salvage value. This is a more complex method of calculating ownership costs than straight-line depreciation and opportunity costs, but more accurately represents the annual

costs of ownership because it takes the time value of money into account (Boehlje and Eidman). The formula for the calculation of the annual capital recovery costs is $((\text{Purchase Price} - \text{Salvage Value}) \times \text{Capital Recovery Factor}) + (\text{Salvage Value} \times \text{Interest Rate})$.

Salvage Value. Salvage value is an estimate of the remaining value of an investment at the end of its useful life. For farm machinery the remaining value is a percentage of the new cost of the investment (Boehlje and Eidman). The percent remaining value is calculated from equations developed by the American Society of Agricultural Engineers (ASAE) based on equipment type and years of life. The life in years is estimated by dividing the wear out life, as given by ASAE by the annual hours of use in this operation. For other investments including irrigation systems, buildings, and miscellaneous equipment, the value at the end of its useful life is zero. The salvage value and purchase price for land are the same because land does not depreciate. The purchase price and salvage value for equipment and investments are shown in Table 5.

Capital Recovery Factor. Capital recovery factor is the amortization factor or annual payment whose present value at compound interest is 1. The amortization factor is a table value that corresponds to the interest rate used and the life of the machine.

Interest Rate. The interest rate of 6.23% used to calculate capital recovery cost is the United States Department of Agriculture-Economic Reporting Service's (USDA-ERS) ten year average of California's agricultural sector long-run real rate of return to production assets from current income. It is used to reflect the long-term realized rate of return to these specialized resources.

Land. Land values in the region range from \$10,000 to \$38,000 for row crop land. Being the land is rented, ownership costs are not shown.

Irrigation System. Water is pumped through a filtration station into main lines. Reusable lateral lines owned by the grower are buried each year at the edge of the strawberry field and are connected to the main and drip lines. Two drip lines are buried in each bed prior to planting. The lateral lines have a 5-year life and the drip lines are an annual expense. The system is based on one 75 horsepower electric pump lifting 30 acre-inches from a water level depth of 120 feet. The pump and 300-foot deep well already existed on the site and the irrigation system costs are charged to the landowner.

Equipment. Farm equipment is purchased new or used, but the study shows the current purchase price for new equipment. Strawberry production requires much specialized equipment including modifications to commercial tractors. Many of these modifications are made in machine shops and are not necessarily included in the equipment costs shown in the tables. Some of the other specialized equipment is also built in machine or farmer shops and retail prices are not readily available. The new purchase price is adjusted to 40% to indicate a mix of new and used equipment. Annual ownership costs for equipment and other investments are shown in the Whole Farm Annual Equipment, Investment, and Business Overhead Costs table. Equipment costs are composed of three parts: non-cash overhead, cash overhead, and operating costs. Both of the overhead factors have been discussed in previous sections. The operating costs consist of repairs, fuel, and lubrication and are discussed under operating costs.

Table Values. Due to rounding, the totals may be slightly different from the sum of the components.

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UC COOPERATIVE EXTENSION
Table 1 COSTS PER ACRE to PRODUCE STRAWBERRIES
 CENTRAL COAST REGION- Monterey & Santa Cruz Counties 2004

Operation	Operation Time (Hrs/A)	Cash and Labor Cost per acre				Total Cost	Year Cost
		Labor Cost	Fuel, Lube & Repairs	Material Cost	Custom/ Rent		
Cultural:						55	
Land Prep: Disc 8X	1.33	20	35	0	0	62	
Land Prep: Subsoil 2X	1.50	23	39	0	0	24	
Land Prep: Chisel 4X	0.60	9	15	0	0	21	
Land Prep: Level 2X (Triplane)	0.50	8	13	0	0	10	
Land Prep: List/Shops 52" beds	0.25	4	6	0	0	280	
Fertilize: Preplant	0.26	4	1	275	0	342	
Irrigate: Install Drip Tape 2/bed	2.00	31	10	302	0	0	
Irrigate: Grade Field Roads	0.01	0	0	0	0	7	
Irrigate: Open Trench for laterals/Connect drip	0.10	6	0	0	0	469	
Plant: Lay Mulch	2.00	108	12	349	0	14	
Plant: Punch Holes	0.69	11	3	0	0	88	
Irrigate: Layout/Pickup Sprinkler Pipes 3X	3.00	75	13	0	0	87	
Irrigate: Sprinkle	0.35	3	0	84	0	537	
Irrigate: Drip	12.06	117	0	420	0	1,918	
Plant: (includes replant)	45.31	440	0	1,478	0	4	
Plant: Roll Plants to Pack	0.20	3	1	0	0	1,679	
Fumigate: Flat	3.00	29	0	0	1,650	65	
Fumigate: Tarp Retrieval/Discard	0.00	0	0	0	0	991	
Weed: Hand	102.00	991	0	0	0	178	
Pest: Botrytis/Mildew/Mite	0.58	9	4	165	0	283	
Pest: Mites 2X (Persimilis)	2.40	23	0	260	0	198	
Pest: Botrytis/Mildew/Anthracnose/Worms	1.17	18	8	173	0	196	
Pest: Botrytis/Mildew/Anthracnose/Worms/Lygas	1.17	18	8	170	0	232	
Pest: Botrytis/Mildew/Mite/Lygas	1.17	18	8	206	0	64	
Pest: Mildew/Lygas	0.58	9	4	51	0	43	
Pest: Mildew/Mite/Lygas	0.58	9	4	1	0	17	
Pest: Mildew	0.58	9	4	5	0	41	
Fertilize: through drip	0.00	0	0	41	0	172	
Year End: Crop Removal	2.00	119	35	18	0		
TOTAL CULTURAL COSTS	185.39	2,115	223	4,026	1,715	8,080	
Harvest:						18,092	
Harvest	984.31	9,567	0	8,525	0	368	
Load/Haul	6.06	294	74	0	0	248	
Assessments	0.00	0	0	248	0	18,708	
TOTAL HARVEST COSTS	990.37	9,861	74	8,773	0	964	
Interest on operating capital @ 6.89%						27,752	
TOTAL OPERATING COSTS/ACRE		11,977	297	12,799	1,715	27,752	
Cash Overhead (per producing acre)						11	
Liability Insurance						700	
Office Expense						100	
Sanitation Fee						2,444	
Land Rent (\$2,200 per acre)						250	
Pipe Rent						500	
Ranch Supervisor						31	
Property Taxes						21	
Property Insurance						36	
Investment Repairs						4,094	
TOTAL CASH OVERHEAD COSTS						7,094	
TOTAL CASH COSTS/ACRE						31,846	

UC COOPERATIVE EXTENSION
Table 1 continued

Operation	Cash and Labor Cost per acre						Total Cost	Your Cost
	Operation Time (Hrs/A)	Labor Cost	Fuel, Lube & Repairs	Material Cost	Custom/ Rent	Total Cost		
Non-cash Overhead		Per Producing Acre		Annual Cost				
Buildings		1,092		97		97		
Hand Tools		102		10		10		
Shop Tools		281		28		28		
Harvest Carts 70		23		6		6		
Fuel Tanks/Above Ground		78		7		7		
Lateral Lines		222		53		53		
Equipment		3,724		383		383		
TOTAL NON-CASH OVERHEAD COSTS		5,523		584		584		
TOTAL COSTS/ACRE								32,431

UC COOPERATIVE EXTENSION
 Table 2 COSTS and RETURNS PER ACRE to PRODUCE STRAWBERRIES
 CENTRAL COAST REGION- Monterey & Santa Cruz Counties 2004

	Quantity Acres	Unit	Price or Cost/Unit	Value or Cost/Acre	Yield Cost
GROSS RETURNS					
Fresh Market Strawberries (9.5 lb tray)	5,500.00	tray	6.45	35,475	
OPERATING COSTS					
Water:					
Water	36.00	acin	14.00	504	
Fertilizer:					
Scotts 18-R-13	500.00	lb	0.55	275	
CAN 17 (17-0-0-8Ca)	350.00	lb	0.12	41	
Materials:					
T-Tape	20,120.00	ft	0.02	302	
Mulch Pins	4,000.00	ea	0.01	48	
Mulch 1.25m	350.00	lb	0.86	301	
Tray/Container	5,500.00	ea	1.55	8,525	
Dump Fee	600.00	lb	0.03	18	
Plants:					
Strawberry Plants	21,110.00	each	0.07	1,478	
Fungicide:					
Captan 50W	12.00	lb	4.05	49	
Rally 40W	15.00	oz	4.90	74	
Quadris	36.00	fl oz	3.18	114	
Elevate 50WDG	3.00	lb	42.45	127	
Thiolux	20.00	lb	0.90	18	
Insecticide:					
Savay 50 DF	6.00	oz	20.69	124	
Dipel DF	2.00	lb	13.55	27	
Dibrom 8 Emulsive	16.00	fl oz	0.81	13	
Succora	5.00	fl oz	6.60	33	
Acramite 50WS	2.00	lb	87.69	175	
Malathion 8	4.00	pt	4.96	20	
Danitol	16.00	fl oz	1.62	26	
Predatory Mites:					
Persimilis	40.00	thou	6.50	260	
Assessment:					
California Strawberry Commission (\$0.045/tray)	5,500.00	tray	0.05	248	
Contract:					
Fumigate - Solid	1.00	acre	1,650.00	1,650	
Fumigation Tarp Retrieval/Disposal	1.00	acre	65.00	65	
Labor (machine)	34.00	hrs	12.73	433	
Labor (non-machine)	1,187.65	hrs	9.72	11,544	
Fuel - Gas	36.95	gal	1.88	69	
Fuel - Diesel	95.36	gal	1.45	138	
Lube				31	
Machinery repair				58	
Interest on operating capital @ 6.89%				964	
				27,752	
TOTAL OPERATING COSTS/ACRE				7,723	
NET RETURNS ABOVE OPERATING COSTS					

UC COOPERATIVE EXTENSION
Table 2 continued

	Quantity/ Acre	Unit	Price or Cost/Unit	Value or Cost/Acre	Your Cost
CASH OVERHEAD COSTS (per producing acre):					
Liability Insurance				11	
Office Expense				700	
Sanitation Fee				100	
Land Rent (\$2,200 per acre)				2,444	
Pipe Rent				250	
Ranch Supervisor				500	
Property Taxes				31	
Property Insurance				21	
Investment Repairs				36	
TOTAL CASH OVERHEAD COSTS/ACRE				4,094	
TOTAL CASH COSTS/ACRE				31,846	
NON-CASH OVERHEAD COSTS (Capital Recovery)					
Buildings				97	
Hand Tools				10	
Shop Tools				28	
Harvest Cans 70				6	
Fuel Tanks/Above Ground				7	
Lateral Lines				53	
Equipment				383	
TOTAL NON-CASH OVERHEAD COSTS/ACRE				584	
TOTAL COSTS/ACRE				32,430	
NET RETURNS ABOVE TOTAL COSTS				3,045	

UC COOPERATIVE EXTENSION
Table 3 MONTHLY CASH COSTS PER ACRE to PRODUCE STRAWBERRIES
CENTRAL COAST REGION- Monterey & Santa Cruz Counties 2004

	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	TOTAL
Beginning AUG 03	03	03	03	03	03	04	04	04	04	04	04	04	04	04	04	
Ending OCT 04																55
Cultural:																
Land Prep: Disc 8X	21	35														62
Land Prep: Subsoil 2X		62														24
Land Prep: Chisel 4X		24														21
Land Prep: Level 2X (Triplane)		21														10
Land Prep: List/Shape 52" beds		10														280
Fertilize: Preplant		280														342
Irrigate: Install Drip Tape 2/bcd		342						0								0
Irrigate: Grade Field Roads		0														7
Irrigate: Lay laterals/Connect drip		7														469
Plant: Lay Mulch		469														14
Plant: Punch Holes			14													88
Irrigate: Lay/Pickup Sprinkler Pipe 3X		59		29												87
Irrigate: Sprinkle		57		30												537
Irrigate: Drip			15					44	73	73	73	73	73	73	44	1,918
Plant: (includes replant)			1,918													4
Plant: Roll Plants to Pack			4													1,679
Fumigate: Flat		1,679														65
Fumigate: Trap Retrieval/Discard		65														991
Weed: Hand					99	99	99	99	99	99	99	99	99	99		178
Pest: Botrytis/Mildew/Mite								178								283
Pest: Mites 2X (Persimillis)								142	142							198
Pest: Bot/Mil/Anthr/Worms									198							196
Pest: Bot/Mil/Anthr/Worms/Lygus										196						232
Pest: Botrytis/Mildew/Mite/Lygus											232					64
Pest: Mildew/Lygus												64				43
Pest: Mildew/Mite/Lygus													43			17
Pest: Mildew									6	6	6	6	6	6		41
Fertilize: through drip															173	173
Year End: Crop Removal															173	8,080
TOTAL CULTURAL COSTS	21	3,110	1,950	60	99	99	99	468	518	373	409	241	221	195	216	18,092
Harvest:																
Harvest									1,367	2,377	4,147	4,050	3,227	2,377	547	18,092
Haul to Cooler									28	48	84	82	66	48	11	368
Assessments																
TOTAL HARVEST COSTS									1,395	2,426	4,231	4,132	3,293	2,426	805	18,708
Interest on operating capital	0	18	29	30	31	33	35	38	48	63	89	114	134	148	154	964
TOTAL OPERATING COSTS/ACRE	15	3,128	1,980	89	131	132	134	506	1,960	2,862	4,730	4,488	3,647	2,768	1,175	27,752
OVERHEAD:																
Liability Insurance			11													11
Office Expense	47	47	47	47	47	47	47	47	47	47	47	47	47	47	47	700
Sanitation Fee	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	100
Land Rent (per producing acre)														2,444		2,444
Pipe Rent				250												250
Ranch Supervisor	42	42	42	42	42	42	42	42	42	42	42	42				300
Property Taxes						31										32
Property Insurance						21										21
Investment Repairs	3	3	3	3	3	3	3	3	3	3	3	3	3			36
TOTAL CASH OVERHEAD COSTS	98	109	98	348	98	151	98	98	98	98	98	98	2,498	53	53	4,095
TOTAL CASH COSTS/ACRE	113	3,238	2,078	437	239	283	232	604	2,058	2,960	4,828	4,586	6,145	2,822	1,229	31,847

UC COOPERATIVE EXTENSION
 Table 4. RANGING ANALYSIS
 CENTRAL COAST REGION- Monterey & Santa Cruz Counties 2004

COSTS PER ACRE AT VARYING YIELD TO PRODUCE FRESH MARKET STRAWBERRIES

	YIELD (trays/acre)**						
	4,000	4,500	5,000	5,500	6,000	6,500	7,000
OPERATING COSTS/ACRE:							
Cultural Cost	8,080	8,080	8,080	8,080	8,080	8,080	8,080
Harvest Cost	13,426	15,104	16,782	18,460	20,139	21,817	23,495
Assessment	180	203	225	247	270	292	315
Interest on operating capital	843	883	924	964	1,005	1,045	1,086
TOTAL OPERATING COSTS/ACRE	22,529	24,270	26,011	27,751	29,494	31,234	32,976
TOTAL OPERATING COSTS/Tray	5.63	5.39	5.20	5.05	4.92	4.81	4.71
CASH OVERHEAD COSTS/ACRE	4,095	4,095	4,095	4,095	4,095	4,095	4,095
TOTAL CASH COSTS/ACRE	26,624	28,365	30,106	31,846	33,589	35,329	37,071
TOTAL CASH COSTS/Tray	6.66	6.30	6.02	5.79	5.60	5.44	5.30
NON-CASH OVERHEAD COSTS/ACRE	584	584	584	584	584	584	584
TOTAL COSTS/ACRE	27,208	28,949	30,690	32,430	34,173	35,913	37,655
TOTAL COSTS/Tray	6.80	6.43	6.14	5.90	5.70	5.53	5.38

NET RETURNS PER ACRE ABOVE OPERATING COSTS

PRICE*	YIELD (trays/acre)						
	4,000	4,500	5,000	5,500	6,000	6,500	7,000
\$/TRAY							
4.45	-4,729	-4,245	-3,761	-3,276	-2,794	-2,309	-1,826
5.45	-729	255	1,239	2,224	3,206	4,191	5,174
6.45	3,271	4,755	6,239	7,724	9,206	10,691	12,174
7.45	7,271	9,255	11,239	13,224	15,206	17,191	19,174
8.45	11,271	13,755	16,239	18,724	21,206	23,691	26,174
9.45	15,271	18,255	21,239	24,224	27,206	30,191	33,174
10.45	19,271	22,755	26,239	29,724	33,206	36,691	40,174

NET RETURN PER ACRE ABOVE CASH COST

PRICE*	YIELD (trays/acre)						
	4,000	4,500	5,000	5,500	6,000	6,500	7,000
\$/TRAY							
4.45	-8,824	-8,340	-7,856	-7,371	-6,889	-6,404	-5,921
5.45	-4,824	-3,840	-2,856	-1,871	-889	96	1,079
6.45	-824	660	2,144	3,629	5,111	6,596	8,079
7.45	3,176	5,160	7,144	9,129	11,111	13,096	15,079
8.45	7,176	9,660	12,144	14,629	17,111	19,596	22,079
9.45	11,176	14,160	17,144	20,129	23,111	26,096	29,079
10.45	15,176	18,660	22,144	25,629	29,111	32,596	36,079

NET RETURNS PER ACRE ABOVE TOTAL COST

PRICE*	YIELD (trays/acre)						
	4,000	4,500	5,000	5,500	6,000	6,500	7,000
\$/TRAY							
4.45	-9,408	-8,924	-8,440	-7,955	-7,473	-6,988	-6,505
5.45	-5,408	-4,424	-3,440	-2,455	-1,473	-488	495
6.45	-1,408	76	1,560	3,045	4,527	6,012	7,495
7.45	2,592	4,576	6,560	8,545	10,527	12,512	14,495
8.45	6,592	9,076	11,560	14,045	16,527	19,012	21,495
9.45	10,592	13,576	16,560	19,545	22,527	25,513	28,495
10.45	14,592	18,076	21,560	25,045	28,527	32,012	35,495

*Prices are assumed to be net to grower (FOB less cooling and other examination) **9.3 lbs. See text: Yield

UC COOPERATIVE EXTENSION
**Table 5. WHOLE FARM ANNUAL EQUIPMENT, INVESTMENT,
 and BUSINESS OVERHEAD COSTS**
 CENTRAL COAST REGION- Monterey and Santa Cruz Counties 2004

ANNUAL EQUIPMENT COSTS

Yr Description	Price	Yrs Life	Salvage Value	Capital Recovery	Cash Overhead		Total
					Insur-ance	Taxes	
04 205HP Crawler	152,000	15	29,592	14,637	614	908	16,159
04 42HP 4WD Tractor #1	27,830	15	5,418	2,680	112	166	2,958
04 42HP 4WD Tractor #2	27,830	12	6,958	2,955	118	174	3,246
04 55HP 2WD Tractor	32,269	15	6,282	3,107	130	193	3,430
04 Blade Rear 3 pt 6'	1,012	15	97	102	4	6	111
04 Chisel - Spring 14'	6,183	15	592	619	23	34	676
04 Disk - Offset 14'	15,516	10	2,744	1,925	62	91	2,078
04 Drip Machine 1-52" Row	3,500	15	336	352	13	19	384
04 Fertilizer Drill 2-52" Row 9'	5,000	10	884	620	20	29	670
04 Punc/Mulch Machine 2-52" Row	22,500	15	2,160	2,260	83	123	2,467
04 Lister/Shaper 2-52" Row	5,000	15	480	502	19	27	548
04 Mower	3,500	15	336	352	13	19	384
04 Punch Machine 1-52" Row	5,000	15	480	502	19	27	548
04 Ripper-5 Shank 14'	10,800	10	1,733	1,340	43	64	1,447
04 Roller 8'	4,500	15	432	452	17	25	493
04 Sprayer 20' boom	3,630	15	349	365	13	20	398
04 Trailer-Pipe	2,150	20	102	188	8	11	207
04 Triplane 15'	18,750	15	1,800	1,884	69	103	2,056
04 Truck 1 Ton #1	36,000	10	10,634	4,147	158	233	4,537
04 Truck 1 Ton #2	36,000	10	10,634	4,147	158	233	4,537
TOTAL	418,930		82,043	43,135	1,694	2,506	47,335
40% of New Cost *	167,580		32,817	17,254	678	1,002	18,934

*Used to reflect a mix of new and used equipment

ANNUAL INVESTMENT COSTS

Description	Price	Yrs Life	Salvage Value	Capital Recovery	Cash Overhead			Total
					Insur-ance	Taxes	Repairs	
INVESTMENT								
Buildings	49,162	20		4,367	166	246	983	5,762
Fuel Tanks/Above Ground	3,500	20	651	294	14	21	70	398
Hand Tools	4,595	15	460	461	17	25	92	595
Harvest Carts 70	1,042	5		249	4	5	21	279
Lateral Lines Irrigation	10,000	5		2,389	34	50	200	2,673
Shop Tools	12,637	15	1,264	1,267	47	70	253	1,637
TOTAL INVESTMENT	80,936		2,375	9,026	282	417	1,619	11,343

ANNUAL BUSINESS OVERHEAD COSTS

Description	Units/ Farm	Unit	Price/ Unit	Total Cost
Land Rent	50	acre	2,200.00	110,000
Liability Insurance	50	acre	10.32	516
Office Expense	45	acre	700.00	31,500
Pipe Rent	45	acre	250.00	11,250
Ranch Supervisor	45	acre	500.00	22,500
Sanitation Fee	45	acre	100.00	4,500

UC COOPERATIVE EXTENSION
 Table 6 HOURLY EQUIPMENT COSTS
 CENTRAL COAST REGION- Monterey & Santa Cruz Counties 2004

Yr Description	COSTS PER HOUR							
	Actual Hours	Cost Overhead			Operating			Total Cost/Hr.
		Capital Used	Recovery	Insur- ance	Taxes	Repairs	Fuel & Lube	
04 205HP Crawler	207.10	28.27	1.19	1.75	2.48	19.84	22.32	53.53
04 42HP 4WD Tractor #1	374.80	2.86	0.12	0.14	0.46	3.44	3.90	7.06
04 42HP 4WD Tractor #2	133.10	8.88	0.35	0.52	0.47	3.44	3.91	13.66
04 55HP 2WD Tractor	288.80	4.30	0.18	0.27	0.92	4.50	5.42	10.17
04 Blade Rear 3 pt 6'	4.80	8.44	0.31	0.46	0.00	8.00	0.00	9.21
04 Chisel - Spring 14'	27.00	9.17	0.34	0.50	0.84	0.00	0.84	10.85
04 Disk - Offset 14'	60.00	12.83	0.41	0.61	1.67	0.00	1.67	15.52
04 Drip Machine 1-52"Row	90.00	1.56	0.06	0.09	0.59	0.00	0.59	2.30
04 Fertilizer Drill 2-52"Row 9'	11.80	21.05	0.67	1.00	0.9	0.00	0.90	23.62
04 Fume/Mulch Machine 2-52"Row	90.00	10.05	0.37	0.55	1.66	0.00	1.66	12.63
04 Lister/Shaper 2-52"Row	11.30	17.86	0.66	0.97	0.66	0.00	0.66	20.15
04 Mower	90.00	1.56	0.06	0.09	1.05	0.00	1.05	2.76
04 Punch Machine 1-52" Row	31.00	6.48	0.24	0.35	0.37	0.00	0.37	7.44
04 Ripper-5 Shank 14'	67.50	7.94	0.25	0.38	1.62	0.00	1.62	10.19
04 Roller 8'	9.10	19.89	0.73	1.09	0.33	0.00	0.33	22.04
04 Sprayer 20' boom	262.50	0.56	0.02	0.03	0.63	0.00	0.63	1.24
04 Trailer-Pipe	135.00	0.56	0.02	0.03	0.02	0.00	0.02	0.63
04 Triplane 15'	22.50	33.49	1.23	1.83	1.86	0.00	1.86	38.41
04 Truck 1 Ton #1	226.30	7.33	0.28	0.41	2.29	9.91	12.20	20.22
04 Truck 1 Ton #2	136.30	12.17	0.46	0.68	2.29	9.91	12.20	25.51

UC COOPERATIVE EXTENSION
 Table 7. OPERATIONS WITH EQUIPMENT
 CENTRAL COAST - Monterey & Santa Cruz Counties

Operation	Month	Equipment		Non-Machine Trawl Labor Hours/Acre	Material	Rate/ Broadcast Acre Unit
		Tractor	Implement			
Cultural:						
Land Prep: Disk/Roll BX	August	205 HP Crawler	Disk - Offset			
	September					
Land Prep: Subsoil 2X	September	205 HP Crawler	Ripper 5-Shank			
Land Prep: Chisel 4X	September	205 HP Crawler	Chisel - Spring			
Land Prep: Triplane 2X	September	205 HP Crawler	Triplane			
Land Prep: Lie/Shape Beds	September	205 HP Crawler	Lister/Shaper			3.00 acin
Irrigate: Layout/Pickup Pipe 3X	September	42 HP 4WD	Trailer - Pipe	2.00		
	November	42 HP 4WD	Trailer - Pipe	1.00		
Irrigate: Install Drip Tape	September	42 HP 4WD	Tape Machine		T-Tape	20,120.00 ft
Irrigate: Lay Laterals/Connect Drip	September	42 HP 4WD	Blade	0.50		
Irrigate: Sprinkler	September			0.10	Water	4.00 acin
	September			0.30	Water	2.00 acin
	November			0.10	Water	1.00 acin
Irrigate: Drip	October			1.50	Water	2.09 acin
	March			1.50	Water	4.14 acin
	April			1.50	Water	4.14 acin
	May			1.50	Water	4.14 acin
	June			1.50	Water	4.14 acin
	July			1.50	Water	4.14 acin
	August			1.50	Water	4.14 acin
	September			1.50	Water	2.07 acin
	October					
Irrigate: Grade Field Roads	March	42 HP 4WD	Blade			500.00 lb
Fertilize: Preplant	September	42 HP 4WD	Fertilizer Drill		18-8-13	50.00 lb
Fertilize: through drip	March				CAN 17	50.00 lb
	April				CAN 17	50.00 lb
	May				CAN 17	50.00 lb
	June				CAN 17	50.00 lb
	July				CAN 17	50.00 lb
	August				CAN 17	50.00 lb
	September			3.00	Fumigate	1,650.00 acin
Fumigate: Fumigate	September	Custom				65.00 acre
Fumigate: Discard Tarp	September	Custom				
Plant: Cu/Grade Roads	September	42 HP 4WD	Blade			350.00 lb
Plant: Lay Mulch	September	42 HP 4WD	Mulch Machine	8.00	Mulch Mulch Pins	4,000.00 each
Plant: Punch Holes	October	42 HP 4WD	Punch Machine	45.30	Transplants	21,110 each
Plant: Transplant	October					
Plant: Roll Plana	October	42 HP 4WD	Roller		Captan	4.00 lb
Pest: Botrytis/Mildew/Mites	March	55 HP 4WD	Sprayer		Rally	5.00 oz
					Savey	6.00 oz
Pest: Mites - Persimilis 2X	March			1.20	Persimilis	20,000.00 each
	April			1.20	Persimilis	20,000.00 each
Pest: Botrytis/Mildew/Anthrac/Worms	April	55 HP 4WD	Sprayer		Quindis	12.00 fl oz
					Dipel	1.00 lb
	April	55 HP 4WD	Sprayer		Elevate	1.50 lb
					Rally	5.00 oz
					Success	5.00 fl oz
Pest: Botrytis/Mildew/Mites/Anthrac/Worm/Lygus	May	55 HP 4WD	Sprayer		Captan	4.00 lb
					Thiolux	5.00 lb
					Acrimite	1.00 lb
					Dipel	1.00 lb
					Malathion	2.00 pt
					Quandis	12.00 fl oz
	May	55 HP 4WD	Sprayer			

UC COOPERATIVE EXTENSION
Table 7, continued

Operation	Month	Equipment		Non-Machine		Rate/ Broadcast Acres Unit
		Tractor	Implement	Total Labor Hours/Acre	Material	
Cultural: Pest: Botrytis/Mildew/Mites/Lygas	June	55 HP 4WD	Sprayer		Elevate	1.50 lb
					Rally	5.00 oz
	June	55 HP 4WD	Sprayer		Acramite	1.00 lb
					Mulathion	2.00 pt
	June	55 HP 4WD	Sprayer		Capzan	4.00 lb
					Thiolux	5.00 lb
Pest: Mildew/Lygas	July	55 HP 4WD	Sprayer		Quadris	12.00 floz
					Diarom	16.00 floz
Pest: Mildew/Mite/Lygas	August	55 HP 4WD	Sprayer		Thiolux	5.00 lb
					Danitol	16.00 floz
Pest: Mildew	September	55 HP 4WD	Sprayer		Thiolux	5.00 lb
Work: Hand	December			10.20		
	January			10.20		
	February			10.20		
	March			10.20		
	April			10.20		
	May			10.20		
	June			10.20		
	July			10.20		
	August			10.20		
	September			10.20		
Harvest: Pick Fresh/Record	April			96.80	Trays	275.00 each
	May			139.30	Trays	660.00 each
	June			207.30	Trays	1,375.00 each
	July			188.70	Trays	1,430.00 each
	August			174.20	Trays	990.00 each
	September			139.30	Trays	660.00 each
	October			38.70	Trays	110.00 each
Harvest: Load/Hand Fresh	April	Truck - 1 Ton #1 & #2		2.00		
	May	Truck - 1 Ton #1 & #2		2.90		
	June	Truck - 1 Ton #1 & #2		4.40		
	July	Truck - 1 Ton #1 & #2		4.00		
	August	Truck - 1 Ton #1 & #2		3.70		
	September	Truck - 1 Ton #1 & #2		2.90		
	October	Truck - 1 Ton #1 & #2		0.80		
Year End: Field Cleanup	August	42 HP 4WD & Truck	Mower	6.00		
		- 1 Ton #1			Dump (600lb)	0.03 lb

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1993-1994

U.C. COOPERATIVE EXTENSION

**PRODUCTION PRACTICES AND SAMPLE COSTS
TO PRODUCE ORGANIC APPLES
FOR THE FRESH MARKET**

CENTRAL COAST
(Monterey, San Benito and Santa Cruz Counties)

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1993-1994 - U.C. COOPERATIVE EXTENSION
OVERVIEW OF ORGANIC APPLE PRODUCTION
FOR THE FRESH MARKET
In The Central Coast

Introduction:

The Central Coast (Monterey, San Benito and Santa Cruz Counties) has long been an established apple production region in the State of California. In recent years, some apple production acreage has been diverted for urban expansion or is now planted to higher value commodities, particularly those with the potential for multiple crops each year. Growers in the area also face increased competition from apple producing regions out-of-state and in the Central Valley of California. Nonetheless, the Central Coast supports a number of growers who now produce apples organically. The total acreage dedicated to both conventional and organic apple production in 1993 was 4,785. Approximately 310 acres, or six percent of the total acreage, was farmed organically. Varieties that are grown organically in this area include Fuji, Granny Smith, Jonagold, McIntosh, Red Delicious and Yellow Newtown Pippins.

