



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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KATHLEEN MOLLOY, PLANNING DIRECTOR

November 6, 2019

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

AGENDA DATE: November 13, 2019

SUBJECT:

Consider referral from the Board of Supervisors regarding modifications to the proposed "Coastal Bluffs and Beaches" (CB&B) Section 6.4 of the proposed General Plan/Local Coastal Program (GP/LCP) Public Safety and Hazard Management Element and associated County Code Amendments originally recommended for approval by the Planning Commission on March 19, 2019.

Members of the Planning Commission:

This matter is before the Commission for "review and recommendation" pursuant to State law, in that the Board of Supervisors has indicated an intention to make changes to the content of the amendments that had been forwarded to the Board by the Commission with a recommendation of approval in March 2019. The Board opened its public hearing on October 8, 2019 and then continued the public hearing to its meeting of December 10, 2019 in order to ensure that the Commission had an opportunity within the 40-day timeframe that is provided by law for its review and recommendation.

Staff decided to prepare the GP/LCP Section 6.4 CB&B Staff Alternate in late September 2019, after several meetings with and further input from Coastal Commission staff, representatives of the Coastal Property Owners Association ("CPOA") and other stakeholders. Due to the changes, it is believed that both coastal staff and CPOA better understand and are more supportive of the County's proposed CB&B amendments.

The County's revisions provide greater specificity about the "vision" for various portions of the coastline:

- The vision in non-urbanized rural areas is that new coastal protection structures will not be allowed, and development sites would be expected to provide 75 years of stability for most structures (100 years for critical structures) without future protection assumed. Existing structures that are built on or at beach level will not be allowed new shoreline protection

structures, although repair and maintenance of existing shoreline protection can be permitted within the 20-year timeframe of the proposed Safety Element.

- The vision for the Pleasure Point/Opal Cliffs area is that it is designated by the Safety Element as a "Shoreline Protection Exception Area", and existing shoreline protection measures will be replaced by modern vertical structures that mirror the approach of the existing East Cliff Drive seawall built by the County Redevelopment Agency, which removes riprap and exposes more beach area, incorporates public access, and is designed to resemble natural bluff appearance.
- The vision for the Pajaro Dunes area is a continuation, and rebuild as needed, of the revetment that is designed to retain sand and does not have impacts on the size of and public use of the beach. The dunes are in a state of dynamic equilibrium with sand that is deposited and removed by natural forces each year.
- The vision for the area between Twin Lakes/Santa Cruz Harbor and Pleasure Point/Soquel Point is that, as a first priority, the County would seek grant funding for preparation of a Shoreline Management Plan, which would be prepared by 2030 and adopted by 2035 (prior to anticipated update of the Safety Element by 2040). In particular, the Shoreline Management Plan would prioritize retaining public access to and the functions of beaches and lagoons.

The approach of the County continues to be founded on the principle that, while climate change, sea level rise, and damage from greater storm wave attacks are realities; a practical and reality-based adaptive approach that recognizes different contexts and histories of sub-areas is necessary.

A key goal over the stated 20-year timeframe of the