This overview is meant to guide the reader through topics and issues that are integral to organic apple production specifically for the fresh market. Like conventional farming, there are numerous approaches to growing apples organically, from orchard spacing and floor management to irrigation system design and agricultural inputs. The following is a discussion of common practices and issues related to organic apple production for the Central Coast.

The first section of this overview describes the seasonal flow of operations for a production year for organic apples. Next, the cover crop and pest management sections give greater details of these practices. Finally, marketing and the current status of regulations for organically grown apples are discussed.

Production Practices:

Cultural operations usually begin each year after harvest by planting a cover crop. The cover crop is generally not irrigated up nor is a postharvest irrigation performed. Growers most often rely on fall and winter rains to replenish moisture in the soil profile and for cover crop germination and growth. Refer to the **Cover Crop/Floor Management** section for additional information.

Fertilizing materials are usually applied to soils in the fall when tissue and/or soil analyses have shown it to be appropriate. In the Central Coast, growers report that yearly applications of many materials are neither necessary nor economically viable. Therefore, oystershell lime, sulfate of potash and other soil additives for pH regulation and/or nutrient additions are typically applied every third or fourth year only.

Compost or composted manure is spread in some orchards in the fall after a cover crop is sown to add organic matter to soils and to supply trees with nitrogen and other nutrients for crop production during the following spring and summer. Alternatively, compost or composted manure is applied in the spring after mowing or discing the vegetative growth in the orchard. There is some debate as to whether a fall application is as beneficial for tree growth and crop production as is a spring application. Research indicates that nitrogen and other nutrients are assimilated by trees during the growth flushes of spring and summer and not during the dormant fall and winter months. Therefore, fertilizing materials that are applied in late winter or early spring may be more efficiently utilized by trees and thus reduce the risk of nitrogen leaching and runoff during the dormant period.

Orchard pruning can begin as early as November and can be completed as late as March depending on the time of harvest and subsequent bloom, management practices and apple variety. Pruning helps growers balance the orchard's vegetative growth with fruit production and helps with apple thinning since chemical thinning methods are not legally acceptable for organic production. Larger prunings are cut, stacked and burned; smaller prunings are often shredded and chopped with a mower/chopper and spread in the orchard to return organic matter to the soil. Depending on floor management practices, pruning disposal takes place either immediately after pruning or later in the season in conjunction with spring mowing or discing of the orchard floor. Sucker removal is performed jointly with tree pruning. Some varieties are summer pruned in May, June, July or August in addition to dormant pruning.

In older orchards with standard rootstocks (75 to 100 trees per acre), marginally producing trees are replaced each year in the months of January, February or March. Typically, tree replacement is to size-controlling rootstock regardless of the previous tree size. Because of this, some orchards have a mixture of standard and semi-dwarf trees. Tree removal is either done by the grower or is custom performed. It is important that the old tree's root system be thoroughly removed before replanting because soil fumigation to control soil borne root and crown rot diseases is prohibited under organic farming regulations. Trees are replanted by the grower. Some growers mix compost and/or other nutrients with the surrounding soil to support growth of the newly replanted trees. If it is necessary, young trees are pruned and irrigated at the time of planting. Alternatively, growers prune and irrigate young trees later in the season when growth begins. Still other growers may practice a type of "crop rotation" by not immediately replanting trees in the same area, helping to break pest cycles. When large enough blocks of land are taken out of tree production, alternate crops may then be planted to produce farm income during the rotation period.

In addition to the mixed-age orchards described above, about one-third of the apple acreage in the Central Coast consists of newer, high-density plantings, many of which use low-volume irrigation. The number of trees per acre for high-density plantings ranges from 250 to 800. In order to maintain competitiveness with Central Valley fresh market apple production, many new orchards are being planted to Braeburn, Fuji and Jonagold. These cultivars produce optimum flavor and color in the cooler climate of the Central Coast. For earliest production, M7 (dwarfing) rootstock is used most frequently in high-density plantings. Seedling rootstock or sometimes MM111 are used for replants or in poor soil.

Pest management operations for disease, insect, mite, vertebrate and weed control often begin as early as the month of January and extend through August depending on the farm location, the previous year's pest incidence and the seasonal climatic conditions. Refer to the **Pest Management** section for further information.

Frost protection is not a critical component of apple production in Central Coast orchards. Therefore, growers do not have on-farm investments specifically for frost protection.

Because apples require bees for pollination, Central Coast organic growers generally contract to bring hives into their orchards on a yearly basis. One to two hives per acre is common. This practice may improve pollination rates, increase fruit set and subsequently increase yields. Also, cross pollinating varieties are interplanted at the time of orchard establishment to insure adequate pollination.

Apples are hand thinned in May or June for a number of reasons including sizing for larger fruit, removal of poor quality fruit, reduction of pest damage and protection against limb breakage when the fruit load is exceptionally heavy. The number of thinnings depends on the variety, seasonal conditions and targeted market. For example, apples may not be thinned in years with light fruit loads or when fruit is grown specifically for processing. Growers often, however, thin higher value apples more than one time each year for the economic advantage of producing consumer-preferred large size fruit. Alternate-bearing varieties such as Yellow Newtown Pippins often produce more consistent and uniform yields when thinned within one month of bloom each year. However, the associated increase in cultural costs for thinning alternate-bearing varieties each year is not necessarily beneficial from an economic perspective.

Foliar nutrient sprays are not commonly applied in Central Coast organic apple orchards. Growers report that material costs often outweigh the short-term economic benefits. However, calcium sprays are used periodically in some orchards to boost calcium levels and possibly decrease the incidence of bitter bit, a physiological disorder associated with calcium deficiencies in apples.

Orchard irrigations are generally performed from June through August. The delivery method and the amount of applied water may vary among locations. Total applied water will be dependent on the system design, seasonal rains, soil type, orchard age, the tree rooting depth, the number and size of trees in the orchard and how the orchard floor vegetation is managed. For example, if orchards have year-round cover crops or resident vegetation, a greater amount of applied water may be necessary due to competition between floor vegetation and trees for moisture. Also, cover crops and soil organic matter content may play a role in the total number of irrigations used each year. Research indicates that cover cropped soils, and/or those high in organic matter, have improved water penetration and infiltration rates. Therefore, irrigation efficiency may be increased by reducing surface water ponding.

In this region, sprinkler (movable pipe) irrigation is most often used in mixed-age orchards. Some orchards are flood irrigated. Low-volume systems are more prevalent in orchards with high-density plantings. Low-volume irrigation systems typically deliver water more efficiently than sprinkler or flood systems and therefore less total water may be required to irrigate the orchard.

Some orchards in the Central Coast are dry-farmed (not irrigated). These orchards are typically older blocks planted to standard rootstock with fewer trees per acre. Dry-farmed orchards are not necessarily managed as intensively as are the newer high-density plantings. Also, apples harvested from dry-farmed orchards are sometimes processed rather than sold on the fresh market.

In many Central Coast apple orchards, trees on standard rootstock are propped in June or July to support fruit growth and development and decrease limb breakage prior to harvest. Properly trained orchards with semi-dwarf rootstock do not require tree propping.

Harvests are most often performed by the grower and not by a custom operator. Growers hand harvest for the fresh market on a "select-pick" basis. That is, apples are harvested for quality (large size, appropriate varietal color and lack of visible defects). Individual trees and/or portions of the orchard that do not have fresh market potential are generally designated for processing. Processing fruit may be harvested at the same time as the select-pick fruit, but is separated into different bins in the field. Alternatively, growers may harvest processing fruit after the select-pick by stripping trees. Processing fruit is shipped to a processor (for the organic or conventional market) after harvest. Fruit with fresh market potential is taken to a packing shed where it is sorted, sized and packed. The actual harvest period is determined by the county agricultural commissioner and is based on a variety's maturation date, minimum size and soluble solid content. Harvests take place over the period of mid-August through late October.

Yields for organic apples will vary depending on a number of factors including orchard age, planting density, variety, production location, irrigation practices and yearly growing conditions. Apples specifically earmarked for fresh market are required to meet certain grades and standards. The portion of the crop that does not meet fresh market standards is culled for processing. Apple yields are expressed as: 1) gross tonnage on a per acre basis, 2) the percent of the total tonnage that is then taken to the packing house with fresh market potential and 3) pack-out, or the portion of the crop that is saleable fresh market fruit. Pack-out is expressed in terms of percent of total tonnage and also in terms of boxes. Boxes are packed in one of three different ways: cello-bagged, loose-packed or tray-packed. Apple size determines the method of packing. For example, small sized apples are generally cello-bagged and large sized apples tray-packed. However, in some cases special orders may dictate a different packing protocol. In this area, yields for organically produced apples can range from 7 (low-density plantings) to 30 (high-density plantings) gross tons per acre. An estimated 70 to 95 percent of this tonnage will go to the packing shed; some of this fruit will be culled for processing. Packing is done primarily by a custom packing house. Some small-scale growers pack their own product.

The following table shows the approximate pack-out yield range for 40-pound tray-packed boxes and the percentage range of the total gross tonnage this represents for four apple varieties grown organically in the Central Coast.

Approximate Pack-out Yield Ranges for Four Apple Varieties
Grown Organically in the Central Coast¹

Apple Variety	Boxes Per Acre	% of Gross Tonnage
Granny Smith	355-600	50-60
Jonagold ²	700	70
McIntosh	225-300	45-80
Yellow Newtown Pippins	120-240	25-30

¹ Tree spacing is 12 x 18 for a total of 202 trees per acre

² Jonagold yield is based on a high-density planting. No ranges are shown.

Cover Crops/Floor Management:

Cover crops can be beneficial for the production of organic apples in a number of ways. If leguminous cover crops are used, soil nitrogen may be increased through nitrogen fixation. Cover crop root growth and root exudates often stimulate microbial activity which has been shown to promote soil aggregate stability. When cover crops are incorporated into soil in the spring, microbes assist in the decomposition process by breaking down organic matter and releasing nutrients. Cover crops increase the plant diversity of the orchard and can attract and harbor alternate prey for beneficial arthropods (insects, spiders and predatory mites). In the flowering stage, they can provide nectar to attract and sustain beneficial insects. Cover crops can also reduce dust problems in orchard systems which in turn may help reduce spider mite pests. Weed suppression may be another direct benefit of cover cropping depending on the species or mix selected. Also, cover crops help reduce soil erosion particularly on sloped or hilly land. Lastly, farm machinery is able to enter orchards sooner after rains or irrigations when a cover crop's mat of root and vegetative growth provides support on wet soil. This may also serve to reduce soil compaction.

There may be some disadvantages with using cover crops in orchards. Annually sown cover crops increase cash costs for seed and labor, and may require the rental or purchase of additional farm machinery. Additional inputs such as water and nutrients may be necessary because of competition between the cover crop and trees. The water requirement in particular should be taken into consideration because water may be in short supply and/or pumping costs high in this area. If a cover crop blooms during the period of apple bloom, bees may prefer to visit flowers of the cover crop over the apple blossoms, thus reducing pollination. Also, cover crops may attract arthropod and vertebrate pests to the orchard. For example, research indicates that mustard cover crops are associated with increased populations of the insect pest orange tortrix.

Selection of a particular cover crop species should take into account the yearly production cycle of the tree crop as well as the climate, which dictates the planting time and winter cold tolerance of the cover crop. Also, growers should select cover crops for the specific needs of an orchard. For example, if soil nitrogen is in short supply, then a leguminous cover crop is generally preferred. However, if growers wish to increase the amount of biomass that is returned to the soil, then a cover crop that includes a grass may be best. In addition, the soil type and irrigation system should be taken into consideration. For example, cover crops such as vetch may not be the best choice for orchards with permanent sprinkler systems because vetch tends to climb and wrap around sprinkler heads. To alleviate this difficulty, cover crop mixes may include a grass or bell beans to provide an alternative means of support for vetch growth. Tall-growing cover crops may interfere with sprinkler irrigations if orchards require irrigation before the cover crop is mowed, disced and/or incorporated. Growers in some areas may find that certain cover crop species and mixes are not appropriate for their soils and conditions. Often, the most suitable cover crop in each situation is determined by observation and experimentation over a period of years.

In Central Coast organic apple orchards, annually sown cover crops are customarily planted in the fall after harvest. Legumes such as bell beans and vetch, and grasses such as barley, oats and rye are the preferred cover crop species. Less often, resident vegetation and/or perennial species are managed as the cover crop.

In the spring months cover crop management depends on the type of cover crop that exists in the orchard. For example, annually sown cover crops are generally mowed once and then incorporated into the soil by discing. Incorporating the cover crop speeds decomposition of the vegetation and recycling of nutrients for crop production. Moreover, competition for water and nutrients between the trees and the cover crop is also lessened during the spring and summer months. Orchard floors are then disced periodically throughout the summer to keep the floor free of vegetative growth.

If resident vegetation or perennial species are managed as the cover crop, vegetative growth is not incorporated by tillage operations. Orchard floor vegetation is mowed periodically in the spring and summer months to reduce the above ground biomass. If leguminous species are not present in the orchard, nitrogen will probably be lacking in the system and require supplemental nutrients. Additional water may also be needed because of competition between the cover crop and tree growth.

Pest Management:

Most pesticides that are currently used by producers of conventionally grown apples are not approved for use by organic apple growers. **Figure 1. Pest Management Materials for Central Coast Apples** includes information on specific materials, application rates and the appropriate months in which materials are usually applied by Central Coast organic growers.

The pest management techniques utilized by growers do not necessarily conform to the University of California's Integrated Pest Management (U.C. IPM) Guidelines, nor are all materials listed on **Figure 1. (on page 16)** used by all farmers each year. Growers experience indicates that deviations from the U.C. IPM recommendations are sometimes necessary due to yearly variability in growing conditions, a material's availability and the total input costs.

In general, pest control products used by organic growers are not as effective as synthetic pesticides for immediate or acute problems. The cost for some organically acceptable pest control methods may also be prohibitive for many growers. Therefore, orchard sanitation, pest identification, monitoring and prevention are essential elements of successful organic apple production. Also, the timing of material applications is critical for effective insect, mite and disease control in apples. Growers should be certain that any materials used are in compliance with the rules and regulations of state and federal agencies and of certification organizations. (Refer to the **Regulations of Organically Grown Commodities** section.)

Diseases. The two most serious diseases in organic apple orchards in the Central Coast are apple scab (*Venturia inaequalis*) and powdery mildew (*Podosphaera leucotricha*). Both pathogens affect young (and sometimes older) wood, foliage, flowers and fruit. These diseases overwinter on leaf litter or leaf and flower buds in the orchard. For apple scab infection to occur, moisture must be present over a certain period of time and within specific temperature ranges. Wet springs and/or overhead sprinkler irrigations frequently increase the incidence of this disease. Disease inocula in the orchard may be reduced if leaf litter decomposes sufficiently during the dormant season. During drought years apple scab incidence is typically lowered. Pruning and burning infected wood also helps lessen disease outbreaks, especially for powdery mildew. Powdery mildew is influenced by temperature (warm days and foggy nights) but does not require moist conditions to infect an orchard. It is primarily spread by wind. Both infectious diseases cause fruit to be russeted, scarred, distorted and/or smaller in size, decreasing overall fruit quality, yield and marketability.

Lime sulfur and/or wettable or micronized sulfur are the organically acceptable fungicides that are used to lessen the incidence of both apple scab and powdery mildew. Spray applications of either material generally begin in late March or early April at the green tip stage (when buds are just beginning to open). From one to four additional sprays are then applied once every seven to fourteen days depending on rainfall and humidity. These materials should not be used in hot weather as phytotoxicity can occur. Higher temperatures may also inhibit some pathogen development and therefore decrease the number of fungicide sprays that are necessary.

Unlike apple scab and powdery mildew, the bacterial disease fire blight (*Erwinia amylovora*) seldom occurs in orchards in this area. However, some apple rootstocks (for example M26) and varieties (such as Fuji) are more susceptible to this disease than others. In addition, the disease is more common in warmer areas such as San Benito County. This disease can be spread by water, insects or wind. The pathogen overwinters in twigs, branches or tree trunks and requires moist, warm springs to spread. Preventative treatments include mineral-based copper sprays or the naturally occurring antibiotic streptomycin. Some growers prune and burn diseased wood to control the bacteria if it is already present in an orchard.

Sunburn or sunscald, a physical disorder that occurs in some apple varieties grown in the Central Coast can markedly reduce fresh market yields. Fruit with minor sunburn damage may be diverted for processing; fruit with severe damage may not be salvageable at all. Pruning and training methods may influence the amount of fruit injury and damage.

Insects and Mites. Four insect pests cause the majority of fruit damage and yield loss in Central Coast organic apple orchards. They are: codling moth (*Cydia pomonella*), rosy apple aphid (*Dysaphis plantaginea*), apple pandemis (*Pandemis prysuana*) and orange tortrix (*Argyrotaenia citrana*). Less notable pests that occur in the area include a number of different aphid, mite and scale species. These pests overwinter in various locations within orchards including soil, twigs, branches, debris and mummy fruit. During the growing season they feed on

fruiting wood, foliage, flower buds and the fruit itself; tree growth can be stunted or distorted and fruit can be misshapen and blemished and rendered unsaleable as a result. Reducing damage and/or controlling these pests often results from the integration of a number of different management techniques.

Many growers agree that the codling moth presents the principal challenge to growing apples organically. Unlike many apple producing regions within the state, the Central Coast enjoys somewhat of a control advantage for codling moth; mild temperatures during the growing season inhibit development and thus the number of generations (flights) that occur each year. Nonetheless, effective overall reduction or control methods for codling moth were previously unavailable. A number of techniques have been and are still being used to combat this pest. Horticultural oils are sometimes applied to trees in the spring months to increase mortality of codling moth during the egg stage. Codling moth populations may be reduced when apples are thinned carefully as some pests will be removed at the same time. Growers dispose of thinned apples that contain pests by submerging in water, burying or discing into orchard soils. The botanical insecticide ryania and microbial insecticide sprays such as the codling moth granulosis virus (CMGV) and the bacterium *Bacillus thuringiensis* (Bt) are also being utilized. One difficulty with the use of these insecticides, however, is that they must be ingested to be effective. A spray's timing is therefore critical in that it must be applied during or directly after egg hatch but before the time larvae enter the fruit and are protected. Another problem is that these materials break down rapidly and therefore have a short residual effect. Repeated applications may be necessary for adequate pest reduction, thereby making control somewhat costly and, at least for some growers, unrealistic economically. CMGV has been granted conditional registration in California and is now available for purchase through the Association for Sensible Pest Control in Clayton, California. Additionally, numerous trials have shown that Bt may not be effective as a means of codling moth control.

More recently, pheromone-based mating disruption programs have emerged as a promising method for reducing codling moth populations for organic growers, particularly when used in conjunction with other control tactics. Pheromone traps are used to monitor insect populations to determine pest pressure and appropriate treatments. In addition, dispensers containing codling moth pheromone (a species-specific female sex odor) are placed in large numbers (160 to 400 per acre depending on the brand purchased) in trees throughout each orchard. The orchard air is essentially flooded with the female scent which in turn disorients males and disrupts mating. Dispensers are placed in trees two to three times yearly in the spring and summer months. Each application is weather dependent. Growers report that a significant decrease in codling moth damage can occur with the inclusion of this technique into the pest management regime.

Mating disruption programs may also have some limitations. Grower experience indicates that this codling moth control technique is not necessarily effective on sloped land or in orchards with missing trees, possibly due to non-uniform application rates. Also, mated females from adjacent untreated orchards may fly into pheromone-treated orchards and subsequently cause fruit damage. In either case, codling moth control in total can be reduced.

Horticultural oils are also utilized for the control of aphid, apple pandemis, mite and scale pests. Dormant (winter) and delayed dormant (green tip) sprays are used to smother eggs and increase adult mortality. In general, dormant sprays are not harmful to beneficial insects. However, if oil sprays are used in the warmer spring and summer months when insect activity increases, beneficial insects within the orchard will be killed if sprayed directly. Apple pandemis and orange tortrix populations may be reduced with spray applications of Bt. Some growers prune aphid-infested trees in late spring or early summer to remove damaged branches and reduce pest populations. Prunings are disposed of by chopping and/or burning. Insecticidal soap sprays may also be used to reduce aphid numbers in portions of the orchard with signs of significant pest damage and/or in years when pest pressure is severe. Insecticidal soap is thought to be most effective when applied early in the season, however, there is some debate as to whether or not this material is effective in reducing aphid populations overall. Insecticidal soap is allowed for use in California organic farming when it consists of fatty acids derived from vegetable or animal fats. Refer to Figure 1. (on page 16) for additional information:

Aphid populations can be reduced by controlling honeydew-seeking ant species. It is commonly known, for example, that some ants protect aphids from their natural enemies in order to feed on the aphid exudate honeydew. When ants successfully reduce natural enemies in orchard settings, this can indirectly increase in pest populations of species other than aphids because natural controls are reduced in total. Some organic apple growers apply sticky materials such as Tanglefoot or Stickem to tree trunks to form barriers and block the access of ants to foliage and tree tops. A tree wrap should be used on young trees before applying these materials as damage may result to the tree bark.

Santa Cruz County Farm Bureau
141 Monte Vista Ave.
Watsonville, CA. 95076
Phone: (831) 724-1356 Fax: (831) 724-5821
Email Address: sccfb@sbcglobal.net



Date: 4/22/09

TO: Gary Patton

FAX NO: 429-4057

FROM: Jess Brown

RE: Atkinson Lane

OF PAGES: pages 31-48

MESSAGE: Fax 3 of 3

HP Color LaserJet 2840



Wittwer & Parkin
(831) 429-4057
Apr-22-2009 15:00

Fax Call Report

Job	Date	Time	Type	Identification	Duration	Pages	Result
1737	4/22/2009	14:57:52	Receive	8317245821	2:50	15	OK

04/22/2009 14 48 FAX 8317245821

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Email Address: sccfb@sbcglobal.net*



Date: 4/22/09

TO: Gary Patton

FAX NO: ~~422-9391~~ 429-4057

FROM: Jess Brown

RE: Atkinson Lane

OF PAGES: page 16-30

MESSAGE:

If you do not receive the complete fax transmission, please call (831) 724-1356.

Many beneficial arthropods such as parasites and predators occur naturally within organic orchards. Growers in the Central Coast rarely augment these populations with purchased (supplemental) beneficial insects. Parasitic wasps and predaceous arthropods including spiders, lacewings, and lady beetles can lessen overall insect pest damage within orchards and should be encouraged to proliferate by providing an appropriate habitat (cover crops) and avoiding insect and oil sprays whenever possible.

Weeds. Weeds are most often controlled in the spring and summer months by discing orchard centers and, when tree spacing allows, cross discing to reduce weed growth in tree rows. Weeds in tree rows are also controlled by hand hoeing in addition to mechanical cultivations. The number of mechanical cultivations and/or hand weedings varies among growers.

Vertebrates and Miscellaneous Pests. Rodents are largely controlled by trapping, but are also controlled with strychnine bait. Strychnine is an allowed material by the State of California, but may be restricted and/or prohibited by some certification organizations.

Snail populations periodically increase to levels that require some pest management. When necessary, hand labor is used to remove snails from orchards.

Marketing of Organically Grown Apples:

Commodities that are produced organically can often be sold for a higher price than conventionally grown products. Returns to growers for organically grown fresh market apples will vary depending on a number of factors including fruit variety and quality, industry supply and consumer demand. For example, if growers are early to market, returns may be higher due to limited market competition and heightened consumer demand. Also, growers with uniform production and consistent yields are generally better able to market their product effectively on a year-to-year basis. Alternatively, out-of-state imports and years with high yield levels may cause market gluts and negatively impact grower returns.

Organically grown apples must meet the same minimum quality grades and standards as conventionally grown apples. Quality indicators include appearance, flavor, nutritional value and food safety. While growers, marketers and consumers may have different perceptions of quality, the appearance of fresh market commodities probably impacts grower returns more significantly than all other quality factors. For example, fruit that is russeted, blemished or distorted is not often tolerated by today's consumers or by current grades and standards. Fruit size and color will also impact grower returns; larger-sized and well-colored fruit often commands a higher market price. These are visual characteristics that are generally preferred by marketers and consumers but are not necessarily associated with better overall nutritional value, flavor or food safety.

In this area, apples that are grown organically for the fresh market are often custom-packed after harvest and then sold through a sales agent or local produce broker. Sales agents charge a fee or commission for coupling growers and buyers for their mutual benefit. When growers use a sales agent, they often enlist the services of a consolidator to cool, inventory and ship their product. Sales agents' fees are generally nine to ten percent of the product sold; consolidators charge a flat rate on a per box basis. Alternatively, produce brokers act as intermediaries between producers and buyers. They receive the product after packing and in turn facilitate cooling, handling, sales and distribution for a fee or commission. For apples, produce brokers' fees range from ten to twelve percent of the gross sales. A produce broker's commission customarily excludes cooling fees. Sale of the product is generally guaranteed by the produce broker based on buyer acceptance. Additionally, growers may sell their product directly through retail outlets and/or farmers markets.

Although fresh market apples are a perishable product, they may be cold-stored over a period of time to maintain quality if the product cannot be sold immediately or is voluntarily held in storage because of poor market prices. However, storage fees increase grower costs. Therefore, apples should be sold whenever possible in an expedient manner for growers to see the most satisfactory returns unless prices are anticipated to increase later in the year. It should be recognized that both market and production risks affect the profitability and economic viability of each apple operation.



Response to Comment Letter #12
William Parkin, Wittwer & Parkin LLP

April 22, 2009

[Response to Comment #12-1](#)

With the exception of impacts to commercial agriculture, specific comments are not provided by the commenter regarding the inadequacies of the mitigation measures in the Draft EIR. Regarding the comment on agricultural resources, the commenter is referred to Master Response AG-1 - Mitigation of Conversion of Agricultural Land.

Per Section 15088.5 of the CEQA Guidelines, a lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR for public review under Section 15087 but before certification. Per Section 15088.5(b) of the CEQA Guidelines, recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The clarifications to the EIR incorporated herein would not trigger the recirculation process per CEQA Guidelines section 15088.5.

[Response to Comment #12-2](#)

Comment regarding the environmental review process under CEQA is noted. The environmental setting for each technical section in Chapter 3 of the Draft EIR is presented based on the specifics of each technical issue in the EIR. The Draft Environmental Impact Report meets the intent of the California Environmental Quality Act and provides an adequate analysis of all technical issues regardless of the number of pages in the EIR.

[Response to Comment #12-3](#)

Comment is noted. Commenter is correct in that the Draft EIR would serve as a single document for three separate governmental actions to be carried out by three separate governmental agencies as described in Section 2: Project Description in the Draft EIR. Section 15161 of the CEQA Guidelines states that an EIR shall examine all phases of the proposed project (including planning, construction and operation). Each section of the Draft EIR describes the regulatory setting of both the City of Watsonville and County of Santa Cruz, agencies with jurisdiction within the planning area. Specific impacts and mitigation measures for each phase are clearly identified in the environmental analysis in Section 3.0: Environmental Setting, Impacts, and Mitigation Measures of the Draft EIR, as well as in the Mitigation Monitoring and Reporting Program (MMRP) that is included in Section 3.0 of the Final EIR.

Please see Response to Comment #12-1 regarding recirculation.

[Response to Comment #12-4](#)

See Master Response AG-2: Agricultural Buffers.

[Response to Comment #12-5](#)

See Master Response AG-2: Agricultural Buffers.

[Response to Comment #12-6](#)

The analysis of water supply is included in Section 3.12: Public Services, Utilities and Recreation. Impact 3.12-7 analyzes the impact of the overall Specific Plan and the County's



PUD on the groundwater basin. Cumulative impacts of the proposed project to the groundwater basin are discussed in Section 4: CEQA Considerations on pages 4-20 and 4-21 of the Draft EIR. Pages 3.12-9 through 3.12-14 of the Draft EIR address the environmental setting of the Pajaro Valley Groundwater Basin. Impact 3.12-7 addresses the impact of the proposed project including Phase 1 (County site) on the groundwater basin.

The Draft EIR acknowledges Phase 1 (County site) is not currently being irrigated as shown in Table 3.8-10: Projected Water Demand. Aerial photographs show this property was an orchard in 1982 and in the 1987 aerial photographs the property was cultivated in strawberries. Therefore the county's PUD portion of the proposed project which is a net 10 acre development once required 10 AFY when it was cultivated as an orchard (1 AFY/acre of orchard) and 30 AFY when it was cultivated in strawberries (3 AFY/acre of strawberries).

As discussed in Master Response P-3 – Groundwater Basin Overdraft, groundwater impact fees are collected from new residential development and are used to fund water conservation programs which distribute low flow shower heads and hose nozzles, issue cash rebates for owner replaced low flow toilets, issue cash rebates for energy star washers, fund the installation of low flow toilets, provide Kindergarten through 12th grade and adult conservation education in local schools, provide landscape and irrigation audits for residents and insure that new development install efficient landscape and irrigation systems and efficient plumbing fixtures and appliances. The low flow toilet rebate program and fixture distribution was initiated in 1990 and the washer rebate program began in 2000. The low flow toilet replacement program began in 2006. To date the water conservation programs have replaced 7082 regular toilets with low flow, and 2030 regular washers with energy star washers for an annual water savings of 239 AFY. In the past 20 years the average annual per connection water use has decreased by 25% attesting to the effectiveness of the City's conservation efforts. Phase 1 (County site) would be required to pay the City's groundwater impact fee, which is used to retrofit water fixtures (e.g. toilets, showerheads, etc.) within the City and would result in an overall water savings of 748 gallons of water per month per unit, which would offset approximately 70 to 100 percent of the water consumption of new homes within the planning area including the Phase 1 (County site). In addition, the proposed project would be required to comply with a water conservation augmentation program that would ensure that the water consumption of new homes within the planning area is fully offset as required by mitigation measure (MM 4-3), which is incorporated herein in Section 2.0: Revisions to the Draft EIR.

Commenter states that the “overdraft induced saltwater intrusion is leading to extremely significant degradation of the quality of the freshwater aquifer.” While this is true for some coastal wells which have become increasingly salty, inland wells are not degraded. Water produced by City wells meet all state standards for domestic water consumption.

[Response to Comment #12-7](#)

The City pumps approximately 7000 AFY from the groundwater basin which is approximately 12.6% of the basins total 55,300 CFY of groundwater pumping (average of the last five years). In partnership with the PVWMA the City has developed a responsible approach to address the overdraft. This includes development of a water recycle plant which recycles an amount equal to 50% of the City's water production, the assessment of groundwater impact fees which funds the City's water conservation programs, and the planning for the improvement and expansion of its surface water diversions which would allow for the first time diversions of surface water during the rainy season when supplies are most abundant.



[Response to Comment #12-8](#)

Impact 3.12-7 on page S-4 in the Executive Summary presents the impact of the proposed project on the groundwater basin. As described on page 4-21 of the Draft EIR, the proposed project would result in a significant cumulative impact to water supply and the groundwater basin. As described in the Draft EIR on page 4-21, future development on Phase 1 (County site) and the remainder of the planning area would be required to pay the City's groundwater impact fee, which is currently set at \$347.56 per bedroom and is used to retrofit water fixtures (e.g. toilets, showerheads, etc.) within the City. The water retrofit program, which is funded by the groundwater impact fees results in a savings of 748 gallons of water per month, would offset approximately 70 to 100 percent of the water consumption of new homes within the planning area and would reduce future development's impact on the groundwater basin. In addition, the proposed project would be required to comply with a water conservation augmentation program that would ensure that the water consumption of new homes within the planning area is fully offset as required by mitigation measure (MM 4-3), which is incorporated herein in Section 2.0: Revisions to the Draft EIR.

The City produces approximately 12.6 percent of the total annual groundwater production from the basin and the Specific Plan project proposes no more than 450 housing units. To assess the environmental impacts of "the cumulative and continued overdraft" would require the development of a new, more realistic ground water model which accounts for the failure of coastal wells. This model, which is beyond the scope of the Specific Plan EIR, is currently being developed by the PVWMA and the USGS.

[Response to Comment #12-9](#)

The determination of the groundwater basins safe yield was estimated from the old models that included production from coastal wells, some of which have been taken out of service. This trend with coastal wells will continue and increase as the well water becomes more salty and as coastal farmers replace their well water with deliveries from the coastal distribution system. The PVWMA Basin Management Plan estimates that with the redistribution of coastal wells inland, the safe yield would be much greater, approximately 48,000 AFY. The total City groundwater production is proportionately much less than agriculture, representing just 12.6 percent of the total basin groundwater pumped.

[Response to Comment #12-10](#)

With regard to what PVWMA is doing about the groundwater overdraft see Response to Comment #10-1.

[Response to Comment #12-11](#)

As noted on page 4-21 of the Draft EIR, since the proposed project would result in a reduction in the amount of water use within the planning area over existing conditions, the proposed project would not substantially contribute to a depletion of groundwater supplies or interfere with groundwater recharge to the extent that it would result in lowering of the groundwater table. In addition, the proposed project would require Low Impact Development (LID) techniques including bioretention/bioswales, soil amendments, permeable and porous pavement and tree box filters that would result in a reduction of pollutant loads to receiving waters, but would also assist with recharge of the groundwater basin.

The proposed project would utilize low impact development techniques and the development would be under the jurisdiction of the County and the City's Storm Water Management Plan which requires the projects not only control development caused increases to runoff rates but to



also control increases to runoff volume. Control of runoff volume depends either on percolation of the runoff into soils which is accomplished by integrating landscape areas with the storm drain system or recycling runoff for use as irrigation water for landscaping which may be achieved in a variety of ways such as collecting roof runoff and storage in cisterns.

[Response to Comment #12-12](#)

Table 3.12-3: Past and Projected Groundwater Pumping Volumes on page 3.12-10 of the Draft EIR presents the groundwater pumping within the City from 2000 to the year 2030 and the percent operating capacity. As shown in Table 3.12-3, the proposed project is projected to increase the amount of groundwater by the year 2030, however the City would still be at approximately 66 percent of capacity. As described in Response to Comment #12-8, future development on Phase 1 (County site) and the remainder of the planning area would be required to pay the City's groundwater impact fee, which is currently set at \$347.56 per bedroom and is used to retrofit water fixtures (e.g. toilets, showerheads, etc.) within the City. The water retrofit program, which is funded by the groundwater impact fees results in a savings of 748 gallons of water per month and would offset approximately 70 to 100 percent of the water consumption of new homes within the planning area. This would reduce future development's impact on the groundwater basin. In addition, the proposed project would be required to comply with a water conservation augmentation program that would ensure that the water consumption of new homes within the planning area is fully offset as required by mitigation measure (MM 4-3), which is incorporated herein in Section 2.0: Revisions to the Draft EIR.

Table 3.12-3 in the Draft EIR presents past groundwater pumping and estimates future groundwater pumping between the years 2000 to 2030. The table indicates an increase of 848 AFY during this period, which is a 13 percent increase. The growth in groundwater pumping assumes the City grows in areas defined in Measure U, which includes the construction of 5,700 new housing units. Much of the planned growth areas identified in Measure U are currently farmed and the replacement of the farming activities with residential uses would reduce water consumption because residential uses require significantly less water than agriculture on a per acre basis. A typical comparison of existing agriculture water demand versus residential water demand would conclude that an acre of strawberries would use 3 AFY while an acre zoned R1 would yield approximately 9 single family dwellings which would demand .32 AFY/SFD unit for a total water demand of 2.88 AFY. Approximately half this amount or 1.44 AFY would be recycled and delivered to coastal farmers for irrigation. Therefore the difference in water demand between the agriculture use and the residential use is approximately 1.56 AFY.

[Response to Comment #12-13](#)

Section 4: CEQA Considerations in the Draft EIR on page 4-1 analyzes the significant irreversible changes associated with implementation of the proposed project in accordance with Section 15126.2 (c) of the State CEQA Guidelines. As presented in the Draft EIR, development of the planning area to support urban uses would be regarded as a permanent and irreversible change. Development of the Phase 2 (City site) would essentially eliminate any remaining agricultural production within the planning area and a variety of non-renewable and limited resources would irretrievably committed for construction and operation of the proposed project, including water. Therefore, the Draft EIR has analyzed the change of the proposed project from agricultural use to urban use and the irreversible change associated with the change in land use.

In addition, the CEQA Guidelines require that a lead agency analyze whether or not the proposed project would "substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the



groundwater table (e.g. the production date of nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)” and does not specifically require evaluation of the “type” of water. Commenter is referred to Master Response P-2- Existing Water Use regarding the existing water use within the planning area.

Commenter alleges that the project would cause a significant impact to long term water supplies by creating an inflexible water demand when compared with agriculture where demand is more flexible and farmers may elect to suspend irrigating a field. This assertion supposes that the aquifer is unreliable and will fail from time to time. PVWMA’s Basin Management Plan estimates that with a redistribution of wells from coastal to inland locations the sustainable yield would be much greater, approximately 48,000 AFY. PVWMA is working with the USGS to develop a new groundwater model which accounts for the effects of the coastal wells being replaced with recycled water delivered by the coastal distribution system.

The project proposes no more than 450 new homes, which is below the number of new homes (500) which would require preparation of a Water Supply Assessment as required by California Water Code Sections 10910-10912. The City pumps approximately 7000 AFY of groundwater for a service area that encompass not only the City but a sizable number of connections within the County. That production represents just 12.6 percent of the total annual groundwater production of the basin.

[Response to Comment #12-14](#)

Comment is noted. See Master Response P-2- Existing Water Use.

[Response to Comment #12-15](#)

Comment noted. See Response to Comment #12-6, #12-8, and #12-12 regarding payment of the City’s groundwater impact fee, which would offset approximately 70 to 100 percent of the water consumption of new homes within the planning area. In addition, the proposed project would be required to comply with a water conservation augmentation program that would ensure that the water consumption of new homes within the planning area is fully offset as required by mitigation measure (MM 4-3), which is incorporated herein in Section 2.0: Revisions to the Draft EIR.

[Response to Comment #12-16](#)

Comment is noted. See Master Response LU-1 - Wagner Avenue Extension.



[Response to Comment #12-17](#)

Consistency of the proposed project with the City of Watsonville General Plan and County of Santa Cruz General Plan is analyzed in Section 3.9: Land Use and Planning. See Master Response LU-1: Wagner Avenue Extension regarding Wagner Avenue. A summary of Measure U is included on page 3.9-5 of the Draft EIR and is incorporated by reference. Measure U amended the City's General Plan to define a new urban limit line (ULL) and make related policy changes to the City's General Plan policies and land use designations. Similar to other reference documents in the EIR, Measure U is available for review at the City of Watsonville Community Development Department.

Page 3.9-5 of the Draft EIR has been revised as follows:

City of Watsonville

[Measure U](#)

On November 5, 2002, the voters of the City of Watsonville approved voter initiative Measure U, the "Watsonville Urban Limit Line and Development Timing Initiative," formulated by Action Pajaro Valley. By defining a new ULL area, Measure U was designed to protect commercial agriculture lands and environmentally sensitive areas while providing the means for the City to address housing and jobs needs for the next 20 to 25 years.

- The Measure U-designated ULL allows the planning and development of Future Growth Areas, including the project site. Measure U amended the City's General Plan to define a new ULL and make related policy changes to the City's General Plan policies and land use designations. Specifically, Measure U calls for:
 - a. Annexation of the planning area to the City of Watsonville following adoption of a Specific Plan;
 - b. No development to be allowed by the City of Watsonville within the planning area before January 1, 2010; and
 - c. A minimum 50-percent of the units to be affordable work force housing.

[Response to Comment #12-18](#)

Commenter is correct in that the policy of Measure J that prime agricultural lands and lands that are economically productive shall be preserved for agricultural use. Phase 1 (County site) would not be located on Important Farmland, but Phase 2 (City site) is comprised of approximately 42.4 acres of Important Farmland, which would be converted to urban uses. Consistency of the proposed project with policies in the *City of Watsonville General Plan* and the *County of Santa Cruz General Plan*, relating to agricultural preservation are included in Section 3.9: Land Use and Planning.

Measure J also created Santa Cruz County's Below Market Rate housing program. Through the approval of Measure J in 1978, voters set the requirement that all housing construction projects with more than five units must designate 15 percent of the units as affordable to low and moderate income households.

[Response to Comment #12-19](#)

Four alternatives to the proposed project were evaluated in accordance with the CEQA Guidelines, as well as phasing of future development within the planning area to allow commercial development to continue with development of the proposed project. The proposed project would be phased over time as discussed in Section 2: Project Description of the Draft



EIR. Therefore, commercial agricultural production within Phase 2 (City site) would be allowed to continue if Phase 1 (County site) is developed prior to development of Phase 2 (City site) as would be required by mitigation measure MM 3.2-2a. Phase 2 (City site) of the proposed project would require that future development incorporate a 200-foot buffer along the eastern portion within the planning area as required by mitigation measure MM 3.2-2b, which would ensure the viability of the adjacent parcels that are designated for agricultural uses.

Section 4.6: Project Alternatives evaluates alternatives to the proposed project in accordance with the CEQA Guidelines. The No Project Alternative considers the environmental effects of not approving the proposed project with anticipated future development based on existing zoning designations. Development under Alternative #1 – No Project Alternative would allow for development of approximately 1.9 acres for approximately 15 single family homes within Phase 1 (City site) and development of approximately 6.8 acres for approximately 30 to 50 single family homes within Phase 1 (County site). The remainder of the planning area is designated Agriculture Commercial (CA) in accordance with the County of Santa Cruz County Code and therefore development was not proposed for this portion of the planning area under this alternative. Total development under Alternative #1 – No Project Alternative would include between approximately 45 and 65 single family homes in accordance with the existing zoning designations within the planning area. Due to the active agricultural uses within Phase 2 (City site), this alternative would require a 200 foot permanent agricultural buffer within the County site, similar to the proposed project, which would restrict future development within this area.

[Response to Comment #12-20](#)

Section 3.8: Hydrology and Water Quality presents the long-term operational impacts of increased stormwater runoff during Phase 1 and buildout of the proposed project. The conceptual plan for Phase 1 would utilize the freshwater marsh and temporary detention basin to mitigate the increase of stormwater runoff from the planning area. The temporary detention basin would require a 0.7 acre-foot surface capacity and approximately 0.2 acres of surface area and would be located within the temporary agricultural buffer to the east of the freshwater marsh and east of the extension of Brewington Avenue. A weir outlet structure would capture and convey the overflow from the freshwater marsh to a culvert that would continue conveyance under the Brewington Avenue extension and into the temporary detention basin. The weir outlet and culvert would be designed to accommodate a 100-year peak spill rate. As shown on Tables 3.8-1 and 3.8-2 in Section 3.8: Hydrology and Water Quality of the Draft EIR, drainage conditions under Phase 1 (County site) for both a starting elevation of 74 feet at the freshwater marsh and a starting elevation of 77 feet would result in a reduction in the peak spill rate and overland flow to Crestview Park in comparison to existing conditions for up to a return period of a 100-year storm. As under existing conditions, stormwater runoff would be infiltrated into the native soil and would not result in a significant impact to adjacent agricultural land uses under Phase 1 (County site).

Buildout of the proposed project would add an additional 21 acres of impervious surfaces that would drain to Crestview Park. Currently, the stormwater runoff from the planning area flows overland to the Crestview Park detention basin, which has approximately four acres of detention volume. The detention basin at Crestview Park currently spills over during the 10-year and 15-year storm events. The freshwater marsh has approximately four acre-feet of storage between the assumed starting elevation of 74 feet and the spill elevation of approximately 77 feet. Phase 2 condition assumes that the freshwater marsh/seasonal wetland would continue to function under buildout of the proposed project.



The conceptual drainage plan for Phase 2 of the proposed project would include removal of the temporary detention basin and construction of an expanded detention basin at Crestview Park, which has been designed in order to handle the increased stormwater runoff with buildout of the proposed project. Storm drain pipes of varying sizes would convey stormwater from within the planning area to the Crestview Park detention basin. An approximately three acre detention basin would be required to provide sufficient storage to accommodate between the 15-year and 25-year event as required by the City. The expanded Crestview Park detention basin design would incorporate an underdrain system, gravel trenches, and perforated pipes to accelerate infiltration and drying and increase the usability of the park during the wet season.

The analysis of stormwater detention for the proposed Specific Plan is conceptual in nature, however the proposed design features would provide detention of surface water runoff in order to ensure that post-development runoff does not exceed pre-development runoff. However, implementation of mitigation measures 3.8-1a for Phase 1 (County site) and mitigation measure 3.8-1b for buildout of the proposed project would require preparation of a final drainage plan that would require detailed hydrologic modeling, existing facilities, soil and topographic data; erosion control and best management practices; descriptions of proposed flood control facilities; Low Impact Development (LID) techniques; compliance with waste discharge requirements; phasing and implementation; identification of the entity that is responsible for facility design and construction; Clean Water Program compliance; and facility maintenance to ensure for long-term vegetation maintenance and access.

[Response to Comment #12-21](#)

Comment noted. Section 4: CEQA Considerations evaluated the cumulative impacts of global climate change. See Response to Comment #9-11.

[Response to Comment #12-22](#)

Comment noted. See Master Response AG-1 - Mitigation of Conversion of Agricultural Land.

[Response to Comment #12-23](#)

Comment noted. See Master Response AG-2 - Agricultural Buffers.

[Response to Comment #12-24](#)

The Executive Summary notes that the proposed project would result in a potentially significant impact to the East Lake Avenue (Highway 152)/Holohan Road intersection; Highway 1 NB Ramps/Harkins Slough Road intersection; Airport Boulevard/Freedom Boulevard intersection; and the Highway 1 NB Ramps/Larkin Valley Road intersection; Freedom Boulevard/Crestview Avenue intersection; and an increase in traffic on Brewington Avenue (north of Crestview Avenue), Gardner Avenue (east of Freedom Boulevard); and Atkinson Lane (east of Freedom Boulevard). Mitigation measures are incorporated in the Draft EIR would reduce these impacts to a less than significant level. Table 3.13-1 presents the level of service at each of the study intersections evaluated within the traffic impact analysis that is included in Appendix G in Volume II of the Draft EIR.

Payment of the proposed projects fair share contribution to improvements identified in mitigation measures for the intersections and roadway segments noted above is appropriate under CEQA provided that there is an enforceable plan providing for construction of the improvements. The mitigation measures require that the City of Watsonville update their traffic impact fee program and fee ordinance that would be tied to the City's Capital Improvement Program prior to implementation of the proposed project. This would provide a program to ensure that the



improvements would be constructed. The fair-share concept assigns funding responsibilities for mitigation measures based on a project's relative contribution of traffic generated by a given development on a specific intersection.

[Response to Comment #12-25](#)

The proposed park adjacent to the existing Crestview Park would expand the existing park/detention basin. The expanded Crestview Park detention basin design would incorporate an underdrain system, gravel trenches, and perforated pipes in order to accelerate infiltration and drying and increase the usability of the park during the wet season. In addition to the dedication of 3.5 acres of parkland, future development within the planning area would require contribution towards the parks facilities fee of \$667 per each three bedroom dwelling unit and the County of Santa Cruz has a parks dedication fee of \$1,000 per single family dwelling unit and \$750 per multi-family dwelling unit in order to fund future park development prior to issuance of building permits.

[Response to Comment #12-26](#)

Section 8 of the Traffic Impact Analysis (Appendix G, Volume II of the Draft EIR) evaluates the impacts on the surrounding road network without the Wagner Avenue extension. In addition, Section 4.6: Project Alternatives compares the environmental impacts of the proposed project with Alternative #2: Proposed Project Without the Wagner Avenue Extension.

[Response to Comment #12-27](#)

Comment is noted regarding reducing stormwater runoff by reducing the width of the proposed internal street network. The internal street network for the proposed project was based in part on the City standards, but incorporates landscape swales on the local streets and swales and bioswales on the swale streets in order to facilitate infiltration of stormwater flows from the increase in impervious surfaces within the planning area.

[Response to Comment #12-28](#)

Comment is noted regarding endangered species permits that may be needed. As presented in Table 3.4-2: Special Status Species and Sensitive Habitats Occurring or with Potential to Occur within the Planning Area, one special status plant species and ten special status wildlife species known to occur or with potential to occur within the planning area.

As presented on page 3.4-26 of the Draft EIR, Ecosystems West Consulting Group and Bryan M. Mori Biological Consulting Services concluded that the occurrence of California Red Legged Frog (CRLF) is unlikely based on the presence of bullfrogs, which are predators to CRLF, within aquatic habitat and the relative isolation due to urbanization of the planning area from known localities. However, due to the presence of suitable aquatic habitat and known CRLF localities within the dispersal distance of the planning area, the United States Fish and Wildlife Service has recommended that protocol level surveys are conducted, which is required by Mitigation Measure 3.4-2a. At this time, the proposed project would not require Section 7 consultation and development of a Biological Opinion or a Section 10a consultation and development of a Habitat Conservation Plan for the California Red Legged Frog unless protocol level surveys indicate they are located within the planning area.

Mitigation measures are also required for Santa Cruz Tarplant, Western Pond Turtle, Avian Species, Special Status Bat Species, and Dusky Footed Woodrat. The mitigation measures included in the Draft EIR include performance measures that would ensure that these species are



protected should subsequent surveys determine that they are located within the planning area prior to construction.

[Response to Comment #12-29](#)

Comment is noted. As noted on page 4-13 of the Draft EIR, the proposed project incorporates design guidelines that encourage sustainable and green development practices. These green design guidelines include: projects seeking Leadership in Energy and Environmental Design (LEED) certification, incorporating of roofing materials that are light in color or reflective materials that reduce the heat island effect, and optimal building orientation for the use of active and passive solar energy features.

[Response to Comment #12-30](#)

Comment is noted. See Master Response AG-1 - Mitigation of Conversion of Agricultural Land.

[Response to Comment #12-31](#)

Comment is noted. See Master Response AG-2 - Agricultural Buffers.

[Response to Comment #12-32](#)

The planning area is surrounded on three sides by existing urban development and is considered an infill development site. There are no other sites located within the City limits that would be large enough to accommodate the proposed project.

[Response to Comment #12-33](#)

Comment is noted. See Master Response AG-2 - Agricultural Buffers.

[Response to Comment #12-34](#)

Comment noted. See Master Response AG-1- Mitigation of Conversion of Agricultural Land.

[Response to Comment #12-35](#)

Comment is noted. The proposed project would require a General Plan Amendment and has been noted in Section 2.0: Revisions to the Draft EIR within Section 2.8.1: Future Approvals Within the Planning Area.

[Response to Comment #12-36](#)

Comment is noted. See Master Response AG-2 - Agricultural Buffers.

[Response to Comment #12-37](#)

It is acknowledged that the planning area is located adjacent to agricultural lands to the east of the project site, which are located outside of the City's ULL in unincorporated Santa Cruz County. Measure U established the ULL in order to protect agricultural lands and environmentally sensitive areas, while providing the means for the City to address housing and job needs for the next 20 to 25 years. Since the surrounding agricultural land is located outside of the ULL, significant constraints would preclude conversion of adjacent farmland to urban use, including amending the ULL.

[Response to Comment #12-38](#)

Comment noted. See Master Response AG-1- Mitigation of Conversion of Agricultural Land.



[Response to Comment #12-39](#)

Comment is noted. Mitigation measure 3.4-3i on page 3.4-30 requires that permanent signage be placed on the perimeter of the wetland buffer area clearly stating that people and their pets should not enter the wetland area or associated buffer due to the presence of sensitive habitat.

[Response to Comment #12-40](#)

From a regulatory perspective, there is little to no protection for onsite trees that are not associated with a sensitive or riparian habitat. The Significant Tree Ordinance does not apply to this site because it is located outside of the Coastal Zone. Mitigation Measure 3.4-4a would be enforced through the requirements of the PUD and Specific Plan.

[Response to Comment #12-41](#)

Comment noted. Adequate data gathering to meet the requirements of CEQA were conducted and documented in the Draft EIR and its appendices. EcoSystems West conducted site-specific biological surveys on May 23, 2008. The only sensitive wildlife species observed or expected to occur on the project site is the Western Pond Turtle. No sensitive bat species were observed. However, mitigation specified in the Draft EIR for additional sensitive species (e.g., bats, San Francisco dusky-footed woodrat, etc.) is to ensure that none are present in the future if and when the project is developed. Development of the planning area is not expected in the near future. There is no project applicant for Phase 1 of the County site and the City has no immediate plans to annex the planning area into the City of Watsonville.

[Response to Comment #12-42](#)

Comment noted. Please see response to Comment #12-41.

[Response to Comment #12-43](#)

The larger native oaks that would be impacted are located around the agricultural basin that would be removed during the Phase 2 of the City's project to allow the connection of Brewington Avenue with Atkinson Lane. Oak trees are very difficult and expensive to move due to their extensive root zone that needs to be moved with the tree. Oak trees are rarely moved for this reason and at great cost with mixed success. For these reasons, oak replacement as specified in MM 3.4-8b is more appropriate. For all oaks greater than 6 inches diameter breast height (DBH) or greater than 8 feet tall that are removed, project applicants within Phase 2 (City site) shall plant replacement oaks along the margins of the riparian buffer and ephemeral drainage in the western half of the planning area and within the designated agricultural buffer and along Corralitos Creek at a 3:1 ratio subject to review and approval by the City of Watsonville Community Development Department.

[Response to Comment #12-44](#)

Comment is noted. The proposed project would expand the existing detention basin at Crestview Park by approximately three acres for a five acre detention pond.

[Response to Comment #12-45](#)

Comment is noted. Please see Master Response LU-1 - Wagner Avenue Extension.



[Response to Comment #12-46](#)

Comment is noted. The Draft EIR is adequate and was prepared in accordance with the CEQA Guidelines. Comment is not specific enough to address which sections of the Draft EIR are considered inadequate.

Growth inducing impacts, including conversion of adjacent agricultural land to urban uses is addressed in Section 4.3: Growth Inducement. As noted on page 4-3 of the Draft EIR, the planning area is located adjacent to agricultural lands to the east of the project site, which are located outside of the City's ULL in unincorporated Santa Cruz County. These parcels are designated "Agriculture Commercial (CA)" in the *Santa Cruz County Zoning Code* and as "Agriculture" in the *Santa Cruz County General Plan*. The proposed project incorporates a 200-foot buffer on the eastern portion of the planning area adjacent to existing agricultural uses as a permanent limit to urban development on the eastern border. Measure U established the ULL in order to protect agricultural lands and environmentally sensitive areas, while providing the means for the City to address housing and job needs for the next 20 to 25 years. Since the surrounding agricultural land is located outside of the ULL, significant constraints would preclude conversion of adjacent farmland to urban use. Therefore, the Draft EIR determined that the proposed project would not induce conversion of adjacent agricultural land to urban uses.

See Response to Comment #12-20 on the impact of stormwater runoff to adjacent agricultural uses. Also see Master Response AG-1 for Measure U discussion.

[Response to Comment #12-47](#)

See Response to Comment #12-3.

[Response to Comment #12-48](#)

Comment noted. See Response to Response to Comment #12-13

[Response to Comment #12-49](#)

Comments noted. See Response to Comment #12-1 regarding recirculation of the Draft EIR.



Watsonville Pilots Association

"Serving Aviation and the Community"



P.O. Box 2074
Freedom, CA 95019-2074
April 6, 2009

The following responses are to the Atkinson Lane Project DEIR. They apply to airport land use planning, safety and noise concerns.

Page 3.7-1

Top of page, paragraph 1.

The *Watsonville Municipal Airport Master Plan* (WAMP) is of limited use in an off-airport EIR for the following reasons:

1. It contains information that is too abbreviated and sketchy and is not an Airport Land Use Compatibility Plan (ALUCP)
2. To be valid, the FAA must approve an AMP; version used not FAA approved.
2. The FAA requires that an AMP contain only inside the airport boundary planning
3. The FAA required that off-airport land use planning be removed from the WAMP.
4. The Caltrans Division of Aeronautics states that off-airport land use planning be done in an Airport Land Use Compatibility Plan (ALUCP).
5. There is no ALUCP for Watsonville Airport

13-1

AIRPORT HAZARDS

Last paragraph.

The *Watsonville Municipal Airport Master Plan* should not be intended to be applicable to "its surroundings." Again, the *Watsonville Municipal Airport Master Plan* is applicable to areas on the airport property only.

Page 3.7-2

Paragraph 2

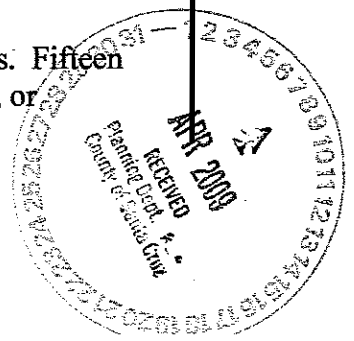
Figure 3.7-1 is in error. It is based on a "short general aviation runway" zone configuration. Runways 8 and 26 are "medium general aviation runways." They require "medium" runway size zones.

13-2

Exact runway length is not the only factor determining zones sizes.

Other factors are:

1. Authors of the handbook state that runways lengths were an arbitrary determination and not meant to be a sole determinant of a short, medium, or long general aviation runway (statement by an airport expert in a major consulting firm). The Handbook says that runway length is not the sole determinant of zone sizes (p.9-43)
2. Number of operations per year is a criterion for determining zone sizes. Fifteen (15) percent of the operations at Watsonville are on runways 8 and 26, or



approximately 15,000 operations per year. According to the handbook this far exceeds the limits for a low use runway.

3. Watsonville Airport is busier, has more operations than either Monterey, Salinas, or Hollister Airport. Watsonville has more based aircraft than any other airport in the tri-county area, San Benito, Santa Cruz, and Monterey Counties. Runways 8 and 26 are used more than many airports in California and elsewhere.
4. Aircraft types that use a runway are a criterion in zone determination. Runway 8-26 is used by large aircraft including jet, turboprop, C-130 aircraft.
5. Pavement strength is a criterion in determination of a "medium general aviation runway". Runway 8-26 is as strong as runway 2-20.
6. Type of approach involved with a runway, including circling approaches and visibility minimums (here one (1) mile).

13-2
cont.

Using the correct size zones puts the north section of the Atkinson Lane project area, part of the Creek, the north side of the Creek, and part of an environmental buffer area inside zone 4.

Planned housing's current setting is in "Rural / Suburban (Mostly to Partially Undeveloped)" and density in zone 4 should be one (1) dwelling unit (d.u.) per 5 acres. This information and determination should be in an approved ALUCP. There is no ALUCP. Applicable here is a general rule "don't make it worse."

Zone size categories must be determined by objective, qualified consultants and be part of a Compatibility Plan (ALUCP). In an EIR zone size must be determined by the ALUCP.

City staff has proven to be non-objective regarding airport land use planning as determined by the County Grand Jury, the Santa Cruz County Superior Court and CDOA. The ALUCP can only be approved after public scrutiny, input and public hearings. The ALUCP must be examined and approved by Caltrans Division of Aeronautics (CDOA).

There is no ALUCP.

There is no CDOA approval.

This question must be answered: What is the response from CDOA to the Atkinson DEIR and the state clearing house?

An ALUCP is normally produced by a 7-member County Airport Land Use Commission (ALUC), that is suppose to be objective in overseeing airport land use planning.

Paragraph 3:

There are no noise footprint contours in the DEIR that reflect departures aircraft from runway 8? These aircraft overfly Atkinson using high propeller RPMs and engine climb power.

13-3

Page 3.10-10

Paragraph 3.10.4, bullet item 5

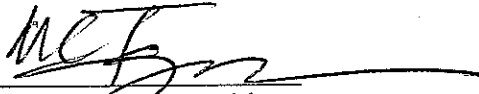
This item is correct in implying that there is no "airport land use plan"; or, "where such a plan has not been adopted, ..." The Atkinson area is within 2 miles of the airport, therefore airport noise must be considered significant. Again, doesn't an EIR require an ALUCP to be completed prior to EIR acceptance?

Page 3.10-17, paragraph 2, "Exposure of the Proposed Project to Airport Noise"

- 1) The project area underlies the downwind leg of runway 20
- 2) It underlies departures from runway 8
- 3) It underlies arrivals to runway 26

No airport anywhere has "a less than significant impact" on noise when it's "located within 2 miles of a housing or public area." This is substantiated by multitudes of noise complaints around airports. Pertinent here is the PUC Code 21670 series that states its goal: "...to prevent the creation of new noise and safety problems."

A prerequisite to a valid EIR must be (1) compliance with the State Aeronautics Law, (2) adherence to the intent of the California Airport Land Use Planning Handbook (January 2002), (3) an approved Watsonville Airport Land Use Compatibility Plan (required by the *Handbook*), and (4) establishment of a county airport land use commission (ALUC). All four of these are linked and part of California's airport safety and airport protection system.


Mike McIntyre, President

13-3
cont.

13-4



Response to Comment Letter #13 Watsonville Pilots Association

April 8, 2009

Response to Comment #13-1

The *Watsonville Airport Master Plan* (WAMP) incorporates the safety compatibility zones from the *California Airport Land Use Planning Handbook* (Caltrans 2002) for both runway 8-26 and 2-20. Runway 8-26 is identified as the cross wind runway and is not used as the primary runway. The City of Watsonville Airport Manager has defined this runway as a short aviation runway with a length of less than 4,000 feet, serving fewer than 12,000 small aircraft operations annually. Historically, the FAA has designated the Airport Manager as the final authority on runway designations. During the litigation on the *City of Watsonville General Plan* the City is using the existing WAMP without Resolution 74-05 along with the 2002 California Airport Land Use Planning Handbook and Watsonville Municipal Airport Draft Land Use Compatibility Plan as guidelines for future development in the airport influence area. The City is not required to be part of an Airport Land Use Commission (ALUC). The planning area is under review under the 2005 *City of Watsonville General Plan* and previously approved *Airport Master Plan* of which the proposed project is consistent.

Response to Comment #13-2

The crosswind runway has never been defined as a medium length runway serving large planes. The Caltrans Draft Land Use Compatibility Plan for the airport identifies runway 8-26 as a short aviation runway. As defined by the WAMP and the Caltrans *Draft Land Use Compatibility Plan* for the City of Watsonville, only a very small sliver of the southwest corner of the Atkinson property is in safety compatibility Zone 6. The City does not agree that safety zones for a larger runway should be used as part of this analysis. The Caltrans Department of Aeronautics did not provide comments on the Draft EIR. The City will continue to be the responsible agency to determine land use compatibility until such time that the *Vista 2030 General Plan* lawsuit issues are settled on appeal.

Response to Comment #13-3

Exhibit 11 of the *Watsonville Airport Master Plan* indicates the noise contours for the existing runway configurations. As described on page 3.10-7 of the Draft EIR, the 55 DB CNEL contour does not extend into the planning area. Therefore, the proposed project would not result in an exposure of excessive noise levels from the airport.

Safety and noise hazards from airport operations at the Watsonville Municipal Airport are described in Impact 3.7-10 on page 3.7-17 and 3.7-18 of the Draft EIR. As required by mitigation measure MM 3.7-10 on page 3.7-18 of the Draft EIR, future development within the planning area would be required to obtain overflight easements to inform future residents that existing airport flyover areas exist in the area.

While the City's 2030 General Plan is in litigation, the City of Watsonville is the determining body for land use decisions around the airport. The City is using the 2005 *City of Watsonville General Plan* and previous WAMP for establishing compatibility. The WAMP was previously used by the City in determining compatibility and will continue to be utilized while the General Plan is under review. There is no requirement under the previous documents for an ALUC to be formed for review of land use decisions. Therefore the proposed project has been determined to be consistent with the previous planning documents and is consistent with the intent of California Aeronautics law.



Response to Comment #13-4

Comment noted. See Response to Comment #13-1 and #13-2.



Private Residents

Todd Sexauer

From: Darlene Din [darlenedin@earthlink.net]
Sent: Wednesday, April 22, 2009 1:23 PM
To: Todd Sexauer; Carlos Palacios
Cc: Jess Brown
Subject: Comments on Draft Environmental Impact Report for the Proposed Atkinson Lane Specific Plan
Importance: High

April 22, 2009

Mr. Todd Sexauer, Environmental Planner
 County of Santa Cruz
 Planning Department
 701 Ocean Street, 4th Floor
 Santa Cruz, CA 95060
 Tel: (831) 454-3511
 Email: PLN459@co.santa-cruz.ca.us

RE: Comments on Draft Environmental Impact Report for the Proposed
 Atkinson Lane Specific Plan and Planned Unit Development

Dear Todd Sexauer;

I have been an Ag Land Use Consultant in the Pajaro Valley for about ten years, before that I was one of the Board of Supervisors Aide's for our former 4th District Supervisor Ray Belgard and am very familiar with the commercial agricultural lands that would be impacted by the proposed Specific Plan and PUD. I have lived in the Pajaro Valley for most of my life and currently my family resides on Brewington Avenue. Over the years, I have worked on land use policy around agriculture with many issues that should be addressed in this EIR. Santa Cruz is very different in the fact that the voters passed Measure J in the late 1970's to protect agricultural as one of the measures goals, and many of the voters under Measure U in Watsonville passed that measure to protect agricultural. It is my expert opinion, as a consultant who truly understands from personal experience how much impact adjacent residential development can have on farming, that the plan as proposed will have an extremely detrimental impact on farming on the adjacent lands, the agricultural buffer needs to be a true buffer without urban uses, more often the buffer provides a good neighbor approach for the land owners, but it has become even more important around food safety requirements, and public health.

14-1

Here are the problems I see;

Impact 3.1.1-2 Alter Ag Conversion- 42.4 prime 1.4 statewide importance- Significant impacts (Wagner) places urban uses adjacent to agriculture which will impair Ag productions and result in land use conflicts.

14-2

Impact 3-2-11 policy 5.13.20 all of this Ag land is currently viable- cannot be migrated- significant impact, Why is this not evaluated in the EIR?

The 150-foot buffer that is really what is being provided (50-feet allows urban uses within the buffer) though the Draft EIR keeps talking about 200 feet, won't prevent agricultural conflicts because the buffer is not required to be to the County's Buffer standards, there has not be a review by APAC to determine if 200 ft is even enough to provide protection. Why didn't the EIR look at the true impact to agriculture by not having APAC provide the required standards for this project? The uses of the words "interim buffer" is very misleading, farming will continue while the project is being built and during the

14-3

4/22/2009

phasing of this project and master plan. The buffer policy again is to protect the agricultural operations this is a VERY dense project and must have a minimum of a 200 foot buffer. Why again did this not go through a policy review with APAC? 14-3 (cont.)

The drainage flow off the developed lands will have negative impacts because this project will change the "landscape" of this area. Projects in the pass as submitted have stated that the drainage would be address in the building design, and in most projects that has not been the case. 14-4

The proposed road expansion on Wagner Road will definitely have adverse impacts on the commercially productive Ag lands next door by conversion of Commercial Zone Ag land. This area is outside of Measure U and should not even be in the discussion. The overall traffic in this area cannot take this increase in housing, East Lake and the roads that connect have Ag traffic and cannot support additional traffic. Why didn't the EIR review that issue? 14-5

In fact, it is the experience of members of the farming community, and the research community, that in well established orchards like the orchard located on the Phase 2 City site, no irrigation is needed in wet years, so that the average water demand figure for apples should be something like 0.5 AFY, also along with the average water use for strawberries is 3.5 AFY, there are lands in this project that are open and have not had water use. Why is that issue not reviewed in the EIR? Why didn't the EIR evaluate the science and technology under current and future water use? Why look at this property owner's water use? The standards of water use should be on best management practices by the industry. Did the EIR consultant evaluate the investment by these property owners on water savings? Did the EIR consultant consider the industry standards? 14-6

In closing, the Draft EIR fails in its basic "informational" objective to analyze the result in the permanent loss of over 40 acres of prime agricultural land; they also put commercial agriculture at risk on adjacent lands, the lack of a fully adequate agricultural buffer setback, and the drainage issues that will impact adjacent farmlands. I am very concern with the process and planning of this site and do not support the extension of Wagner Avenue or any conversion of agricultural land outside of the prior agreements understood with the growth management strategy under Measure U , and most important the lack of additional permanent residential water in an overdrafted basin, *you cannot fallow homes.* 14-7

Sincerely,
Darlene Din
Darlene Din
921 Brewington Avenue, Watsonville, Ca. 95076 14-8

Sincerely,
Darlene Din
Darlene Din
921 Brewington Avenue, Watsonville, Ca. 95076



Response to Comment Letter #14

Darlene Din

April 22, 2009

[Response to Comment #14-1](#)

Comment is noted. See Master Response AG-1 - Mitigation of Conversion of Agricultural Land.

[Response to Comment #14-2](#)

Comment is noted. See Master Response AG-1 - Mitigation of Conversion of Agricultural Land. See Master Response LU-1 regarding Wagner Avenue and potential conflicts with adjacent agricultural lands.

[Response to Comment #14-3](#)

Comment is noted. See Master Response AG-2 – Agricultural Buffers. Review of the agricultural buffer by Agricultural Policy Advisory Commission (APAC) is not required as the proposed project does not propose a reduction in the agricultural buffer.

[Response to Comment #14-4](#)

Comment is noted. See Response to Comment #12-20.

[Response to Comment #14-5](#)

Comment noted. See Master Response LU-1 – Wagner Avenue Extension.

[Response to Comment #14-6](#)

Comment noted. Section 3.12: Transportation and Circulation in the Draft EIR evaluates the transportation and circulation impacts of the proposed project on East Lake Avenue and on the other study roadway segments and intersections; identifies potentially significant impacts and mitigation measures to reduce impacts to a less than significant level.

[Response to Comment #14-7](#)

Comment is noted. See Master Response P-2 – Existing Water Use.

[Response to Comment #14-8](#)

Comment is noted. Responses to comments are provided above. Regarding the change from agricultural water use to urban water use associated with the proposed project, see Response to Comment #12-13.

COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ COUNTY, CALIFORNIA

Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Comments must be received by 5:00 pm April 22, 2009

Mail: County of Santa Cruz, Planning Department

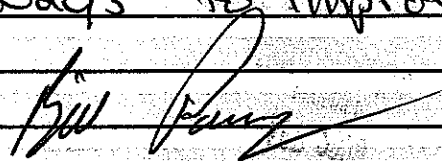
701 Ocean Street, Santa Cruz, CA. 95060

Attn: Todd Sexauer (831) 454-3511

Name: Bill Passey
Mailing Address: 35 Kenyon Ave
City, State, Zip Code: Watsonville CA 95076
Date: 4/20/09

Comments:

This project will not improve the city of Watsonville. Access to the project is already congested with traffic, anyone that lives in Watsonville knows this. To build at this location would unfairly impact to many long time residents of Watsonville. Projects like this should be done on the outskirts of town where there is room to build schools to accomodate the residents. Furthermore their is no need for more housing at this time. Values are way down making it much easier for low income families to purchase a home. If this project goes through as planned, I believe it will be ~~another~~ another case of our elected officials not representing the people. Lets think of ways to improve Watsonville, not destroy it.



15-1

15-2

15-3

15-4



Response to Comment Letter #15
Bill Passey

April 20, 2009

[Response to Comment #15-1](#)

Commenter is referred to Section 3.13: Transportation and Circulation in the Draft EIR regarding the traffic impacts associated with the proposed project. Comment is noted regarding comments on the proposed project. No further action is required.

[Response to Comment #15-2](#)

Comment is noted regarding the location of the proposed project. No further action is required.

[Response to Comment #15-3](#)

Comment is noted and referred to City staff and decision makers for further consideration. No further action is required.

[Response to Comment #15-4](#)

Comment is noted and referred to City staff and decision makers for further consideration. No further action is required.

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ COUNTY, CALIFORNIA**

Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Name: Linda Gordon
Mailing Address: 812 Delaware Street
City, State, Zip Code: Watsonville, CA. 95076
Date: April 20, 2009

Comment: Ground Water Emergency in the Pajaro Basin:

On August 19, 2008 the Board of Supervisors had a meeting in the Watsonville City Council Chambers to declare a ground water emergency. After much discussion, it was mentioned that the Board of Supervisors would be responsible for administering and regulating their recommendation and findings. The proposal was dropped, even a proposed moratorium on new subdivisions and general building was tabled for no further discussion. The proposal was to slow the growth and the demand on our aquifer and critical overdraft conditions. The following week the proposal to construct 600 new units was back on the TECH Advisory Committee agenda. **How does the County of Santa Cruz rationalize a negative use of water demand when the land that the county wants to develop has not been farmed in 15 years? And no historical water use has been documented?** The orchard area was dry farmed. The agricultural water usages assumed all the agricultural area was irrigated. **Who determined that water demand and usage for these parcels and can it be documented?**

16-1

16-2

Comments must be received by 5:00 pm April 22, 2009

*Mail: County of Santa Cruz, Planning Department
701 Ocean Street, Santa Cruz, CA. 95060
Attn: Todd Sexauer (831) 454-3511*



Response to Comment Letter #16
Linda Gordon

April 20, 2009

[Response to Comment #16-1](#)

Comment is noted regarding water use at Phase 1 (County site). See Response to Comment #12-6.

[Response to Comment #16-2](#)

Comment is noted regarding water use on existing agricultural crops within planning area. Please see Master Response P-2 – Existing Water Use.

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ COUNTY, CALIFORNIA**

Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Name: Ron Gordon
Mailing Address: 812 Delaware Street
City, State, Zip Code: Watsonville, CA. 95076
Date: April 17, 2009

Comments: 17-1

3.2-1 Conversion of 42.4 Acres prime farm land: What dictated the location of Atkinson Lane vs. the Par 3 Golf Area in Aptos? At the Par 3 Golf Area no large infrastructure is need to develop the area adjacent to the Hwy 1 Freeway. 10,000 acres to the East with Nisene Marks Park and 4,000 to 5,000 acres of State Beaches to the West. This site will allow plenty of open space and recreation area for the required affordable housing. **Why can't Aptos accommodate their "fair share" of the low income-high density housing and not use Watsonville as a dumping ground?** Watsonville is 3 times as dense as Aptos!_Supervisor Pirie says that in a newspaper article that Aptos has poor in fracture and cannot take any more density increase, and needs more open space.

17-2

Comments must be received by 5:00 pm April 22, 2009

*Mail: County of Santa Cruz, Planning Department
701 Ocean Street, Santa Cruz, CA. 95060
Attn: Todd Sexauer (831) 454-3511*

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ COUNTY, CALIFORNIA**

Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Name: Ron Gordon
Mailing Address: 812 Delaware Street
City, State, Zip Code: Watsonville, CA. 95076
Date: April 17, 2009

Comments:

5-23.3.4.7 and S-11 MM34.2C S-32 MM3.7-4-C 5.35 MM37-8B Erosion and Run Off: Introduction of Harmful Materials, Pesticides to Wetland Habitat and Park Areas: **Have any studies been made on ALL of the parcels to determine background levels of 2.4-D paraquat 245-T and other petroleanted hydro carbons, rather than rely upon the construction at time the grading permit application is applied for to reform phase II inspection?**

17-3

Comments must be received by 5:00 pm April 22, 2009

***Mail: County of Santa Cruz, Planning Department
701 Ocean Street, Santa Cruz, CA. 95060
Attn: Todd Sexauer (831) 454-3511***



Response to Comment Letter #17
Ron Gordon

April 20, 2009

[Response to Comment #17-1](#)

See Response to Comment AG-1 – Mitigation for Conversion of Agricultural Land.

[Response to Comment #17-2](#)

In addition to the planning area, other communities in the County would accommodate their fair share of affordable housing. In addition to the Atkinson Lane Specific Plan area, the Board of Supervisor selected six sites throughout the county according to the site selection process outlined in the adopted County of Santa Cruz Housing Element. Other affordable housing sites chosen by the Board of Supervisors include: two in Aptos for a total of 6 acres; one in Live Oak totaling 5 acres; one in Soquel totaling 4 acres; and a second site in the Pajaro Valley totaling 4.41 acres. The total rezoning would total approximately 30 acres countywide.

[Response to Comment #17-3](#)

A Phase II Environmental Site Assessment that was prepared for 56 Atkinson Lane (APNs 048-211-25 and 019-226-42) in order to determine information pertaining to historical practices on these parcels. Based on the Phase II Limited Soil Investigation, there would not be a human health risk on APNs 048-211-25 and 019-226-25 from residual pesticides in the soil. Due to the historical agricultural uses on the remainder of the planning area, Mitigation Measure 3.7-9 in the Draft EIR would ensure that proper testing, evaluation and remediation of potential pesticide residues associated with historical agricultural use within the planning area is conducted on Assessors Parcel Numbers 019-226-43, 019-226-44, 019-236-01, 048-231-01, 048-221-09, 048-231-17, 048-231-18, and 048-251-09 prior to issuance of a grading permit. Adequate performance measures are incorporated into the mitigation measures in order to ensure that if pesticide residues are discovered within the soil that they are remediated prior to construction activities occurring within the planning area.

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ COUNTY, CALIFORNIA**

Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Name: Abbie Silva
Mailing Address: 812 Delaware Street
City, State, Zip Code: Watsonville, CA. 95076
Date: April 21, 2009

Comments: Crestview Detention Pond: This detention pond is designed for a 10 year storm event. If the wet land area is decreased in sf area and the coefficient of run off is changed, **how will the accumulative drainage be contained in the area of Crestview Detention Pond? Has the drainage calculations been designed for a 25 year storm event? Has it taken into account the clay soil and underlying clay lens? Has the mitigation included and allowed for these factors in the event of a +25 year storm event? The existing subdivisions in the Crestview area was a wetland with water ponding there all year long. The Army Corp states “once a wetland always a wetland” How do you mitigate the degrading of environmental wetlands and delineation infringement?**

18-1

18-2

Comments must be received by 5:00 pm April 22, 2009

*Mail: County of Santa Cruz, Planning Department
701 Ocean Street, Santa Cruz, CA. 95060
Attn: Todd Sexauer (831) 454-3511*



Response to Comment Letter #18
Abbie Silva

April 20, 2009

[Response to Comment #18-1](#)

The conceptual storm drainage plan for the proposed project addresses stormwater treatment for Phase 1 and buildout of the proposed project. The conceptual plan for Phase 1 would utilize the freshwater marsh and temporary detention basin to mitigate the increase of stormwater runoff from the planning area. The temporary detention basin would require a 0.7 acre-foot surface capacity and approximately 0.2 acres of surface area and would be located within the temporary agricultural buffer to the east of the freshwater marsh and east of the extension of Brewington Avenue. A weir outlet structure would capture and convey the overflow from the freshwater marsh to a culvert that would continue conveyance under the Brewington Avenue extension and into the temporary detention basin. The weir outlet and culvert would be designed to accommodate a 100-year peak spill rate. As shown on Tables 3.8-1 and 3.8-2 in Section 3.8: Hydrology and Water Quality of the Draft EIR, drainage conditions under Phase 1 (County site) for both a starting elevation of 74 feet at the freshwater marsh and a starting elevation of 77 feet would result in a reduction in the peak spill rate to Crestview Park in comparison to existing conditions for up to a return period of a 100-year storm. As required by Mitigation Measure MM 3.8-1a, detailed hydrologic modeling and soil and topographic data would be required when completing a final drainage design.

[Response to Comment #18-2](#)

Comment noted. As discussed on pages 3.4-34 and 3.4-35 of the Draft EIR (Impact 3.4-7) discusses the short-term construction impacts of the proposed project to the freshwater marsh in the western portion of the planning area. Mitigation Measure 3.8-2 in Section 3.8: Hydrology and Water Quality would ensure compliance with the National Pollution Discharge Elimination System (NPDES).

The only wetland feature within the planning area that would be removed is the agricultural detention basin located in the northern portion of the planning area. Hydrology to this agricultural basin is fed only by pumping groundwater into the basin. Groundwater pumping has ceased and the agricultural basin is currently dry. However, mitigation Measure 3.4-8a and 3.4-8b are designed to reduce the impacts associated with the removal of the agricultural basin during Phase 2 of the City site by creating freshwater marsh habitat at a 2:1 replacement ratio, and replacing impacted oak trees (greater than 6 inches DBH) at a 3:1 replacement ratio.

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ COUNTY, CALIFORNIA**

Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Name: Kristy Bobeda
Mailing Address: 115 Rogers Street
City, State, Zip Code: Watsonville, CA. 95076
Date: April 15, 2009

Comments:

Proper planning and land use practices govern a good development. Infrastructure should be in place and shall support the existing and proposed development prior to approving any new development. Developing any area before infrastructure is built or provided for to accommodate any new building is poor planning practice. The lack of prior planning really adds exponential costs to future development. Poor planning and development that exists within cities boundaries only compounds the problem when planning future developments. The taxpayers typically foot the bill for such poor planning. **What is the off site costs that the taxpayers will incur for this proposed project to accommodate the shortcoming of the existing infrastructure?**

19-1

Comments must be received by 5:00 pm April 22, 2009

***Mail: County of Santa Cruz, Planning Department
701 Ocean Street, Santa Cruz, CA. 95060
Attn: Todd Sexauer (831) 454-3511***



Response to Comment Letter #19
Kristy Bobeda

April 15, 2009

[Response to Comment #19-1](#)

Comment is noted. The financial burden for the proposed project would not fall on existing City residents. See Master Response P-1: Public Services and Fiscal Mitigation.

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ COUNTY, CALIFORNIA**

Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Name: Carmen Jordan
Mailing Address: 804 Delaware Street
City, State, Zip Code: Watsonville, CA. 95076
Date: April 15, 2009

Comments:

3.13-12 Increase traffic volume on Wagner avenue from project to East Lake Avenue and Holohan Road. Holohan Road intersection is currently operating at E & F Level of Service.

20-1

If Wagner and Crestview is to become a collector street what buffering is being considered to mitigate the traffic impact on adjacent neighborhoods (ie landscape buffering, bicycle lanes, no access into established neighborhoods and creating more congested intersections) Wagner Avenue will need a 25 foot offset at school area, plus additional buffering from agricultural land. **What efforts have been made to procure the right of way and who will buy the 200' buffer area that will take the existing prime ag land out of production?**

20-2

Comments must be received by 5:00 pm April 22, 2009

***Mail: County of Santa Cruz, Planning Department
701 Ocean Street, Santa Cruz, CA. 95060
Attn: Todd Sexauer (831) 454-3511***



Response to Comment Letter #20

Carmen Jordan

April 15, 2009

Response to Comment #20-1

Comment is noted regarding the level of service at the Holohan Road/East Lake Avenue intersection. Page 3.13-21 of the Draft EIR presents the impact and mitigation measure for improvements to the Holohan Road/East Lake Avenue intersection.

Response to Comment #20-2

Comment is noted regarding Wagner Avenue. The proposed Wagner Avenue extension is described on page 4-21 in the Specific Plan. Two options are described, which would reduce impacts to the neighborhood and minimize the cost of design and land acquisition. Both options include a parking lane and a sidewalk. Option A would also include two designated bike lanes and landscaped swales.

As noted in Master Response LU-1-Wagner Avenue Extension, the City of Watsonville's agriculture policy provides an exception for modifications to existing facilities within proposed agricultural buffers. The intent of both the City of Watsonville and the County of Santa Cruz Agricultural Buffer policies is to provide protection between agricultural land and the development of new residential, commercial, or industrial uses, but not to restrict the addition to or expansion of existing public and private facilities in a potential buffer area. The extension and expansion of Wagner Avenue would provide for an additional buffer between the non-agricultural and agricultural uses, which would provide for improved conditions for both uses, with minimal loss of agricultural land. Neither the County nor the City Buffer policies require additional buffers for the expansion of existing streets, or public facilities. Current buffer policies exceptions would allow expansion of existing public facilities.

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ COUNTY, CALIFORNIA**

Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Name: Harriette Ryan
Mailing Address: 427 Village Way
City, State, Zip Code: Watsonville, CA. 95076
Date: April 20, 2009

Comments:

3.2-2 Urban land uses would be place adjacent to agricultural uses and ag production and activities would be impaired: In providing the 200 foot agricultural buffer more prime land would be taken out of production. **Who will pay for the loss of production? Or does the City of Watsonville plan on purchasing the 200-foot right of way?** 21-1

Comments must be received by 5:00 pm April 22, 2009

***Mail: County of Santa Cruz, Planning Department
701 Ocean Street, Santa Cruz, CA. 95060
Attn: Todd Sexauer (831) 454-3511***



Response to Comment Letter #21
Harriette Ryan

April 20, 2009

[Response to Comment #21-1](#)

The 200-foot agricultural buffer would be placed entirely within the planning area, which would ensure that adjacent agricultural land would not be taken out of production. The 200-foot agricultural buffer would be owned and maintained by either the City and/or in common ownership by a homeowners association (HOA). This shall be specified in the development agreements with future development within the planning area.

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
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SANTA CRUZ COUNTY, CALIFORNIA**

Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Comments must be received by 5:00 pm April 22, 2009

*Mail: County of Santa Cruz, Planning Department
701 Ocean Street, Santa Cruz, CA. 95060
Attn: Todd Sexauer (831) 454-3511*

Name: Colleen Brunetti
Mailing Address: 233 Bronson Street
City, State, Zip Code: Watsonville, Calif 95076
Date: 4/17/09

Comments:

Traffic Operation Evaluation Methodologies. Traffic flow operations at intersections are evaluated using a LOS A concept . The LOS concept uses a grading Scale of "LOS A through LOS F with LOS A representing free flowing conditions and LOS F representing forced flow conditions. The City of Watsonville has established LOS D as the minimum acceptable LOS for over all intersection operations, EXCEPT for those accepted to operate at less than LOS D. The standard for Caltrans level of service is the LOS C/D threshold in which LOS C is acceptable in all cases and LOS D is acceptable on a case by case basis. The County of Santa Cruz LOS standard is C but LOS D as a minimum acceptable standard where costs, right-of way requirements, or environmental impacts of maintaining LOS under this policy are excessive and where such capacity enhancements may be considered infeasible.

It appears the City of Watsonville Council could and should look over our policy and bring them closer to Santa Cruz Co and Caltrans. In looking over the Impact reports. Many LOS F (failure) intersections are listed: Below are a few: 12/8/08 Freedom/Harkins Slough (F) 12/8/08 Airport and Green Valley Road (F) 12/8/08 Main Street & S. Green Valley Road (F) 12/8/08 Airport and Freedom (F) 12/8/08 Riverside and SR-1 N.B.Ramps F 12/8/08 Main and Harkins Slough (F) 1/6/09 Airport and Freedom (G)

Many other dates and times show D, E, and G's. The first part of the development on Atkinson Lane is in Santa Cruz County. It would appear they are in violation of their own traffic acceptable standards and should abandon or delay their development until a time when the existing traffic problems in Watsonville and in Santa Cruz County are resolved.. Not add more cars to an already over-burdened system which neither the county nor the City has any funds to correct nor any way of getting funds in the foreseeable future. Please explain the counties plans and time schedule on bringing these intersections into compliance.



Response to Comment Letter #22
Colleen Brunetti

April 17, 2009

[Response to Comment #22-1](#)

Comment noted. See Response to Comment #1-1 regarding the thresholds of significance that were used for the proposed project to evaluate impacts at study roadway segments and intersections.

[Response to Comment #22-2](#)

Comment noted. Table 3.13-1: Level of Service Summary Table is presented on pages 3.13-6 through 3.13-9 in the Draft EIR, which shows the level of service under “Existing Conditions,” “Existing Plus Background Conditions” and “Existing Plus Background Plus Project Conditions.” Based on the County of Santa Cruz thresholds of significance, impacts for the study intersections and roadway segments were identified. For those impacts that were found to be potentially significant, mitigation measures were developed in order to mitigate the impacts of the proposed project to a less than significant level. As described in Section 3.13: Transportation and Circulation, the proposed project would either design and construct specific improvements or provide its fair share of traffic mitigation costs caused by future development within the planning area. Payment of the proposed projects fair share contribution to improvements at the respective intersections is appropriate under CEQA provided that there is an enforceable plan providing for construction of the improvements (e.g. a fee program that would be tied to a Capital Improvement Program prior to implementation of the proposed project), so that it can be assured that the improvements would be constructed. The improvements would be constructed in accordance with the City’s Capital Improvement Program when warranted. A project is not required to provide mitigation funding beyond the level of impact. Pursuant to CEQA Section 15126.4(a)(4)(A and B), there must not only be a link between the impact generated by a project and the mitigation required of it but there must be rough proportionality between the two as well.

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ COUNTY, CALIFORNIA**

Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Comments must be received by 5:00 pm April 22, 2009

Mail: County of Santa Cruz, Planning Department

701 Ocean Street, Santa Cruz, CA. 95060

Attn: Todd Sexauer (831) 454-3511

Name: Arnold Brunetti

Mailing Address: 233 Bronson Street

City, State, Zip Code: Watsonville, Calif 95076

Date: 4/20/09

Comments:

Page 3 of Atkinson Lane Specific Plan and PUD Draft environmental Impact Report Volume IV; Technical Appendices states; "Many of the intersections would continue to operate at unacceptable levels of service for both project and cumulative conditions, even with the construction of extensive improvements. Some of these improvements may be regarded as infeasible." Does this indicate that the problems cannot be corrected and only made worse? If this is the case and there are no mitigating methods, this project should be stopped.

23-1



Response to Comment Letter #23
Arnold Brunetti

April 20, 2009

[Response to Comment #23-1](#)

Comment noted. See Response to Comment #1-1. Impacts were identified to study roadways and intersections based on the County of Santa Cruz significance criteria. Section 3.13.4 of the Draft EIR provides a discussion of impacts and mitigation measures that would mitigate project traffic impacts to below a level of significance. The buildout scenario in the Traffic Impact Analysis is based on a 498-unit buildout scenario rather than the 450 units proposed. Therefore, the analysis of project-related traffic impacts is considered conservative.

COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE
ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ, COUNTY, CALIFORNIA



Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Name: Wanda Hernandez
Mailing Address: 225 Bronson St
Street, State, Zip Code: Watsonville, CA 95076
Affiliation (if any):
Date: April 21, 2009

Comments:

If you review Exhibit A, the red line represents the 220 ft buffer along Wagner St. By calculating the lengths of the road and the buffer, you will be converting approximately 20 acres of farmland for this use.
How do your calculations give you less than 2 acres for the roadway and buffer?

Continue on reverse side if additional space is needed.

Please submit comments tonight or mail to:

County of Santa Cruz
Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
Attn: Todd Sexauer
(831) 454-3511

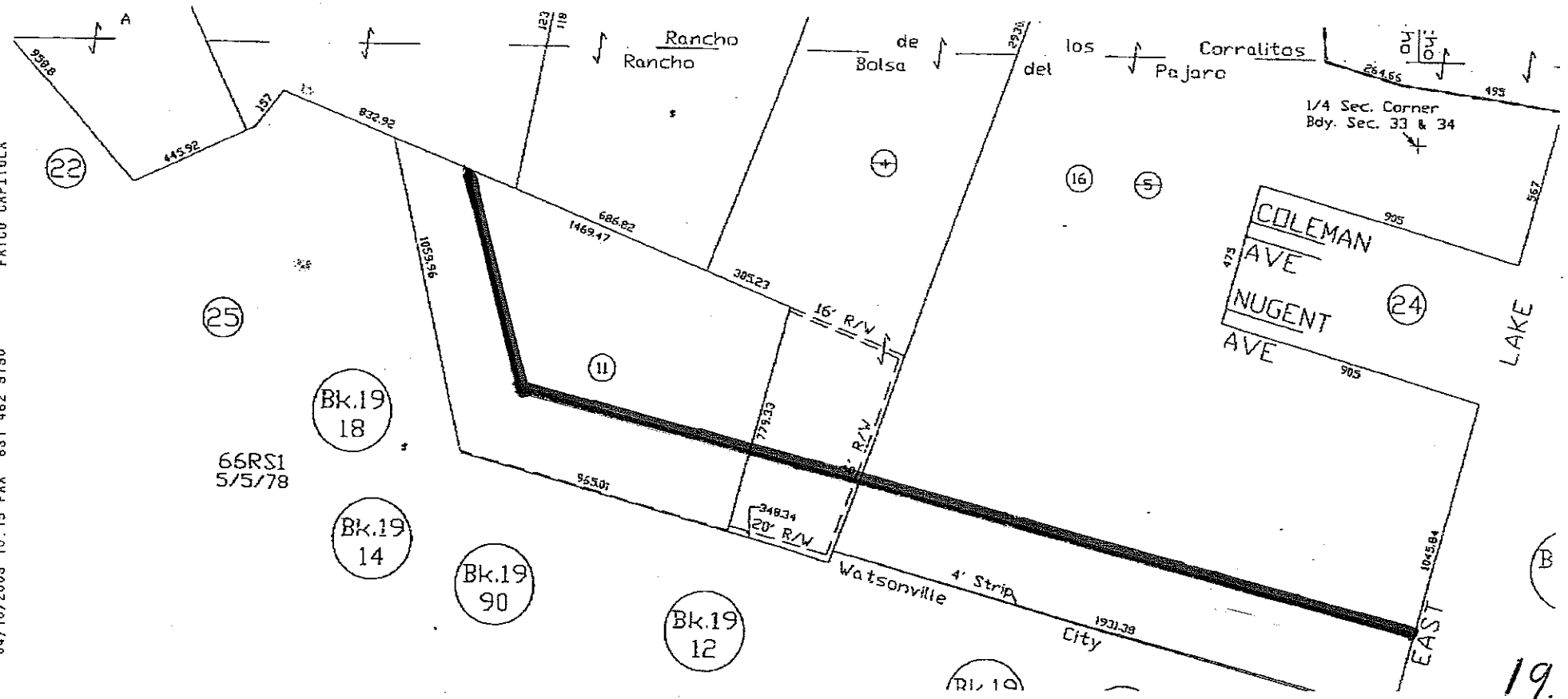
IMPORTANT: Comments must be received by 5:00 P.M. April 22, 2009

EXHIBIT A

0001/001

FATCO CAPIOLA

04/10/2009 10:15 FAX 831 482 9780



19.72 Acres



Response to Comment Letter #24
Wanda Hernandez

April 21, 2009

[Response to Comment #24-1](#)

Comment is noted. See Master Response LU-1 - Wagner Avenue Extension.

ATKINSON LANE EIR COMMENTS

Following are items which to my belief are incompletely or erroneously addressed in the captioned Report, or for which documentation of mitigations are incomplete.

They center about the issues of neighborhood character, removing land from agriculture, impact of the built-out project on traffic, estimating numbers of project residents and children of school age, financing of capital improvements, infrastructure construction costs, and project financing, continuing service costs to Watsonville, and incomplete consideration of Alternate Plans.

I would appreciate the EIR's consideration of *the issues raised in italics* and a written response.

Sincerely,

Rich Persoff
Santa Cruz County Resident
mimulus@charter.net

NEIGHBORHOOD CHARACTER

Policy 8,4,1 Neighborhood Character .. New infill on vacant land within established residential neighborhoods to be consistent with the existing residential character of the neighborhood. Project density shall be compatible with existing neighborhood density

Impact 3.9-1 planning area and surrounding area not considered a cohesive, "established" community that would be divided by anticipated residential uses IMPACT IS CONSIDERED LESS THAN SIGNIFICANT

Siting 200 units on 10 acres across the street from existing single family residences or informal apartment complexes should be addressed as a significant impact. The present residents of Atkinson Lane would be surprised to hear that they were not a neighborhood. Note also the increased police attention to this definable neighborhood.

25-1

25-2

AGRICULTURE

Policy 5.13.20 (a) development forbidden if land is viable for agriculture

5.13.22 prohibits conversion of agricultural lands around periphery of urban areas except where it can be demonstrated that the viability of the agricultural land use is already severely limited

Watsonville Goal 9.7, Limit the urbanization of productive agricultural soils to only those parcels contiguous with existing urban use

Only the western, high-density project area does not have significant agricultural use at present, and is not classified as Class 1 Soils, or Important Farmland. Usage of the eastern and southern portions of the proposed project has unmitigable impacts.

25-3

10.C.2 Where existing conditions are already below LOD D, any new development must mitigate traffic conditions preventing further deterioration in level or service

3.13-18 Intersections Freedom/Atkinson, Freedom/Gardner, Freedom/Crestview, Green Valley/Freedom, & Segments Airport /Freedom to Hiway 1, Freedom Blvd (4 segments) stated to not degrade service below LOS C, considered less than significant, no mitigation necessary

*What studies and community-based standards document these findings of no significant impact? My examinations of the listed intersections and segments suggest that **current** vehicular congestion and delay are excessive* 25-4

3.13-20 East Lake/Wagner Ave intersection does not meet MUTCD signal warrants, less than significant impact.

This intersection is transited quite rapidly by Highway 152 through traffic. Increased entering and turn-off traffic will significantly augment hazards and accidents. 25-5

MM 3.13-5 project applicants shall pay their proportional fair share of improvement @ Holohan/Hiway 152 ~ \$1.5 million

MM3.13-7 Airport/Freedom improvements ~ \$ 1,047,000. Fair share 7.57 % portion of all future traffic of all future traffic.

These improvements are required because additional traffic from the proposed development will make circulation conditions intolerably congested. Since Atkinson Lane development is the tipping factor responsible for this excessive congestion, it should be paying a much larger share of the costs to mitigate the addition of its residents. Existing Watsonville residents and property owners should not pay the greater share of expenses required to mitigate conditions created by the new development. 25-6

POPULATION ESTIMATES

Impact 3.11-1 Proposed project would generate ~ 1679 persons based on CA DOF 2008 forecast of 3.73 persons/unit.

3.11.2 2000 census 11,771 housing units, pop 51,500

3.12.31 873 school aged children based on DOF rate of 3.73 persons/unit

Watsonville is commonly believed to have larger extended families, and a larger proportion of young and school-aged children, than statewide averages. It is well known that many informal apartment complexes (e.g., unpermitted inhabited garages, single-family residences converted for multi-family use or rental to casual workers) exist within the city limits. It is unrealistic to assume that residents of new Atkinson Lane housing will change their cultural norms with respect to family size, or providing for extended family members. 25-7

As population impacts services required and associated costs, population estimates based on state-wide standards should be recalculated using the best available locally-valid criteria.

FINANCING CAPITAL IMPROVEMENTS

3.9.54 11.A.3 Development Impact fees commensurate with the increased need for public services and facilities

3.12-27 Development Impact Fees paid by project = \$ 3.3 million

3.12-26 Conservative capital costs are estimated at \$19.7 million , not including school & traffic

3.21.5 Consider the distribution of the cost of road improvements equitably among benefiting property owners

10.A.2 ensure that new development projects creating a need for additional roadway improvements pay an appropriate share of the costs

3.12-27 Development Impact Fees paid by project = \$ 3.3 million

Capital costs are faced with a major shortfall. This was addressed in the EIR and the ADE reports by listing state and federal funding sources, grants, etc. With present economic conditions it seems unwise to rely on these until conditions improve. Increasing the financial burden on existing residents and property owners for development which will not positively affect them is poor public policy.

25-8

3.2-5 Proximity of agricultural land to urban uses increases the monetary value of the agricultural land

Since rezoning for the project will markedly increase the value of the agricultural, especially uncultivated, lands to be used over their original purchase prices, owners of that land should make a major contribution to the costs that the reuse of their properties for development will create.

25-9

CONTINUING EXPENSES

Fiscal Analysis assumed that the entire planning area would generate ~ \$241,765 property tax revenue for the City

Other revenues of \$748,561

ADE -2 TOTAL COST TO CITY \$ 1.1 MILLION, LESS THAN ONE-THIRD FROM PHASE 1. SPECIAL TAXES WOULD GENERATE ~ \$ 300 PER UNIT

25-10

ADE-4 TOTAL CITY EXPENDITURE BUDGETED ~ \$ 98.5 MILLION.

Based on the 2000 population, this is an expenditure of approximately \$ 1,800 per person.

These costs will be increased because of inflation and the underestimated population as noted above.

EXECUTIVE SUMMARY The PUD fulfills the requirement of the Santa Cruz County Code Sections 13.10.466 Regional Housing Need Combining District and 18.20.180 Planned Unit Developments, which would fulfill the County's obligation to its Housing Element Certification Condition

4-27 No Project Alternative impacts land use and planning programs and plans only

No Project Alternative would result in a reduction in impacts to public services and utilities

No Project Alternative would result in a reduction in traffic impacts

No Project Alternative would prevent Santa Cruz County from qualifying for Federal funds assistance. It is not known whether the expectation of such funds in the near future is realistic under the present economic conditions.

For what compelling reasons should Watsonville significantly impact its own residents and finances for the possible financial convenience of the County?

4.30 Wagner Avenue is included in City's Capital Improvement Program

Not including Wagner Avenue Extension would reduce City's capital expense costs at a time of cost cutting of existing services

NOTE: AN ALTERNATIVE WITH HIGH-DENSITY DEVELOPMENT ON THE COUNTY SITE ONLY WAS NOT CONSIDERED IN THE EIR

This Alternative would eliminate nearly all road and infrastructure construction and capital financial impacts, would not require the rezoning or purchase of any Important Farmland, would not require the taking of any Important Farmland for buffer zones, would eliminate impacts on residential neighborhoods to the South and East, would approximately halve the demand for Watsonville and PVUSD services, and would fulfill Santa Cruz County's obligation to its Housing Element Certification Condition.

4/22/09

25-11

25-12

25-13



Response to Comment Letter #25
Rich Persoff

April 22, 2009

[Response to Comment #25-1](#)

In accordance with the CEQA Guidelines, Section 3.9: Land Use and Planning analyzes whether or not the proposed project divides the physical arrangement of an established community (e.g. construction of a highway through an established residential community). As discussed on page 3.9-7 of the Draft EIR, Phases 1 and 2 of the proposed project would not disrupt or divide an established community, as the proposed project would result in a continuation of adjacent residential uses located to the north along Atkinson Lane and the residential land uses located along Brewington Avenue, Paloma Way, and Brookhaven Drive.

[Response to Comment #25-2](#)

Impact 3.12-2 in Section 3.12: Public Services, Utilities, and Recreation evaluates the increased demand for law enforcement services within the planning area. As discussed in Response to Comment #35-3 and on page 3.12-1 of the Draft EIR, mitigation measure 3.12-1 would ensure that funding of additional law enforcement services would be handled through a funding mechanism established by the City and County in order to meet acceptable thresholds, including the projects “fair share” of providing additional staff members to the City of Watsonville Police Department in order to serve the planning area under buildout of the proposed project.

[Response to Comment #25-3](#)

Comment noted regarding the significant and unavoidable cumulative impacts to agricultural land. Consistency with Policy 5.13.20 and Policy 5.13.22 in the *County of Santa Cruz General Plan* is described in Section 3.9: Land Use and Planning in the Draft EIR and is included herein as reference. The planning area is surrounded on three sides by existing urban development and existing agricultural uses within the planning area have already had to adapt to the intrusion of urban uses. Phase 1 (County site) County is not comprised of Important Farmland. Therefore, this portion of the proposed project would not result in the conversion of commercial agricultural land.

[Response to Comment #25-4](#)

Comment noted. See Response to Comment #1-1. Impacts were identified to study roadways and intersections based on the County of Santa Cruz significance criteria.

[Response to Comment #25-5](#)

Comment noted. See Response to Comment #1-1. Impacts were identified to study roadways and intersections based on the County of Santa Cruz significance criteria. A signal at the East Lake Avenue/Wagner Road intersection is not warranted under project conditions in accordance with the significance criteria. However, mitigation measure 4-2 in Section 4: CEQA Considerations would require installation of this signal under cumulative conditions.

[Response to Comment #25-6](#)

Comment is noted. The proposed project is committed to providing its fair share of traffic mitigation costs caused by future development within the planning area, but is not responsible for providing mitigation funding beyond its impact, including mitigating for existing traffic deficiencies.



[Response to Comment #25-7](#)

Comment is noted. As noted in Response to Comment #11-1, the number of people per households that was used for the population generation estimates in the EIR was based on the State Department of Finance (DOF) estimates for the City of Watsonville, which is approximately 3.73 persons per household. This figure is used by the City of Watsonville and the Association of Monterey Bay Area Governments (AMBAG). This figure is much higher than other jurisdictions located in Santa Cruz County and the unincorporated portions of the County and therefore accounts for the larger number of people per household in comparison to other jurisdictions in the County.

[Response to Comment #25-8](#)

Comment is noted. The financial burden for the proposed project would not fall on existing City residents. See Master Response P-1 - Public Services and Fiscal Mitigation.

[Response to Comment #25-9](#)

Comment noted. See Master Response P-1 - Public Services and Fiscal Mitigation. Section 15064(e) of the CEQA Guidelines states “economic and social changes resulting from a project shall not be treated as significant effects on the environment. Economic or social changes may be used, however, to determine that a physical change shall be regarded as a significant effect on the environment. Where a physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project.” Therefore, the fiscal gain to be realized by the property owners within the planning area would not be addressed herein in that the proposed project would be fiscally neutral with implementation of mitigation measure MM 3.12-1 in the Draft EIR.

[Response to Comment #25-10](#)

Comment noted. See Master Response P-1 - Public Services and Fiscal Mitigation.

[Response to Comment #25-11](#)

Comment regarding Alternative #1: No Project Alternative and Phase 1 (County site) are noted and referred to County staff and decision makers for further consideration.

[Response to Comment #25-12](#)

See Master Response LU-1 - Wagner Avenue Extension.

[Response to Comment #25-13](#)

Comment is noted. Commenter supports an alternative that proposes high density residential uses on the Phase 1 (County site) only. Section 15126.6 of the CEQA Guidelines requires that an EIR describe a range of reasonable alternatives to the project or the location of the project, which would feasibly attain most of the objectives of the proposed project and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. Development on only the Phase 1 (County site) was not consistent with Measure U and therefore was eliminated from consideration.

ATKINSON EIR COMMENTS

Carmell L. Edwards

241 Paloma Way, Watsonville, CA 95076

(831) 724-4491; carmelldan@aol.com

In general, rather than an EIR what this project needs is a newspaper expose revealing the ineptitude of the Santa Cruz County planning process and their inability to recognize and respond to changing conditions that are obvious to everyone else on the planet. The entire EIR document is based on outdated assumptions which are false, misleading, or made moot by the current economic meltdown and recent court decisions.

A year ago (April 2008) at the EIR introductory public meeting, area residents expressed outrage and opposition to this project. It was pointed out that the Atkinson development was conceived of under a very different housing vacancy rate that didn't include over 500 area homes in various stages of delinquency, default, and foreclosure. Under provisions of the city's growth plan, residential vacancy rates are to be reviewed every five years. Thus instead of being fast-tracked, this project was recommended to be shelved.

By June 2008, California's changing housing situation was obvious globally – even to the state Department of Housing and Community Development which relaxed housing development mandates for future housing cycles. Unfortunately, Santa Cruz County planning is not based on need, but rather on the knee-jerk reaction to the latest group to successfully sue them. Thus, the County has no current certified Housing Element. (The last one as noted in the EIR covered the period 2002-2007.) This failure by County officials should have no bearing on proceeding with an ill-conceived project in Watsonville. However, when asked what would happen if this project was dropped, the County's representative responded that this EIR would be pushed through specifically to keep the County from being sued (yet again) for failure to address its housing requirements.

26-1

All this needs to be documented in the EIR to explain your listed Project Objective to: *“Rezone the 16-acre County site to allow a residential density of 20-units per acre to achieve the housing allocation goal as required by the County Housing Element.”* Lumping all high-density housing at one ill-conceived site may be a County goal but it is to the detriment of Watsonville and the whole south county area that is being used as the dumping ground for undesirable projects.

Let's consider some other issues that need to be clarified in the EIR.

In a report that seeks to justify its own commission under the frayed banner of Measure U, this EIR needs to tell the whole story. As it is written, the draft EIR implies that Measure U was a mandate for development when it was in fact a public mandate to control developer sprawl on agricultural, wetland and open-space areas. Most importantly, Measure U was a combo package, the major part of which has already been thrown out in court.

26-2

Include some background: Following years of local bickering, it was decided to force area growth on unincorporated areas outside Watsonville whose residents wouldn't be allowed to vote against it!

The Measure U combo package proposed the lion's share of development for the Buena Vista area (395.2-gross / 344.2-net acres to achieve 1,687 housing units); the second largest parcel Manabe-Burgstrom (94.3-gross / 50-net acres to achieve no housing but oodles of jobs); and the "End of Atkinson Lane" project (65-gross / 30-net acres to achieve 363 housing units including 50% affordable ag-worker housing.)

Note that the area was never referred to by the more obvious description "End of Brewington" nor was Brewington Avenue ever labeled on Measure U maps which would have been a red-flag for Watsonville constituents to vote against it. Strangely somehow by this EIR, 180 units (half of 363) managed to increase to 200 units. All of these units are to be crowded on one small piece on a mere third of the Atkinson-Brewington acreage. The EIR needs to spell out how this differs from the intent of Measure U.

Needless to say, Buena Vista residents were less than thrilled by Watsonville's plan for growth at their expense and have since successfully fought their part of Measure U in court, basing their arguments on proximity to the Watsonville Airport. Throwing out the major provisions for the Buena Vista area should make the whole measure moot. Instead, the County, through its manipulation of Watsonville, continues to flog the Atkinson dead-horse project.

26-2
cont.

As for the Manabe-Burgstrom portion of Measure U to boost jobs, the Watsonville City Council proudly announced plans to finally pursue an EIR on that project this month – under the worst business and economic conditions since the Great Depression of the 1930's. Does anybody else wonder if commissioning this study is another ridiculous waste of funds from an already overdrawn budget?

The package deal of Measure U has already been made moot by the court. The housing goal for affordable housing is being met by foreclosures and increasing rental subsidies. Really, isn't 60-to-75-percent-off previous selling prices enough of a bargain to be considered 'affordable'? More to the point, the term "workforce affordable" implies a workforce paying for housing out of their wages, not making a small contribution, at best, while taxpayers subsidize the bulk. Pretty much any price is 'affordable' if you're not the one picking up the tab.

These are issues that need to be discussed fully in the EIR to determine the actual impacts of this project on the community and the true cost of 'cheap labor.' Let's look at how the Atkinson draft EIR treats some of Watsonville's other current woes.

In a town with a 25 percent jobless rate where virtually all employers are either laying off or going under completely, the EIR boiler-plate description of the environmental setting is nothing more than wistful thinking.

It reads:

Today, agriculture and food processing remains the mainstay of the economic structure in the Pajaro Valley. Yet in keeping with recent trends, a new breadth of opportunity has opened for residents and businesses including light industry, manufacturing, tourism and service oriented businesses.

It should be revised to read:

Historically, agriculture and food processing has been the mainstay of the economic structure of the Pajaro Valley. Over the past decade, however, most major food processing employers have closed area operations and moved to lower-overhead foreign countries, specifically Mexico. As of March 2009, Watsonville has a jobless rate of over 25 percent compared to a jobless rate for Santa Cruz County at 12.5, the state at 10.6, and the nation at 8.5.

26-3

In keeping with current trends nationwide, many opportunities formerly explored for Watsonville in light industry, manufacturing, tourism and service-oriented business are unlikely in the foreseeable future. Even before the current economic downturn most new businesses over the past five years have been auto supply stores and chop-shops, tattoo/nail parlors, and tacorias. A new disposable-phone-store has opened, pushing a previous disposable-phone-store out of business. The most recent new business addition to the immediate vicinity of the project is a pawn shop on the corner of Atkinson Lane and Freedom Blvd. which replaces a formerly productive tool rental business. The opposite corner is boarded-up, fenced off, vacant and blighted. It was formerly a productive plant nursery.

In an area with over 550 homes in various stages of foreclosure, the EIR-listed vacancy rate is woefully outdated, and the discussion is inadequate. Many areas in California are pursuing new, progressive, and innovative approaches to alleviate similar problems. Inclusion of these types of project alternatives has been suggested throughout the public process.

One such example is listed on Senator Barbara Boxer's website:

26-4

If your neighborhood has foreclosed and abandoned houses, funds are provided to help local governments buy up and improve homes and make them available to renters or future buyers.

This EIR is inadequate at addressing any other means to supply low-income housing than by congregating high-density tenements in one poorly-accessible location. The EIR

needs to be revised to add a thorough discussion of alternatives being considered for similar situations by progressive jurisdictions in our state.

At EIR public meetings a year ago it was pointed out that planning additional construction when there's already a glut of houses on the market only further erodes housing prices. At that time it was suggested that officials should be looking for ways to help people in our community keep their homes, underwrite their lost revenue in the current economic situation, or buy up these homes, townhouses and mobile homes to meet the need for subsidized housing. None of these alternatives are discussed in the draft EIR. Meanwhile prices are down half again what they were a year ago and the term "declining" housing prices can be replaced with "decimated" housing prices.

26-4
cont.

In a town with growing gang violence, drug problems, and crime, the draft EIR fails to adequately describe negative impacts associated with congregating the poorest residents into a series of high-density tenements in one small, poorly-accessible area.

The EIR needs to document the statistics for increased gang activity, drug use, and crime in other high-density housing projects, thus giving our community an opportunity to learn from the huge mistakes made in other parts of the country. The EIR should also describe in detail the specific gang threat plaguing the local area. A recent article in Watsonville's local newspaper (Register-Pajaronian, April 19, 2009, front page) outlined a "brief rundown of gangs" which should be included in the EIR to show the magnitude of the problem. This is not a few local bullies and gang-bangers we're talking about.

In Santa Cruz County, the Nortenos and the Surenos – both made up primarily of Latinos – make up the majority of gang activity.

26-5

Typically associated with the northern part of California, Nortenos are affiliated with the Nuestra Familia prison gang, which operates primarily out of Pelican Bay State Prison in Crescent City. Surenos operate under the umbrella of the Mexican Mafia or "La eME," also a prison gang. They typically come from Mexico and Southern California and speak primarily Spanish.

Members are expected to generate revenue for their gangs, and to pay "taxes," which for the Nortenos can be as much as \$500 per month. Usually the majority of members turn to selling narcotics or weapons, stealing cars or even giving tattoos to generate their dues.

In the public meetings, residents have repeatedly expressed their concerns about the Atkinson project area becoming a breeding-ground for even more gang activity. Yet the topic is not even mentioned in the draft EIR. Also missing is any discussion of the high-cost and low expected success to mitigate this adverse impact.

The EIR also needs to record the discrepancy between the amount of high density development at a single location for the Atkinson project versus any other site in the

26-6

county. For example, Santa Cruz City Redevelopment Agency lists 11 existing project locations for affordable housing ranging from a minimum of 7 units at a single location to a maximum of 95 – thus their maximum project congregates less than half the high-density units being proposed for Atkinson’s 10-acre high-density site. Even here in Watsonville, the Vista Montana monolithic high-density low-income apartments congregate only 132 units together. It should also be noted that the Vista Montana high-density site has excellent large-scale law-enforcement and fire-control access in emergency situations. Compare this to the poor-to-marginal access of the proposed Atkinson high-density site.

26-6
cont.

It would seem that through the Vista Montana project and other subsidized housing here in Watsonville, our city has already done more than our fair-share of shouldering the high-density burden for the more affluent areas of the county. Why is there no discussion of the County meeting its high-density requirement with, say, 10-unit developments at several half-acre sites throughout the county, a true “fair sharing” of the high-density burden. The EIR should document how other county areas are abrogating their shares of the County’s high-density obligation. One such area is the Par 3 housing project formerly up for consideration in Aptos and brought down by constituents with sufficient clout to preserve and protect their area.

In a community notorious for ignoring -- and thus encouraging -- flagrant violations of single-family housing codes, the EIR should list the population to be generated at a range up to 3 times that which would be expected for a similar project in a community that enforces its housing codes.

26-7

Many speakers at public meetings have noted Watsonville’s propensity for families to double and triple up in houses undeterred by local housing ordinances. This should be spelled out more clearly in the EIR discussions of overcrowded and severely overcrowded conditions in the unincorporated area and substandard housing in Watsonville.

The population projections for all impacts listed in the Summary of Significant Impacts and Mitigation should be revised to reflect this higher potential range. In addition, all

26-8

impacts/mitigation measures should be delineated by phase. As has been discussed numerous times at public meetings, the high-density subsidized housing will be exempt from paying any mitigation funds. Thus while the largest burden of the project is designed for the Phase I building, any mitigation is hypothetically to be covered under Phase 2 construction -- which is indeed not expected any time in the foreseeable future. This discrepancy between Phase I liabilities vs. Phase 2 mitigation is true for all significant project impacts (water use, traffic, law enforcement, schools). Since the major liabilities will be caused by Phase 1 high-density development but are slated to be mitigated by funding from the never-expected developers of Phase 2, for practical purposes, none of the Significant and Potentially-Significant Impacts is expected to be mitigated at all.

26-9

26-10

In a city whose public schools are already grossly inadequate and stuck at the two lowest possible school rankings for the state (of 23 public schools ranked for Watsonville, 18 are ranked in the worst two categories 1 and 2), Watsonville needs to be improving the schools it already has before adding to their burdens with more students. These pre-project (existing) school deficiencies should be detailed in the EIR along with expected adverse project impacts and the resulting level of significance from failing to mitigate both.

Speaking specifically of the EIR's dismissal of school impacts, it is interesting to note that your Summary of Significant Impacts and Mitigation devotes over 6 of 20 pages to consider the habitat of certain weeds, turtles, and toads (Biological Resources Section 3.4), but elects to leave out Impacts to Schools (Section 3.12-3) entirely. Instead the summary skips directly from law enforcement (3.12-2) to parks (3.12-4). This would seem to reflect the same lack of importance this concern has received at the public meetings. Generally it has been dismissed with "Well, we put a teacher on the TAC team, what more do you want?" and "Trust us, we do plan to build some more schools some day, we just have no idea where, when, or how."

26-11

Having pointed that out, I'm sure you'll be quick to either add the same boilerplate you used to dismiss impacts to libraries (3.12-5) or perhaps you'll direct the reader to the loophole in the School Facilities Act of 1998, SB 50, listed in section 3.12.2 whereby: *"The Act also prohibits local agencies from denying a development application on the basis of a person's refusal to provide school facilities mitigation that exceeds the fee amount and refusing to approve any legislative or adjudicative act on the basis that school facilities are inadequate."* Is this included in the EIR to explain the rationale for failing to mitigate impacts to our local schools which are, indeed, already inadequate?

With the city's major roads and intersections already at unacceptable levels of service, the EIR's discussion of traffic problems and mitigation is inadequate and its dismissal of significant impacts is insulting. Roads and intersections adjacent to the Atkinson proposed development cannot possibly meet the needs of an additional 400-plus cars associated with Phase 1 development.

The descriptions of several local roadways need revision for accuracy and full disclosure of existing inadequacies. For example:

26-12

Atkinson Lane is a local street with a 25 mile per hour speed limit. This roadway extends northeast from Freedom Boulevard and dead-ends at Corralitos Creek at the project site. It provides access to residential neighborhoods and community facilities northwest of the project site.

Requires revision for the third sentence to read:

It provides restricted direct access coming from northbound Freedom Boulevard and no access from south-bound Freedom Boulevard. Circuitous access from south-bound Freedom Boulevard is via a left-hand turn on Gardner Avenue, followed by a right-hand turn on Vic Ruch Lane, followed by a left-hand turn on Atkinson Lane to provide access to residential neighborhoods and community facilities northwest of the project site.

Another example:

Gardner Avenue is a local street with a 25 mile per hour speed limit. Gardener Avenue runs between Freedom Boulevard to the west and Vic Ruch Lane to the east. Gardener Avenue continues southward west of Freedom Boulevard as Clifford Avenue.

26-12
cont.

Revise to add the sentence:

These two roadways are not aligned correctly. This dangerous intersection is the site of numerous accidents involving drivers turning onto Freedom Boulevard from both access streets. It requires a safety review and reconfiguration to meet even existing traffic conditions.

Another correction is needed to specify that Crestview Drive extends on the east to Broadview Drive – not Wagner. The discussion of both Crestview and Wagner should include the specific design rationale for local-access-only: To avoid dangerous thoroughfare conditions through quiet residential neighborhoods. This street-end configuration is not an oversight – it is a planned neighborhood asset which was also promised by city planners for the north end of Brewington in previous public forums.

Regarding EIR Table 3.13-1, the Level of Service Summary, is at best a joke, at worst a blatant lie. Only the D-to-F levels of service are accurate for any major roadway in Watsonville. Anyone who thinks that Freedom Blvd. at Atkinson is a Level-A, best possible, smooth-flowing intersection has never been there. It's not even a functional intersection! This table uses a deceptive slight-of-hand to switch between different standards (Watsonville City rating system, Santa Cruz County rating system, Caltrans rating system) to evaluate traffic flow for different roads and different intersections. Did you just pick the system which best served your goal of finding traffic impacts "Less than Significant"?

26-13

Regardless of what standards are used for these fictitious ratings, the entire traffic system in Watsonville requires review by a professional traffic engineer, preferably from Caltrans, to evaluate the basic safety and integrity of all streets and intersections and to identify opportunities to improve traffic flow.

26-14

It would also be interesting to research what bogus traffic appraisals were made prior to proceeding with the Vista Montana and Ohlone Parkway developments. Obviously not all development has had less-than-significant impacts or Watsonville wouldn't have most

26-15

major intersections operating at unacceptable levels of service. The Atkinson EIR should include some kind of a discussion on actions being taken to mitigate already existing problems. It is not sufficient to excuse project impacts by saying: "This development won't significantly worsen traffic conditions that are already unacceptable." One possible alternative that should be discussed in the EIR is a moratorium on any future building pending correction of all identified infrastructure deficiencies.

26-16

In the Pajaro Valley where groundwater overdraft and saltwater intrusion are already serious problems, it is totally irresponsible and outrageous to have the EIR skip over the water demands of the Atkinson development as inconsequential.

For example, it doesn't take an advanced degree in Hydrology to figure out that the water demand for 200 families under Phase 1 development does not equal the current use by 10 unimproved acres of native grass. Your argument that residential water use will be offset by agricultural water savings fails to hold up under indefinite Phase 1 conditions where both existing agricultural demands and additional residential demands are depleting water resources simultaneously. The EIR needs to address how that situation would be – or fail to be – mitigated.

Among the public input that has been ignored by the EIR is the very excellent recommendation that Watsonville should simply deny water hookup for the County's high-density housing based on the lack of available water supply. In recent years, the valley's water problems have been likened to a checking account being overdrawn on the logic that it won't hurt to write a few more checks since the account is already in deficit anyway. The EIR needs to acknowledge current water realities and dire consequences of continued irresponsible development. The fact that developers paid a fee is irrelevant when the well runs dry.

26-17

At this point, water-year 2008-2009 is assured of being an unprecedented drought year for our valley. Extreme conditions always have a way of magnifying the impacts of past mistakes – in this case the extent to which we have already allowed overdevelopment beyond available resources.

So many issues on so many fronts are unprecedented at this time and for the foreseeable future. This EIR raises too many unanswered questions. This project has too many obvious liabilities for too few potential gains. It is so obviously a bad plan at a worse time, that even completing a final EIR is a serious waste of scarce funds. But if the EIR is to be completed for archival purposes, the only reasonable recommendation must be "Alternative 1, the No Project Alternative."

26-18

26-19

Carmel Edwards 4/22/09



Response to Comment Letter #26
Carmell Edwards

April 22, 2009

Response to Comment #26-1

Comment noted. The following discussion further explains the reasoning behind the objectives of the proposed project.

EIR Goals and Objectives

Page 2-4 of the Draft EIR provides the following project objective that are based on the goals of the MOU and the community:

- Rezone the 16-acre County site to allow a residential density of 20-units per acre to achieve the housing allocation goal as required by the County Housing Element.
- Provide housing capacity to address the City's projected needs for the next three housing element cycles.
- Create a development plan for the planning area that addresses roadway layout, housing types and affordability restrictions, parks and schools, infrastructure financing, neighborhood concerns, protection of environmental resources, and specific development guidelines.
- Restrict development to not exceed a total of 450 residential units.
- On the County site, allow 200 multi-family units with a mix of rental and "for sale" units at a density of 20 units/acre.
- Allow units that accommodate a range of income levels – from very low to moderate to market rate
- Restrict a minimum 40 percent of the units as affordable work force housing.
- Strive to restrict 80 percent of the units on the County site with long-term affordability covenants.
- Include a mix of both rental and ownership housing.
- Integrate development with the surrounding neighborhoods.
- Provide a financing plan for implementation by both the City and County for jointly financing required infrastructure to serve the Planning Area and surrounding neighborhood.
- Allow annexation of the planning area to the City following adoption of a Specific Plan.

County of Santa Cruz State Mandates

California Government Code Sections 65583 (a)(1) and 65584 require that a Housing Element include "documentation of projections and a quantification of the locality's existing and projected housing needs for all income levels...[including] the locality's share of the regional housing need. The overall housing unit demand for the Monterey Bay Area region is estimated by the California Department of Housing and Community Development (HCD). The Association of Monterey Bay Area Governments (AMBAG) has constructed a Regional Housing Needs Determination (RHND) model to distribute HCD's projected demand for housing by jurisdiction within the region. Each jurisdiction is assigned a share of HCD's housing growth overall, as well as a



number of units in various income categories so that lower income households will be appropriately distributed throughout the counties and region.

AMBAG projected a need for 3,441 total new housing units in the unincorporated areas of the County (approximately 530 housing units per year) during the 7.5 year planning period between January 1, 2000 and June 30, 2007 (extended by the legislature through June 30, 2009).

Section 65583 (c) of the Government Code requires that housing elements contain “a program which sets forth a five year schedule of actions...” in order to implement stated goals, objectives and policies. Moreover, this program of actions is required to include programs which 1) identify sites available for new housing; 2) assist in development of housing; 3) reduce governmental constraints to housing; 4) improve the conditions and sustaining the amount of existing affordable housing units; 5) promote equal housing opportunities for all persons; and 6) preserve the number of existing housing units.

Goal 1 of the Housing Element is to “Promote Production of Affordable Units.” Through its planning and zoning regulations, Santa Cruz County is required to expand affordable housing production. Programs that expand the County’s capacity to meet its affordable housing goals include the development of new general plan and zoning policies that would provide for the following land uses: (1) Density of 20 units per acre based on the developable land area. The use and density of any site designated under this rezoning program and any project proposed under this rezoning program is established at the time the site is designated and will be by-right; (2) A minimum requirement of 40% of the units be deed-restricted with long term affordability covenants, predominantly for low and very low income households; and (3) A minimum site area of two net developable acres.

City of Watsonville and Measure U

As stated on Page 2-4 of the Draft EIR, On November 5, 2002, the voters of the City of Watsonville approved voter initiative Measure U, the “Watsonville Urban Limit Line and Development Timing Initiative,” formulated by Action Pajaro Valley. By defining a new ULL area, Measure U was designed to protect commercial agriculture lands and environmentally sensitive areas while providing the means for the City to address housing and jobs needs for the next 20 to 25 years. Measure U policies were added to the 2005 City of Watsonville General Plan by Resolution 199-02, adopted July 23, 2002. The Measure U-designated ULL allows the planning and development of Future Growth Areas, including the planning area. Specifically, Measure U calls for: (1) Annexation of the planning area to the City of Watsonville following adoption of a Specific Plan; (2) No development to be allowed by the City of Watsonville within the planning area before January 1, 2010; and (3) A minimum 50-percent of the units to be affordable work force housing.

[Response to Comment #26-2](#)

Comment is noted regarding comments on the proposed project. No further response is required.

[Response to Comment #26-3](#)

Comment is noted regarding the unemployment rate and environmental setting. No further response is required.

[Response to Comment #26-4](#)

Commenter is referred to Section 3.11: Population and Housing regarding vacancy rate. The vacancy rates included on page 3.11-3 were based on the 2008 Department of Finance estimates. However, the EIR notes in the second paragraph that “ Similar with nationwide trends, vacancy



rates in the City of Watsonville have likely increased for housing stock and have decreased for rental properties.” The purpose of the EIR under CEQA is to address the environment impacts of the proposed project.

Section 15064(e) of the CEQA Guidelines states “Economic and social changes resulting from a project shall not be treated as significant effects on the environment. Economic or social changes may be used, however, to determine that a physical change shall be regarded as a significant effect on the environment. Where a physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project.”

[Response to Comment #26-5](#)

Appendix G of the CEQA Guidelines require that a lead agency evaluate a projects potential to “result in a substantial adverse physical impact associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant impacts, to maintain acceptable service ratios, response times, or other performance objectives for any of the public services, including fire protection, police protection, schools, parks, or other public facilities. Impact 3.12-2 in Section 3.12: Public Services, Utilities, and Recreation analyzes the increased demand for law enforcement services within the planning area. As discussed in Response to Comment #35-3 and on page 3.12-1, mitigation measure 3.12-1 would ensure that funding of additional law enforcement services would be handled through a funding mechanism established by the City and County in order to meet acceptable thresholds, including the projects “fair share” of providing additional staff members to the City of Watsonville Police Department in order to serve the planning area under buildout of the proposed project.

[Response to Comment #26-6](#)

Comment noted. Please see Response to Comment #26-1. According to the 20 units per acre rezoning program of the County of Santa Cruz Housing element, candidate sites require a minimum site area of two net developable acres that would support up to 40 units. There is no discrepancy between the amount of high density development proposed for any single site. The Board of Supervisor selected the seven sites throughout the county according to the site selection process outlined in the adopted County of Santa Cruz Housing Element. Other affordable housing sites chosen by the Board of Supervisors include: two in Aptos for a total of 6 acres; one in Live Oak totaling 5 acres; one in Soquel totaling 4 acres; and a second site the Pajaro Valley totaling 4.41 acres. The total rezoning would total approximately 30 acres countywide.

With the extension of Brewington Avenue, a temporary emergency access road connecting to Atkinson Lane, and a second connection with Atkinson Lane at the west end of the planning area, Phase 1 of the proposed project would have adequate access for police and fire. During Phase 2, the Brewington Avenue extension would be connected with Atkinson Lane further improving access for police and fire. In addition, the project would be connected to Wagner Avenue to the south.

[Response to Comment #26-7](#)

Section 3.11: Population and Housing describes the population and the housing conditions in unincorporated Santa Cruz County and the City of Watsonville. Commenter is referred to the City of Watsonville Housing Element for additional information regarding overcrowded and severely overcrowded housing conditions.



As noted in Response to Comment #11-1, the number of people per households that was used for the population generation estimates in the EIR was based on the State Department of Finance (DOF) estimates for the City of Watsonville, which is approximately 3.73 persons per household. This figure is used by the City of Watsonville and the Association of Monterey Bay Area Governments (AMBAG). This figure is much higher than other jurisdictions located in Santa Cruz County and the unincorporated portions of the County. CEQA requires that an EIR evaluate whether a proposed project would induce substantial population growth; displace substantial number of housing and/or people necessitating the construction of housing elsewhere. According to the AMBAG population forecasts for the City of Watsonville, the anticipated future population within the planning area is accommodated for in the regional forecasts.

[Response to Comment #26-8](#)

Comment is noted. As the population estimates currently used for the proposed project were based on the Department of Finance population generation rates per household that are utilized by the City of Watsonville and AMBAG, environmental impacts and mitigation measures would not need to be revised.

[Response to Comment #26-9](#)

Comment regarding delineation of impacts and mitigation measures is noted. Mitigation measures are delineated by phase and/or assessor parcel number where applicable throughout the EIR.

[Response to Comment #26-10](#)

See Master Response P-1: Public Services and Fiscal Mitigation. Phase 1 (County site) would not be exempt from paying their fair share of funding for implementation of mitigation measures identified in the Draft EIR. Mitigation measures in the EIR take into account timing of when specific mitigation measures would need to be implemented in order to mitigate a potentially significant or significant impact identified in the EIR.

[Response to Comment #26-11](#)

Comment is noted. Existing conditions at the schools within the Pajaro Valley Unified School District are presented in Section 3.12: Public Services, Utilities and Recreation on pages 3.12-3 through 3.12-7. Information presented in the EIR has been modified herein in “Revisions to the Draft EIR” by information provided by the PVUSD, which indicates that enrollment has gone down. See Response to Comment Letter #5 from the PVUSD.

Commenter states that schools are not addressed in the Executive Summary is incorrect. Schools are discussed on page S-47 of the Executive Summary under Impact 3.12-3.

As discussed in the Draft EIR, future development within the planning area would be required by state law to pay development impact fees at the time of the building permit issuance. The PVUSD currently charges development fees in the amount of \$4.43 per square foot of residential development. These fees are used by the PVUSD to mitigate impacts associated with long-term operation and maintenance of school facilities. When building permits are issued associated with future development in the planning area, these fees would reflect the most current fee amount requested by the PVUSD. Project applicants within the planning area would also be required to pay any additional applicable fees, if the PVUSD implements additional funding measures, including those described in the Facilities Master Plan (refer to the Environmental Setting section). Pursuant to Section 65996(3)(h) of the California Government Code, payment of these fees “is deemed to be full and complete mitigation of impacts of any legislative or adjudicative



act, or both, involving but not limited to, the planning, use, or development of real property, or any change in government organization or reorganization.”

[Response to Comment #26-12](#)

Comment is noted. The proposed project is committed to providing its fair share of traffic mitigation costs caused by future development within the planning area, but is not responsible for providing mitigation funding beyond its impact, including mitigating for existing traffic deficiencies. The impacts of the proposed project on study intersections and roadway segments were evaluated based on the County of Santa Cruz thresholds for traffic. See Response to Comment #1-1 for additional information on the County’s threshold of significance on how impacts were evaluated in the Draft EIR.

[Response to Comment #26-13](#)

The levels of service at study intersections presented in Table 3.13-1 were modeled by a professional consulting traffic engineer and were reviewed by the City of Watsonville and the County of Santa Cruz for accuracy. . See Response to Comment #1-1 for additional information on the County’s threshold of significance on how impacts were evaluated in the Draft EIR.

[Response to Comment #26-14](#)

A comprehensive traffic study was prepared by a professional traffic engineer and was independently reviewed by the City’s traffic engineer and the County’s traffic engineer.

[Response to Comment #26-15](#)

The CEQA Guidelines require that the specific impacts of the proposed project are analyzed during the environmental review process, but does not require comparison of the proposed project with the impacts of similar projects.

[Response to Comment #26-16](#)

Comment noted. See Response to Comment #26-12.

[Response to Comment #26-17](#)

Comment is noted regarding the groundwater overdraft and seawater intrusion. Please see Master P-2 - Existing Water Use and Master Comment P-3 – Groundwater Basin Overdraft for additional information.

Comment is noted regarding the water use within Phase 1 (County site) of the proposed project. Future development on Phase 1 (County site) and the remainder of the planning area would be required to pay the City’s groundwater impact fee, which is currently set at \$347.56 per bedroom and is used to retrofit water fixtures (e.g. toilets, showerheads, etc.) within the City. The water retrofit program, which is funded by the groundwater impact fees results in a savings of 748 gallons of water per month, would offset approximately 70 to 100 percent of the water consumption of new homes within the planning area. See Master Response P-3 – Groundwater Basin Overdraft for additional information regarding the City’s water conservation program. In addition, the proposed project would be required to contribute towards a water conservation augmentation program that would ensure that the water consumption of new homes within the planning area is fully offset as required by mitigation measure (MM 4-3), which is incorporated herein in Section 2.0: Revisions to the Draft EIR and in the Mitigation Monitoring and Reporting Program (MMRP).



[Response to Comment #26-18](#)

Comment is noted regarding comments on the proposed project. No further action is required.

[Response to Comment #26-19](#)

Comment regarding Alternative #1: No Project Alternative is noted and referred to City staff and decision makers for further consideration.

April 16, 2009

Mr. Todd Sexauer
Environmental Planner
County of Santa Cruz
Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Re: Atkinson Lane Request for CEQA Notices – (Public Resources Code § 21092.2)

Dear Mr. Sexauer:

The purpose of this letter is to request that the County of Santa Cruz provide me with copies of CEQA notices issued for the above-referenced project. This request is filed pursuant to Public Resources Code section 21092.2. The requested notices should be mailed to the following address:

Mark Sullivan
Attorney at Law
500 Chestnut Street, Suite 200
Santa Cruz, CA 95060

27-1

If you have any questions, please call me at (831) 576-2619.

Thank you,


Mark Sullivan



Response to Comment Letter #27

Mark Sullivan

April 16, 2009

[Response to Comment #27-1](#)

Comment is noted. Notices for the 45-day public review period for the EIR were posted in two locations within the planning area. The Notice of Completion (NOC) of the Draft EIR was publicized according to the standard practices. Copies of the notices were sent to the commenter by the County of Santa Cruz.

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ COUNTY, CALIFORNIA**

Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Comments must be received by 5:00 pm April 22, 2009

Mail: County of Santa Cruz, Planning Department

701 Ocean Street, Santa Cruz, CA. 95060

Attn: Todd Sexauer (831) 454-3511

Name: Zooley Diggory
Mailing Address: 15 Laurel St
City, State, Zip Code: Watsonville, CA 95076
Date: April 17, 2009

Comments:

The Atkinson Lane Development will significantly and adversely impact the transportation, traffic, agricultural, water, and economic resources of my community. Not only are these impacts entirely unmitigated for in an substantive way in the DEIR, but they will occur to produce a development that is completely unnecessary and in all likelihood will contribute to the dramatic economic decline of the Watsonville housing market. All projects subject to CEQA must indicate a need and purpose for the project, and evaluate the potential impacts of several alternatives to meeting the same need and stated purpose. In this case, the DEIR is flawed from the very first sections – there is no need for this project. There are so many houses available, and at such reduced prices in Watsonville that the need for housing, including low-income, is no longer an issue and is not likely to be in the reasonable and foreseeable future.

28-1

28-2

If and when additional housing is warranted in Watsonville, alternatives that do not result in significant and unavoidable losses of this community's valuable and diminishing agricultural and water resources must be considered, including the refurbishment and expansion of existing housing in the City's core to meet housing demands. In addition, the current economic crisis and the overwhelming number of unneeded and irresponsibly planned projects such as that proposed, demand that the City, County, and State assess indirect and cumulative effects of development projects on the culture and quality of life of the affected community. I have been a member of this community since I was a child, and I am frankly sick and tired of witnessing the loss of its agricultural soul. Watsonville is continually threatened with becoming just another sad example of a California agricultural community that has been converted to track homes and strip malls.

28-3

28-4



Response to Comment Letter #28
Zoey Diggory

April 17, 2009

[Response to Comment #28-1](#)

Comment is noted regarding comments on the proposed project and mitigation of impacts. Commenter does not provide specific comments on mitigation measures, which makes it difficult to provide a response. No further response is required.

[Response to Comment #28-2](#)

Comment is noted. To clarify, the National Environmental Policy Act requires evaluation of a project's purpose and need. The California Environmental Quality Act requires a statement of project objectives sought by the proposed project to help the lead agency develop a reasonable range of alternatives to evaluate in the EIR in order to aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project." Page 2-4 of the Draft EIR provides the following project objectives, which are based on the goals of the Memorandum of Understanding (MOU) and the community:

- Rezone the 16-acre County site to allow a residential density of 20-units per acre to achieve the housing allocation goal as required by the County Housing Element.
- Provide housing capacity to address the City's projected needs for the next three housing element cycles.
- Create a development plan for the planning area that addresses roadway layout, housing types and affordability restrictions, parks and schools, infrastructure financing, neighborhood concerns, protection of environmental resources, and specific development guidelines.
- Restrict development to not exceed a total of 450 residential units.
- On the County site, allow 200 multi-family units with a mix of rental and "for sale" units at a density of 20 units/acre.
- Allow units that accommodate a range of income levels – from very low to moderate to market rate
- Restrict a minimum 40 percent of the units as affordable work force housing.
- Strive to restrict 80 percent of the units on the County site with long-term affordability covenants.
- Include a mix of both rental and ownership housing.
- Integrate development with the surrounding neighborhoods.
- Provide a financing plan for implementation by both the City and County for jointly financing required infrastructure to serve the Planning Area and surrounding neighborhood.
- Allow annexation of the planning area to the City following adoption of a Specific Plan.

[Response to Comment #28-3](#)

Comment is noted. Commenter recommends consideration of alternatives that do not result in significant and unavoidable losses of agricultural and water resources. Section 15126.6 of the



CEQA Guidelines requires that an EIR describe a range of reasonable alternatives to the project or the location of the project, which would feasibly attain most of the objectives of the proposed project and evaluate the comparative merits of the alternatives. As such, the EIR evaluated four alternatives to the proposed project and compared the environmental impacts of those alternatives with the impacts of the proposed project. In addition, each alternative was evaluated to determine how well it meets the objectives of the project, as currently proposed. As described in Section 4: CEQA Considerations, Alternative #1: No Project Alternative and Alternative #2: Proposed Project Without the Wagner Avenue Extension reduced the impacts to agricultural resources. Alternative #3: Reduced Density and Alternative #4: Alternative Design would result in a reduction of impacts to water resources in comparison to the proposed project. An additional mitigation measure has been incorporated into Section 4.0: CEQA Considerations that requires that the proposed project complies with a water conservation augmentation program that would ensure that the water consumption of new homes within the planning area is fully offset as required by mitigation measure (MM 4-3), which is incorporated herein. This would eliminate the proposed project's contribution to a significant and unavoidable cumulative impact to water resources.

Cumulative impacts are addressed in Section 4: CEQA Considerations.

[Response to Comment #28-4](#)

Comment is noted regarding comments on the proposed project. No further response is required.

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ COUNTY, CALIFORNIA**

Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Comments must be received by 5:00 pm April 22, 2009

Mail: County of Santa Cruz, Planning Department

701 Ocean Street, Santa Cruz, CA. 95060

Attn: Todd Sexauer (831) 454-3511

Name: Britt Jordan
Mailing Address: 812 Tuttle Ave.
City, State, Zip Code: Watsonville, CA 95076
Date: 4/16/09

Comments:

Watsonville cannot afford to put in another development of poorly manufactured homes that will only turn into another ghetto. The city does not have enough money to support additional police and fire protection. These units will be 20 units per acre compared to the already overcrowded development by Ann Soldo school with 12 units per acre. No traffic improvement, schools, or parks are planned either. By considering this, the city is being irresponsible with the land and the community. It will negatively impact one of the only areas of town that are considered to be safe and nice to live. This will drive out the responsible, hardworking, tax paying, residents that have been living in this area for the past 70 years. If you want to maintain Watsonville as a good place to live, you will think twice and not put in this development. Please look beyond the short term and think about our cities' future.

29-1

29-2

29-3

29-4



Response to Comment Letter #29
Britt Jordan

April 16, 2009

[Response to Comment #29-1](#)

See Master Response P-2 - Existing Water Use.

[Response to Comment #29-2](#)

Comment is noted. Commenter does not raise an environmental issue; and therefore, no further response is required.

[Response to Comment #29-3](#)

Comment noted. Impacts and mitigation measures to address potentially significant traffic impacts are included in Section 3.13: Transportation and Circulation. Impacts and mitigation measures to schools and parks are addressed in Section 3.12: Public Services, Utilities, and Recreation.

[Response to Comment #29-4](#)

Comment is noted. Commenter does not raise an environmental issue; and therefore, no further response is required.

COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
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ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ, COUNTY, CALIFORNIA

Public Comment Card



Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Name: Antonio Aguado
Mailing Address: 201 Atkinson LN Watsonville CA 95070
Street, State, Zip Code
Affiliation (if any):
Date: 4/2/09

Comments:

My comments are from April 2nd's meeting. After attending this second meeting my thoughts have not changed and neither do those who rather step out than hear everything they say which we strongly disagree with. Everyone who steps out don't want this project to continue. I don't oppose with apartments being built for those who need them but I just want them to be built somewhere else. This project just like I said needs to be built in a bigger place because just like a lady commented about her relative living in the houses behind target and how their living conditions are not as they thought it would be. Those people have no privacy and are living crowded because the space they have is too small. Just like we think about their living conditions they have to stop and think about the elderly and

Continue on reverse side if additional space is needed.

Please submit comments tonight or mail to:

County of Santa Cruz
Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
Attn: Todd Sexauer
(831) 454-3511

RECEIVED

APR 16 2009

CITY OF WATSONVILLE
Community Development Dept

IMPORTANT: Comments must be received by 5:00 P.M. April 22, 2009

Comments: (continued)

those who choose to live in this area because it is a calm neighborhood. They have to understand that we have our houses here and we want to be relaxed and calm just like all the elderly. The elderly already worked hard for their house and what they have and they have the right to live in peace and quiet. They don't need people who bring gangs and chads out here. What you guys should do is help those who need help by renting them these houses who have been taken away from those who can't pay them. This might even help them and they can even buy the house later on. If you guys really want to build something you guys should build something on the side of the town (but on the outside) not where it is already crowded enough. I noticed there was a couple who we "with" you guys building the apartments but those are the ones who want an apartment. They said they needed a place to live because they didn't have one but yet they have been living here for more than 30 years. In 30 years they have not been able to get a house when my wife and I got our house after working really hard for 6 or 7 years. They can't live in low income apartments all their life they need to work hard and try to get a house. My wife and I worked 3 jobs and managed to get a house so it's not impossible. They just need to work hard. Overall we don't agree with you guys building those apartments here!



Response to Comment Letter #30
Antonio Aguado

April 2, 2009

[Response to Comment #30-1](#)

Comment is noted. Commenter does not raise an environmental issue; and therefore, no further response is required.

COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
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ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ, COUNTY, CALIFORNIA



Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Name: Antonio Amado & Maria Hipolito
Mailing Address: 84 ATKINSON LN, WATSONVILLE CA 95076
Street, State, Zip Code
Affiliation (if any): _____
Date: ~~2/26/09~~ 3/26/09

Comments:

My family and I strongly disagree with you guys building these apartments (proposed project). Our neighborhood is very calm and having more people and opening the dead end street will bring chaos as well as problems. We believe that the place is too small and what you guys want to build will need much more space. You guys should stop and think of those who have lived here all their lives and instead build a levy to relief stress. The economy is bad already and we don't need to be stressing over something that is not even going to benefit us. We don't understand why more apartments want to get built if there are many empty houses they can use. Those houses who have been taken from others can be

Continue on reverse side if additional space is needed.

Please submit comments tonight or mail to:

County of Santa Cruz
Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
Attn: Todd Sexauer
(831) 454-3511

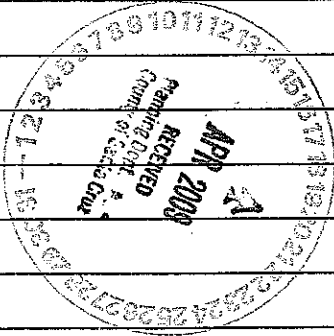
RECEIVED
APR 16 2009
CITY OF WATSONVILLE
Community Development Dept

IMPORTANT: Comments must be received by 5:00 P.M. April 22, 2009

Comments: (continued)

used to give those who need homes. The majority of those who attended the meeting last time disagreed as well. No body wants the apartments here. It is already crowded and we don't want gangs around here.

31-1





Response to Comment Letter #31
Antonio Aguado and Maria Hipolito

March 26, 2009

[Response to Comment #31-1](#)

Comment is noted. Commenter does not raise an environmental issue; and therefore, no further response is required.

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
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SANTA CRUZ COUNTY, CALIFORNIA**

Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Comments must be received by 5:00 pm April 22, 2009

Mail: County of Santa Cruz, Planning Department

701 Ocean Street, Santa Cruz, CA. 95060

Attn: Todd Sexauer (831) 454-3511

Name: Patricia Fink
Mailing Address: 125 Paloma Way
City, State, Zip Code: Watsonville, CA 95076
Date: April 18, 2009

Comments:

3.2-1 Why does the County contemplate conversion of approximately 16 acres of Prime Farmland and/or Farmland of Statewide Importance to ultra high density housing when another nonagricultural parcel of similar size, nearly level, immediately adjacent to a freeway, could fulfill the County's obligation to its Housing Element Certification Condition?

32-1

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
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Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Comments must be received by 5:00 pm April 22, 2009

Mail: County of Santa Cruz, Planning Department

701 Ocean Street, Santa Cruz, CA. 95060

Attn: Todd Sexauer (831) 454-3511

Name: Patricia Fink
Mailing Address: 125 Paloma Way
City, State, Zip Code: Watsonville, CA 95076
Date: April 18, 2009

Comments:

3.3-1: The Specific Plan indicates grading will limit the visual distinction with natural contours of the land, that the unit types will provide a logical transition with existing neighbors, that noise, light, glare, visual impacts will be minimized. Why is it, then, that the ultra high density of the project is all concentrated in the least likely area as far as terrain, soils condition, most difficult to grade to accommodate three- or four-story buildings, and with the largest visual impact on surrounding homes?

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Mail: County of Santa Cruz, Planning Department

701 Ocean Street, Santa Cruz, CA. 95060

Attn: Todd Sexauer (831) 454-3511

Name: Patricia Fink

Mailing Address: 125 Paloma Way

City, State, Zip Code: Watsonville, CA 95076

Date: April 18, 2009

Comments:

3.3-3: To what extent are the long-term stationary and vehicular emissions reduced to become "less than significant impact" under MBUAPCD thresholds?

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Mail: County of Santa Cruz, Planning Department

701 Ocean Street, Santa Cruz, CA. 95060

Attn: Todd Sexauer (831) 454-3511

Name: Patricia Fink
Mailing Address: 125 Paloma Way
City, State, Zip Code: Watsonville, CA 95076
Date: April 18, 2009

Comments:

3.4-2: The deliberately foreshortened biological study period provides inadequate time to ascertain presence or absence of the California red-legged frog and other area species. How can we be assured that the proposed steps will be sufficient to preserve "threatened" species and those of "special concern"?

32-4

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
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701 Ocean Street, Santa Cruz, CA. 95060

Attn: Todd Sexauer (831) 454-3511

Name: Patricia Fink
Mailing Address: 125 Paloma Way
City, State, Zip Code: Watsonville, CA 95076
Date: April 18, 2009

Comments:

3.8-4: Homes adjacent to the south edge of Brewington Pond experience standing water on their properties during the winter months, even in dry years such as the 2009-09 rainy season. How can these homeowners be assured, even in the short term, that such problems will not increase, resulting in soil erosion and additional breeding grounds for disease-bearing mosquitoes?

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Mail: County of Santa Cruz, Planning Department

701 Ocean Street, Santa Cruz, CA. 95060

Attn: Todd Sexauer (831) 454-3511

Name: Patricia Fink
Mailing Address: 125 Paloma Way
City, State, Zip Code: Watsonville, CA 95076
Date: April 18, 2009

Comments:

3.9-3: Land use compatability conflicts are discussed in the general sense of residential use immediately adjacent to agricultural land. What consideration is given to lack of compatability between single-family homes immediately adjacent to ultra dense, multi-story, low cost housing?

32-6

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
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Mail: County of Santa Cruz, Planning Department
701 Ocean Street, Santa Cruz, CA. 95060
Attn: Todd Sexauer (831) 454-3511*

Name: Patricia Fink
Mailing Address: 125 Paloma Way
City, State, Zip Code: Watsonville, CA 95076
Date: April 18, 2009

Comments:

3.10-1/3.10-1b: What is considered "short-term" construction noise? How will the City and County reconcile the different noise standards during construction: i.e., 7:30 a.m. to 4:30 p.m. versus 7:00 a.m. to 7:00 p.m.? What are considered unacceptable noise levels to "noise sensitive receptors" such as ears of neighboring residents?

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*Comments must be received by 5:00 pm April 22, 2009
Mail: County of Santa Cruz, Planning Department
701 Ocean Street, Santa Cruz, CA. 95060
Attn: Todd Sexauer (831) 454-3511*

Name: Patricia Fink
Mailing Address: 125 Paloma Way
City, State, Zip Code: Watsonville, CA 95076
Date: April 18, 2009

Comments:

3.12-1: On what basis was the figure of 1679 occupants calculated for the proposed 450 residential units? What is the current occupancy rate per residence for the Watsonville area? Were in-lieu fees calculated on an area-wide use projection or was ultra dense occupancy, which generates higher use of fire, police, recreational and other public facilities taken into consideration?

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Comments must be received by 5:00 pm April 22, 2009

Mail: County of Santa Cruz, Planning Department

701 Ocean Street, Santa Cruz, CA. 95060

Attn: Todd Sexauer (831) 454-3511

Name: Patricia Fink
Mailing Address: 125 Paloma Way
City, State, Zip Code: Watsonville, CA 95076
Date: April 18, 2009

Comments:

3.13-5,6,7,8,11,12: Multiple intersections addressed are currently operating at unacceptable levels of service. How can the mere levying of funds now resolve the issue for the immediate future for current residents? In addition to existing traffic levels, is there consideration given to the traffic generated by construction workers and equipment?

32-9

32-10

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
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Mail: County of Santa Cruz, Planning Department

701 Ocean Street, Santa Cruz, CA. 95060

Attn: Todd Sexauer (831) 454-3511

Name: Patricia Fink
Mailing Address: 125 Paloma Way
City, State, Zip Code: Watsonville, CA 95076
Date: April 18, 2009

Comments:

4-2: It is indicated that traffic volumes will be greatly increased in numerous areas throughout the valley as a direct result of this project, and that fees will be assessed for signals and so-called "calming" plans. Please explain how this slowing of "calming," i.e. slowing of traffic will alleviate problems of increased traffic in already congested areas operating at unacceptable levels of service.



Response to Comment Letter #32

Patricia Fink

April 18, 2009

[Response to Comment #32-1](#)

The proposed project is consistent with the voter-approved Measure U, which directs new growth to designated areas within and around the City of Watsonville in order to protect agricultural lands and environmentally sensitive areas, while providing the means for the City to address housing and job needs for the next 20 to 25 years. Measure U established an urban limit line (ULL) along the northern boundary, which excludes land previously included east and west of East Lake Avenue, and directs growth into several unincorporated areas. The three primary areas of growth include the Atkinson Lane, Buena Vista, and Manabe-Burgstrom (now Manabe-Ow) Specific Plan areas. A western boundary west of Highway 1 was defined by Measure U to remain undeveloped. Although the proposed project results in a total maximum conversion of 45.31 acres of Important Farmland, the proposed project is consistent with the voter-approved Measure U, in order to preserve other agricultural lands located near the City.

[Response to Comment #32-2](#)

Development of Phase 1 (County site) would be located adjacent to existing residential uses, which would provide a continuation of the existing residential development in the City. Grading and site design of Phase 1 (County site) can be accommodated within the constraints of the existing topography.

[Response to Comment #32-3](#)

As discussed on pages 3.3-21 through 3.3-25, long-term operational emissions associated with the proposed project are reduced by incorporation of a pedestrian network and Class 3 bicycle trails within the planning area that link to outside uses in order to facilitate use of alternative transportation within the planning area. In addition, Mitigation Measure 3.3-3 prohibits the use of wood-burning fireplaces or wood burning stoves in perpetuity on all residential properties included within the proposed project, as well as incorporation of MBUAPCD-recommended mitigation measures (e.g. energy efficient appliances and lighting systems, orientation of buildings to minimize heating and cooling needs, provision of shade trees, and increase insulation beyond Title 24 requirements). Implementation of this mitigation measure would result in a reduction of long-term operational emissions within the Monterey Bay Unified Air Pollution Control District (MBUAPCD) thresholds.

[Response to Comment #32-4](#)

Adequate data gathering to meet the requirements of CEQA were conducted and documented in the Draft EIR and its appendices. EcoSystems West Consulting Group and Bryan M. Mori Biological Consulting Services conducted an assessment of biological resources within the planning area. The assessment consisted of a review of the project description, data collection during reconnaissance level surveys, and evaluation of maps and literature from federal, state, and local agencies and databases. Based on the occurrences of special status species in the project vicinity and site visits conducted on March 13, May 23, June 16, August 21m and November 6, 2008, Ecosystems West identified sensitive habitats and special status species known to occur or with potential to occur within the planning area. This is documented in Section 3.4: Biological Resources and Appendix D to the Draft EIR.

As presented in Table 3.4-2: Special Status Species and Sensitive Habitats Occurring or with Potential to Occur within the Planning Area, one special status plant species and ten special status



wildlife species known to occur or with potential to occur within the planning area. As presented on page 3.4-26 of the Draft EIR, Ecosystems West Consulting Group and Bryan M. Mori Biological Consulting Services concluded that the occurrence of California Red Legged Frog (CRLF) is unlikely based on the presence of bullfrogs, which are predators to CRLF, within aquatic habitat and the relative isolation due to urbanization of the planning area from known localities. However, due to the presence of suitable aquatic habitat and known CRLF localities within the dispersal distance of the planning area, the United States Fish and Wildlife Service has recommended that protocol level surveys are conducted, which is required by Mitigation Measure 3.4-2a. Mitigation measures are also required for Santa Cruz Tarplant, Western Pond Turtle, Avian Species, Special Status Bat Species, and Dusky Footed Woodrat. The mitigation measures included in the Draft EIR include performance measures that would ensure that these species are protected should subsequent pre-construction surveys determine that they are located within the planning area prior to construction.

[Response to Comment #32-5](#)

Mitigation measures 3.8-1a and 3.8-1b would require that future development within the planning area prepare a detailed final drainage plan design to control the rate and volume of stormwater runoff to pre-development conditions to a variety of storm event recurrences. The final drainage plans for Phase 1 (County site) shall include a culvert connecting the freshwater marsh to a temporary detention basin designed to reduce the potential for flooding of existing and future development by passing the 100-year peak spill rate and controlling the surcharge elevation in the freshwater marsh/seasonal wetland. In addition, mitigation measures 3.8-1a and 3.8-1b would require that the final drainage plans identify the entity that is responsible for facility maintenance to ensure for long-term vegetation and access to control mosquitoes (i.e., to ensure for long-term vegetation control and access to control mosquitoes abatement).

[Response to Comment #32-6](#)

In accordance with the CEQA Guidelines, Section 3.9: Land Use and Planning analyzes whether or not the proposed project divides the physical arrangement of an established community (e.g. construction of a highway through an established residential community). As discussed on page 3.9-7 of the Draft EIR, Phases 1 and 2 of the proposed project would not disrupt or divide an established community, as the proposed project would result in a continuation of adjacent residential uses located to the north along Atkinson Lane and the residential land uses located along Brewington Avenue, Paloma Way, and Brookhaven Drive.

[Response to Comment #32-7](#)

Short-term construction noise is typically comprised of noise from construction equipment, including earth movers, material handlers, and portable generators. The restriction of construction hours as required by Mitigation Measures 3.10-1a and Mitigation Measure 3.10-1b would be required during the different phases of the proposed project. Mitigation Measure 3.10-1a would be required during construction activities on Phases 1 and 2 of the County site and Mitigation Measure 3.10-1b would be required during Phase 1 (City site) and once the planning area is annexed to the City of Watsonville.

[Response to Comment #32-8](#)

As noted in Response to Comment #11-1, the number of persons per households that was used for the population generation estimates in the EIR was based on the California Department of Finance (DOF) estimates for the City of Watsonville, which is approximately 3.73 persons per household. This figure is used by the City of Watsonville and the Association of Monterey Bay



Area Governments (AMBAG). This figure is much higher than other jurisdictions located in Santa Cruz County and the unincorporated portions of the County. These population estimates were used in the *Public Services and Public Facilities Financing Plan* was prepared for the proposed project by Applied Development Economics (ADE) that analyzed the costs of construction or enhancement of infrastructure and facilities associated with the proposed project and analyzed funding sources, including regular tax revenues and funding arrangements that may be required for the proposed project.

[Response to Comment #32-9](#)

Payment of the proposed projects fair share contribution to improvements at the respective intersections is appropriate under CEQA provided that there is an enforceable plan providing for construction of the improvements (e.g. a fee program that would be tied to a Capital Improvement Program prior to implementation of the proposed project), so that it can be assured that the improvements would be constructed. The fair-share concept assigns funding responsibilities for mitigation measures based on a project's relative contribution of traffic generated by a given development on a specific intersection. As described in Section 3.13: Transportation and Circulation, the proposed project would provide its fair share of traffic mitigation costs caused by future development within the planning area, but is not required to provide mitigation funding beyond the level of impact. Pursuant to the U.S. Supreme Court Nollan and Dolan cases and CEQA Section 15126.4(a)(4)(A and B), there must not only be a link between the impact generated by a project and the mitigation required of it but there must be rough proportionality between the two as well.

[Response to Comment #32-10](#)

Traffic generated by the proposed project for construction is generally considered short-term and is not evaluated in the evaluation of impacts to the level of service of study intersections and roadway segments. In addition, since construction of the proposed project would occur in separate phases over a number of years, impacts to the local roadways would be considered less than significant.

[Response to Comment #32-11](#)

The traffic calming plans required as mitigation measures MM 3.13-12a and MM 3.13-12b shall include measures that would reduce speeds and potential hazards on Brewington Avenue (North of Crestview Drive); 2) Gardner Avenue (east of Freedom Boulevard); and 3) Atkinson Lane (east of Freedom Boulevard) along the streets that are affected by the proposed project. These street segments are not operating at unacceptable levels of service, however the increase in traffic volumes has the potential to result in an increase in traffic hazards on these neighborhood streets.

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
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SANTA CRUZ COUNTY, CALIFORNIA**

Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

*Comments must be received by 5:00 pm April 22, 2009
Mail: County of Santa Cruz, Planning Department*

Attn: Todd Sexauer (831) 454-3511

Name: Carmen Gagne
Mailing Address: 1008 Brewington Avenue
City, State, Zip Code: Watsonville, CA 95076-2700
Date: April 18, 2009

Comments:

The proposed development calls for 450 new housing units. The Draft EIR states that a school may be needed to service the proposed development. On pages 3.12-5 and 3.12-6 of the Draft EIR, the data submitted clearly indicates that the project needs a new elementary school site to house the students.

My questions are: Where will the new elementary school be built? When will it be built? How many students will the new elementary school enroll?

When Watsonville's last 2 large-scale housing developments were planned, Vista Montana and Landmark, 2 new elementary schools were built to house the new students.

The Draft EIR does not adequately address the issue of Elementary schools. It is irresponsible to proceed with a plan for 450 housing units, without a defined plan to assure that the new resident families will have an elementary school site to send their children.



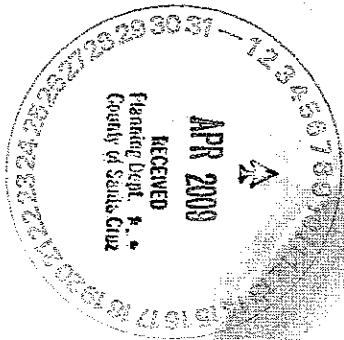
Response to Comment Letter #33
Carmen Gagne

April 18, 2009

[Response to Comment #33-1](#)

See Master Response P-6: Public School Impacts.

Count of Santa Cruz Planning Department Public Comment Card for Atkinson EIR Report



Trina Coffman-Gomez

79 Monte Vista

Watsonville, Ca. 95076

Integrity_Lending@yahoo.com

April 6, 2009

County of Santa Cruz

Planning Department

701 Ocean Street, 4th Floor

Santa Cruz, Ca. 95060

Attn: Todd Sexauer

(831) 454-3511

Affiliation: Homeowner in the District

1. Since there have already been several high density subdivisions within the City limits, I would propose that the EIR compare and contrast the impact these have had on the areas of traffic, schools, density, housing issues by investigating, reporting the similarities and challenges this proposal would offer to our community. The findings of two of these developments resulted in new schools adjacent to the project as a result of their proposal and planning. Please provide your recommendation to a solution to address the impact this proposal may have if carried through without a new facility on the site. Is it your recommendation that you suggest a general distribution of funds go to the school district for the impact instead of proposing developing a new school as the other projects implemented?

34-1

34-2

2. What was the proposed population projection versus actual population for other recent community development projects such as the Vista Montana development? Has there been complete research on the density impact factors of our other high density completed projects? This would offer an insight to the density factor projection of this Atkinson proposal to determine how accurate your evaluation of this development would be on the impact factors for; parking, emergency access; sanitation and safety concerns.

34-3

3. There have been several comments concerning the density of traffic flow this subdivision has on our impact roads. What solution is there to divert this impact on our clogged streets? We already know that

34-4

the emergency services have made several concerning comments regarding the "round about" traffic plan. Could you share with us the advisement they have made on this plans suggestion as it affects safety and emergency response time and how it reflects your opinion?

34-4

4. The Franich subdivision had placed an agriculture buffer between current agriculture use and the development, however with the density factors of that housing development, there has been documentation concerning several rat infestation issues as a result of the density of that neighborhood. I would expect the EIR to evaluate and document these sanitation issues so that they may be addressed and offered a solution or revisions to the density factor to prevent the same problem from occurring in this development.

34-5

5. The Subdivision(s) behind Target in addition to the Franich subdivision, also have a serious sanitation problem with birds. What impact with this property have and what solutions or revisions will be addressed to prevent that problem from occurring. I understand this may have something to do with the developers plan on the types of homes they may construct, but it should be noted and included in the report.

6. In the EIR, I would like to see the emergency safety implementation plan as part of the research to include the City's costs to maintain this subdivision that will be taxing our City funds; particularly as it relates to this being a "low income" project that may cost the City millions of dollars annually, which the rest of us would be responsible for subsidizing. Another area of concern that I would like the EIR to address is to compare the current problem the Franich property has with the emergency departments, such as the fire department having a limited access to the subdivision due to the density of the homes and the narrow streets within the subdivision, particularly as it results to the average number of cars per unit that take up the limited street space to be able to have access in the event of an emergency. What has been the result of your research with these agencies and their recommendation provided?

34-6

34-7

7. I understand that general funds for the school district will be generated off of this project, how would this compare to the actual costs incurred to develop and build a school as part of this subdivision solution? What is the recommendation to the impact either choice will have on this proposal? Would you recommend the proposal include a school? Why or why not?

34-8

8. At what point in your EIR, would you recommend to the City and County, under the research and findings of the EIR that you would determine density reduction or other similar revisions based upon your findings to this plan?

34-9

9. I understand this development is under consideration for zoning change and that the intent is to permit the rezoning for the investor(s) to develop it over the course of several years, based on the housing element needs of the Community of Watsonville, however, even if it's developed within stages, the overall plan must be considered with the full impact of the completed project. Assumptions to the general budgets of the City and schools (PVUSD school fees) cannot begin to cover the actual costs of these impacts, what alternative options have been considered, particularly as the potential revenue appears to be of no financial benefit to the overall funds the City were to take in?

34-10

34-11

What density factor can be determined to make this project fiscally neutral? Hence, the potential revenue stream to the City that would support the costs of these ancillary services to be self sustaining? 34-11 cont.

10. Evaluation of the soils reports were on 2 parcels of the 11 being considered. In addition, a very limited number of chemicals were being investigated. Will your report reflect and research on the remainder of these parcels with a broader range of chemicals that would be known to be hazardous as a result of saturation of chemicals from farming in the area? If not, then why not? 34-12

11. Considering the density of houses per acre of 20 units to the acre (based on the numbers I can recall the project was entertaining), this permits 2178 square feet per unit or approximately 1890 square living unit feet per unit, how does this density satisfy the living standard indoor/outdoor space requirements per household? If the park expansion is the response, what is your alternative when the park is seasonally flooded or underwater? 34-13

12. This high density project appears to be all low income housing, please correct me if I am wrong. But if indeed it is not, then how would you determine the likelihood an "open market" sale can or will occur in this subdivision? An example of the high density housing that is over 5 years old that has still not sold is the Vista Del Mar. I believe this was a mixed area that was a result of below market homes mixed in with open market that still have inventory. 34-14

13. You have discussed the traffic impact, as a result of these findings, will your report consider making revisions to the density to this subdivision based on that evaluation? What kind of density reductions would you consider in your report? 34-15

14. How much flexibility is available to make these types of revisions to the plan?

15. Currently, our unemployment rate is at an all time high of 26% and growing. We have businesses and industry closed down at a much higher rate than we have been able to attract new business opportunities. Of the three options to our general plan, the primary objective plan this is being carried appears to be the "bedroom community option". In all appearances, this project would attract homeowners that may not have an opportunity to live and work within their own community based on these statistics. We know the affect of commuter jobs will defer tax dollars because their jobs may not fall within the radius of where the homeowner lives. Is the EIR paralleling the needs of housing along with the job projections of Watsonville's economic development plan? 34-16

Now is the time that City of Watsonville seriously needs to weigh and evaluate from the ideas, improvements, solutions, revisions and implementation other sizable developments built in Watsonville this past decade have had for the purpose of rezoning this property to avoid the same costly mistakes and to prevent new problems that we may be left with. 34-17

This is a balancing act to predetermine the housing needs of our community. A task that cannot be evaluated with a nearside approach, but with a combination and overlay of many other compensating factors; jobs, safety, schools, emergency and other ancillary services. It is very easy to make or vote on a decision that does not have direct impact on yourself as this project has done. There are too many

variables, not enough overlapping projections to determine that the City of Watsonville can carry the weight of the county for this purpose. Much of this decision has to do with Federal funding. This is a short site approach to delivering money into Watsonville to stimulate a balance of economic growth. Once the funds are gone, we are left with tough decisions to figure out how we are to replace the federal dollar for a self sustaining match of funds.

34-17
cont.

We know this plan will be approved. Our fight right now is to amicably address a solution to this proposal that we all can live with and compromise to. If this project were to be adopted under the terms and density suggested under the proposed current plan, we could be faced with decades of future problems that no amount of Federal funds could ever help us recover from.

Thank you for your time with this matter.

Respectfully,



Trina Coffman-Gomez



Response to Comment Letter #34
Trina Coffman-Gomez

April 6, 2009

[Response to Comment #34-1](#)

The CEQA Guidelines require that the specific impacts of the proposed project are analyzed during the environmental review process, but does not require comparison of the proposed project with the impacts of similar projects.

[Response to Comment #34-2](#)

See Master Response P-6: Public School Impacts.

[Response to Comment #34-3](#)

As noted in Response to Comment #34-1, the CEQA Guidelines require that the specific impacts of the proposed project are analyzed in the EIR, but does not require comparisons with other projects. As noted in Response to Comment #11-1, the number of persons per households that was used for the population generation estimates in the Draft EIR was based on the Department of Finance estimates for the City of Watsonville, which is approximately 3.73 persons per household, which is much higher than other jurisdictions located in Santa Cruz County and the unincorporated portions of the County. These population estimates were used to evaluate public services (e.g. wastewater, schools, solid waste, law and fire protection, etc.). Impacts to parking and emergency access are based on standards in the municipal code.

[Response to Comment #34-4](#)

Section 3.13: Transportation and Circulation evaluates the impacts of the proposed project on the study street segments and intersections. Mitigation measures are incorporated within the EIR to address improvements to study intersections that would result in potentially significant impacts.

Roundabouts do not have an effect on emergency vehicle response times compared to other controls such as all-way-stops. Emergency vehicles slow down, make sure the roadway is clear, and then proceed across the intersection or through the roundabout.

[Response to Comment #34-5](#)

As discussed in Response to Comment #21-1, the 200-foot agricultural buffer would be owned and maintained by either the City and/or in common ownership by a homeowners association (HOA). The maintenance agreement would be specified in a future development agreement for future development within the planning area. The maintenance agreement would deal with any potential sanitation issues with rodents and/or birds within the agricultural buffer zone.

[Response to Comment #34-6](#)

See Master Response P-1- Public Services and Fiscal Mitigation.

[Response to Comment #34-7](#)

Streets within the proposed project would be required to comply with the City's Municipal Code for emergency access requirements. As discussed on page 3.12-29 in the Draft EIR, the Pajaro Valley Fire Protection District (PVFPD) would serve Phase 1 (County site) and Phase 1 (City site), as well as buildout of the planning area would be served by the Watsonville Fire Department once annexed to the City of Watsonville. The PVFPD and the Watsonville Fire Department has sufficient capacity to provide service to the proposed project. In addition,



Mitigation Measure 3.12-1 would ensure that the funding of additional services would be handled by future development through a funding mechanism in order to meet acceptable thresholds, including the projects “fair share” of funding for construction, operation, and staffing of a new fire station for the City of Watsonville Fire Department.

[Response to Comment #34-8](#)

As discussed in Response to Comment #34-2, pursuant to Section 65996(3)(h) of the California Government Code, payment of school impact fees “is deemed to be full and complete mitigation of impacts of any legislative or adjudicative act, or both, involving but not limited to, the planning, use, or development of real property, or any change in government organization or reorganization.” Please see Master Response P-6 – Public School Impacts regarding the feasibility of constructing a school within the planning area.

[Response to Comment #34-9](#)

The CEQA Guidelines requires that a proposed project evaluate a range of alternatives to the proposed project, which would reduce environmental impacts. Four alternatives to the proposed project were evaluated and are discussed in Section 4.6: Project Alternatives (page 4-24 of the Draft EIR). Alternative #1 – No Project, Alternative #3 Reduced Project Density (Six to Nine Units Per Acre), and Alternative #4-Alternative Project Design would result in a reduced density of residential units in comparison to the proposed project.

[Response to Comment #34-10](#)

The EIR evaluates the environmental impacts of the proposed project as a whole (Specific Plan and PUD).

[Response to Comment #34-11](#)

See Master Response P-1: Public Services and Fiscal Mitigation. Regarding PVUSD school impact fees, see Master Response P-6 – Public School Impacts.

[Response to Comment #34-12](#)

Commenter references a soils report, but County staff believes that the commenter is referring to the Phase II Environmental Site Assessment that was prepared for 56 Atkinson Lane (APNs 048-211-25 and 019-226-42) in order to determine information pertaining to past investigations of the property. Based on the Phase II Limited Soil Investigation, there would not be a human health risk on APNs 048-211-25 and 019-226-25 from residual pesticides in the soil. The potential impact would be considered less than significant to these two parcels as it was determined not to pose a significant long-term chronic health threat to human health and the environment. However, due to the historical agricultural use on the remainder of the planning area, development of the residential uses associated with the proposed project was considered a potentially significant impact. Mitigation Measure 3.7-9 in the Draft EIR would ensure that proper testing, evaluation and remediation of potential pesticide residues associated with historical agricultural use within the planning area is conducted on Assessors Parcel Numbers 019-226-43, 019-226-44, 019-236-01, 048-231-01, 048-221-09, 048-231-17, 048-231-18, and 048-251-09 during Phase 1 and Phase 2 of the proposed project is conducted. In order to adequately test the surface soil and subsurface soil for pesticide residues, the testing shall be in accordance with the Department of Toxic Substances and Control (DTSC) and *CalEPA Guidance Manual Interim Guidance for Sampling Agricultural Fields for School Sites, Second Revision* (DTSC and CalEPA 2004) to provide a uniform approach for evaluating former agricultural properties where pesticides have been applied. The soil sampling and testing program shall be



subject to review and approval by the City of Watsonville and County of Santa Cruz. Soil sampling and testing shall include, but not be limited to the following in accordance with the DTSC and CalEPA guidance documents: sampling the freshwater marsh in the western portion of the planning area adjacent to the former agricultural areas of the planning area; sampling each area of a parcel which historically produced different agricultural crops; sampling of one surface soil sample from zero to six inches and one sub-surface sample from two to three feet with the minimum number of samples based on the size of the parcel; and analytical testing for these samples for pesticide residues. In the event that subsequent testing indicates the presence of pesticide residues beyond acceptable thresholds, the potential health risks shall be evaluated and a work plan prepared in order to remediate the soil in accordance with all applicable federal, state, and local regulations. All subsequent testing and remediation activities are subject to review and approval by the County of Santa Cruz Environmental Health Department and the City of Watsonville prior to issuance of a grading permit.

[Response to Comment #34-13](#)

The City of Watsonville General Plan standard is five acres of parks per 1,000 residents, which is comprised of two acres for neighborhood and pocket parks and three acres for community parks. Section 3-6.604 of the City's municipal code requires dedication of five acres of parkland per 1,000 residents. Based on this requirement, population generated by the proposed project would require approximately 5.57 acres of parks. In addition to dedicating 3.5 acres of parkland, the City of Watsonville has a recreation and parks facilities fee of \$667 per each three bedroom dwelling unit and the County of Santa Cruz has a parks dedication fee of \$1,000 per single-family dwelling unit and \$750 per multi-family dwelling unit in order to fund future park development. Future development within the planning area would be required to pay applicable recreation and parks facilities fees at the time of issuance of the building permits.

[Response to Comment #34-14](#)

Comment is noted. Commenter does not raise an environmental issue; and therefore, no further response is required.

[Response to Comment #34-15](#)

See Response to Comment #34-9 regarding alternatives to the proposed project, which evaluate a reduction in the density of the proposed project. Section 4.6: Project Alternatives compares the environmental impacts of the proposed project with each reduced density alternative. The decision makers (County Board of Supervisors and/or City Council) has the option of selecting one of the alternatives to the proposed project as part of their decision making process.

[Response to Comment #34-16](#)

The proposed project is consistent with the voter-approved Measure U. The three primary areas of growth in Measure U include the planning area (Atkinson Lane), as well as the Buena Vista, and the Manabe-Burgstrom (now Manabe-Ow) Specific Plan areas. The voter-approved Measure U includes the provision of over a million square feet of business park development and 25,000 square feet of retail uses that would provide approximately 2,100 jobs within the Manabe-Ow Specific Plan area, which is currently undergoing environmental review. The City of Watsonville will continue to monitor the jobs to housing balance within the City.

[Response to Comment #34-17](#)

Comment is noted. Federal funding is not being used within the planning area at this time. Commenter does not raise an environmental issue; and therefore, no further response is required.

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ COUNTY, CALIFORNIA**

Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

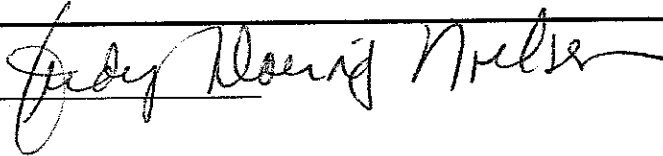
Comments must be received by 5:00 pm April 22, 2009

Mail: County of Santa Cruz, Planning Department

701 Ocean Street, Santa Cruz, CA. 95060

Attn: Todd Sexauer (831) 454-3511

Name: Judy Doering Nielsen



Mailing Address: 264 Oak Hill

City, State, Zip Code: Corralitos, CA 95076

Date: August 13, 2009

Comments:

Costs and Public Safety:

Throughout the EIR the issues of costs are brought up. It is not clear how the city and county will share the costs and where the funding is coming from for the city to pay its share. "Share" of the costs is not defined, for example as 50/50. There is nothing definitive regarding whose share will be what and if there are any limits established. Thus, the city may indeed end up paying more money on any given situation. A more detailed cost analysis must be provided to detail the costs shared by the city and the county. Also, it is imperative that sources of funds be identified to completely pay these "so far unknown" costs", which quite frankly is impossible as the costs have not been definitively identified. No zoning or construction should be allowed to commence until a full disclosure of costs are presented for public review and a comment period is provided. Based on the County's need to reduce expenditures by \$25 million and the city of Watsonville's need to reduce expenditures by \$4 million it is extremely imperative that the costs for public safety be addressed. The tax increment from the proposed housing does not cover the cost for police and/or fire to service the proposed residents of the housing. (Fact: High Density Affordable Housing does not generate sufficient income to cover the costs for services required by the housing.) Where will the funds come from to provide these unfunded mandated service requirements and what are the consequences of not providing sufficient public safety services? Watsonville is currently experiencing escalating gang activity. What are the social relationships between high density housing and increased gang activity? What are the consequences of ignoring public safety and the inability of municipalities to adequately provide public safety? No zoning changes

35-1

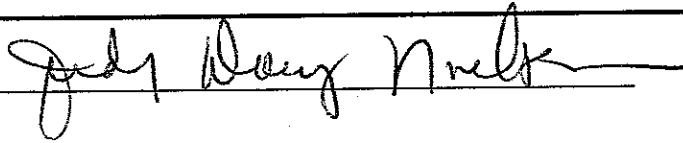
35-2

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ COUNTY, CALIFORNIA**

Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Name: Judy Doering Nielsen



Mailing Address: 264 Oak Hill

City, State, Zip Code: Corralitos, CA 95076

Date: April 13, 2009

Comments:

According to the EIR there is a presence of Arsenic in the soil which is extremely dangerous to newborns, as well as, harmful to children and adults. The EIR states that traces of arsenic and copper were found in the soil. This may be due to pesticides used for farming or it could be natural according to the EIR. Tests were conducted for only two parcels which are the first two phases. There are 12 parcels. Why were not all of the 12 parcels tested? Would it not be prudent and necessary to test all sites prior to commencement of any zoning or development and if not, why not. Doesn't the EIR cover the total development? What if the arsenic levels on the others sites cannot be mitigated, what happens to the remainder of the project? Who conducted the tests and when were they conducted? Where on the sites were the soils tested? Does CEQU A have standardized testing policies and procedures for arsenic? Please provide all copies of the subject reports for public review prior to any zoning and allow sufficient time for public review for public safety issues.

35-3

Comments must be received by 5:00 pm April 22, 2009

**Mail: County of Santa Cruz, Planning Department
701 Ocean Street, Santa Cruz, CA. 95060
Attn: Todd Sevauer (831) 454-3511**



Response to Comment Letter #35
Judy Doering-Nielsen

April 13, 2009

[Response to Comment #35-1](#)

Comment is noted. See Master Response P-1: Public Services and Fiscal Mitigation.

[Response to Comment #35-2](#)

Section 15064(e) of the CEQA Guidelines states “economic and social changes resulting from a project shall not be treated as significant effects on the environment. Economic or social changes may be used, however, to determine that a physical change shall be regarded as a significant effect on the environment. Where a physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project.” For example for public services (police and fire protection), the CEQA Guidelines require that a lead agency evaluate a projects potential to “result in a substantial adverse physical impact associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant impacts, to maintain acceptable service ratios, response times, or other performance objectives for any of the public services, including fire protection, police protection, schools, parks, or other public facilities. Impact 3.12-2 in Section 3.12: Public Services, Utilities, and Recreation evaluates the increased demand for law enforcement services within the planning area. As discussed on page 3.12-30 in the Draft EIR, mitigation measure 3.12-1 would ensure that funding of additional law enforcement services would be handled through a funding mechanism established by the City and County.

[Response to Comment #35-3](#)

Comment noted. A Phase II Environmental Site Assessment that was prepared for 56 Atkinson Lane (APNs 048-211-25 and 019-226-42) in order to determine information pertaining to historical practices on these parcels. Based on the Phase II Limited Soil Investigation, there would not be a human health risk on APNs 048-211-25 and 019-226-25 from residual pesticides in the soil. Due to the historical agricultural uses on the remainder of the planning area, Mitigation Measure 3.7-9 in the Draft EIR would ensure that proper testing, evaluation and remediation of potential pesticide residues associated with historical agricultural use within the planning area is conducted on Assessors Parcel Numbers 019-226-43, 019-226-44, 019-236-01, 048-231-01, 048-221-09, 048-231-17, 048-231-18, and 048-251-09 prior to issuance of a grading permit in accordance with professional practice. Adequate performance measures are incorporated into the mitigation measures in order to ensure that if pesticide residues are discovered within the soil that they are remediated prior to construction activities.

[Response to Comment #35-4](#)

A comprehensive traffic study was prepared by a professional traffic engineer and was independently reviewed by the City’s traffic engineer and the County’s traffic engineer. The traffic study was included in the Draft EIR as Appendix I to the Draft EIR.

[Response to Comment #35-5](#)

Streets and proposed improvements would be required to comply with the City’s municipal Municipal Code for emergency access requirements.

COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE
ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ, COUNTY, CALIFORNIA



Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Name: JAMES GREENWOOD
Mailing Address: 221 PALMIA WAY
Street, State, Zip Code: Watsonville, CA, 95076
Affiliation (if any): _____
Date: _____

Comments:

36-1 A MAGNET FOR LOW INCOME
RESIDENTS WITH UNDEREMPLOYED
PARENTS + UNEMPLOYED
NEXT GENERATION IS ASKING
FOR A HIGH CRIME SLUMP
WE NEED JOBS MORE THAN
36-2 HOUSING. FAST I am
housing home not doubling
up of families.

Continue on reverse side if additional space is needed.

Please submit comments tonight or mail to:

County of Santa Cruz
Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
Attn: Todd Sexauer
(831) 454-3511

IMPORTANT: Comments must be received by 5:00 P.M. April 22, 2009

Comments: (continued)

Men are experts to
build a high wall
down but they are
all over the county.



Response to Comment Letter #36
James Greenwood

No date provided

[Response to Comment #36-1](#)

Comment is noted. Commenter does not raise an environmental issue; and therefore, no further response is required.

[Response to Comment #36-2](#)

The proposed project is consistent with the voter-approved Measure U. The three primary areas of growth in Measure U include the planning area (Atkinson Lane), as well as the Buena Vista, and the Manabe-Burgstrom (now Manabe-Ow) Specific Plan areas. The voter-approved Measure U includes the provision of over a million square feet of business park development and 25,000 square feet of retail uses that would provide approximately 2,100 jobs within the Manabe-Ow Specific Plan area.

COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE
ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ, COUNTY, CALIFORNIA



Public Comment Card

Please use this comment card to submit your views regarding the proposed project
and regarding any potential environmental impacts of the proposed project.

Name: Enequina Perez
Mailing Address: 603 San Juan rd
Street, State, Zip Code: Watsonville Ca 95076
Affiliation (if any): _____
Date: _____

Comments:

Primero les quiero dar las Gracias a Todos
ustedes los que estan hacienda lo posible para
mejorar nuestras necesidades y ojala que se
ya ha acabado todo esto para poder tener una
bibienda para tener un poco de tranquilidad
pero no nosotros tenemos que unirnos para
que ya no piensen de nosotros que somos
que les tenemos a quitar los trabajos no
sotto lo unico que queremos ~~estar~~
trabajar y ser buenas personas

Continue on reverse side if additional space is needed.

Please submit comments tonight or mail to:

County of Santa Cruz
Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
Attn: Todd Sexauer
(831) 454-3511

IMPORTANT: Comments must be received by 5:00 P.M. April 22, 2009

37-1

**COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE
ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ, COUNTY, CALIFORNIA**



Public Comment Card

*Please use this comment card to submit your views regarding the proposed project
and regarding any potential environmental impacts of the proposed project.*

Name: Enedina Perez

Mailing Address: 603 San Juan Road, Watsonville, CA 95076
Street, State, Zip Code

Affiliation (if any): _____

Date: April 2, 2009

Comments: English Translation from Spanish by Christina Tovar, RBF Consulting

First of all, I would like to thank all of you who are doing everything possible to improve our necessities and hopefully everything goes as planned to be able to have a life with a little tranquility. But we have to unite ourselves so that people don't think we come here to take your jobs. The only thing we want to do is work and be good people.

37-1

Continue on reverse side if additional space is needed.

Please submit comments tonight or mail to:

County of Santa Cruz
Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
Attn: Todd Sexauer
(831) 454-3511

IMPORTANT: Comments must be received by 5:00 P.M. April 22, 2009



Response to Comment Letter #37

Enedina Perez

No date provided

Response to Comment #37-1

Comment is noted. Commenter does not raise an environmental issue; and therefore, no further response is required.

COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE
ATKINSON LANE SPECIFIC PLAN AND PLANNED UNIT DEVELOPMENT
SANTA CRUZ, COUNTY, CALIFORNIA



Public Comment Card

Please use this comment card to submit your views regarding the proposed project and regarding any potential environmental impacts of the proposed project.

Name: RUCKY BARRERA
Mailing Address: 53 ATKINSON Lane
Street, State, Zip Code: Watsonville, CA. 95076
Affiliation (if any): _____
Date: 3/31/09

Comments:

Traffic & Traffic Congestion are my major concerns. Atkinson Lane & the area along Freedom Blvd. are already greatly traveled & congested.

This is not only a nuisance but also poses a safety hazard for the neighborhood.

The only alternatives that make sense are to create access from the proposed project directly out to Holohan Rd. which should also be converted to a 4-lane roadway.

Holohan is after Freedom Blvd. the only major North-South throughway on the East side of town. Another north-south road w/ a good idea as well. Either Wagoner, Brewington or both other roads c/b extended from Martinelli to Green Valley to further alleviate Freedom Blvd.

Continue on reverse side if additional space is needed.

Please submit comments tonight or mail to:

County of Santa Cruz
Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
Attn: Todd Sexauer
(831) 454-3511

IMPORTANT: Comments must be received by 5:00 P.M. April 22, 2009

Comments: (continued)

and divert traffic thru areas other than Atkinson Lane.

The EIR. which considered the intersections at Holohan/E. Lake, Freedom/Airport? or Green Valley? + on Hwy 1. Do little, if anything to address the problems already existing on Atkinson or on Freedom between Lincoln & Green Valley,

More congestion, accidents, ... & threats to the safety of our people & kids will surely result if the plan is not altered with access to Holohan & areas East of Atkinson & Freedom Blvd.

Thank you,

R. Barrera

(831) 722-2178

rockybarrera2002@yahoo.com



Response to Comment Letter #38
Rocky Barrera

March 31, 2009

[Response to Comment #38-1](#)

Comment is noted regarding concerns about congestion and traffic along Atkinson Lane and Freedom Boulevard. Impact 3.13-1 in Section 3.13: Transportation and Circulation (page 3.13-18 through 3.13-19) states that the proposed project would add 3,814 trips per day to the surrounding street and intersection network, including six percent of its trips to the proposed Wagner Avenue extension, once a connection is provided to the proposed project. With implementation of the proposed project Freedom Boulevard (between Airport Boulevard and Green Valley Road, between Green Valley Road and Gardner Avenue, between Gardner Avenue and Crestview Drive, and south of Crestview Drive) would operate at acceptable levels of service during the AM and PM peak hours. In addition, Impact 3.13-12 on pages 3.13-26 and 3.13-27 addresses the potential for increased traffic to cause traffic hazards along Brewington Avenue (north of Crestview Drive), Gardner Avenue (east of Freedom Boulevard), and on Atkinson Lane (east of Freedom Boulevard). Mitigation measures MM 3.13-12a and 3.13-12b would require implementation of a traffic calming plan on these street segments in order to address increased traffic and address potential safety hazards.

[Response to Comment #38-2](#)

Access from the planning area to Holohan Road was considered by the Technical Advisory Committee (TAC) on May 22, 2008. However, the TAC rejected this proposal and the Wagner Avenue extension was recommended for the proposed project.

[Response to Comment #38-3](#)

Comment is noted. The proposed Wagner Avenue extension would decrease the distribution of traffic generated by the proposed project along primarily the east-west streets to East Lake Avenue. The Wagner Avenue extension would help to distribute traffic by alleviating traffic congestion along Freedom Boulevard, Martinelli Street, Brewington Avenue and Tuttle Street.

[Response to Comment #38-4](#)

Comment noted. See Response to Comment #38-1.

[Response to Comment #38-5](#)

Access to Holohan Road from the planning area is addressed in Response to Comment #38-2.



March 22, 2009

Mr. Todd Sexauer
County of Santa Cruz
Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Re: Draft Environmental Impact Report for the Atkinson Lane Specific Plan and Planned Unit Development ("PUD")

Dear Mr. Sexauer,

This is just a short note to make a comment about the subject plan to develop the approximately 65 acre Atkinson Lane area on the North-East boundary of Watsonville. I have absolutely no problem with the environmental aspects of the proposed development; in fact, the plan vastly improves the wetlands stewardship.

39-1

My concern is that this plan, like so many recent PUDs in Watsonville, has no human soul. The Atkinson Lane Development area is big enough to do something better. As you must know many, if not the majority, of the people now living in Watsonville are first or second generation from Mexico, and generally from the Jalisco or Michoacan area. How about taking a look at how the most livable cities in this area of Mexico are laid out? Try to incorporate this here There are several sociological studies of immigrant neighborhoods throughout the United States that confirm that neighborhoods mirroring what was left behind are beneficial to the quality of life for the people who live there. I do not think it is my role to do the development design or tell you what is currently not working in Watsonville; but please give some thought over the next few months about what the residents truly want in their city. Although the powers in Santa Cruz may think that Watsonville has little to offer except a place to fit in the required affordable housing to meet the County mandate, it is a unique city with citizens who deserve better planning.

39-2

My best for the future of Santa Cruz County (and Watsonville),

A handwritten signature in black ink, appearing to read "Billy".

Billy Rodriguez
Berkeley, CA



Response to Comment Letter #39

Billy Rodriguez

March 22, 2009

[Response to Comment #39-1](#)

Comment is noted. County staff appreciates the commenters support for the improved wetland stewardship for the proposed project.

[Response to Comment #39-2](#)

Comment is noted. County staff appreciates the comment regarding the design of the proposed project. However, the commenter does not raise an environmental issue.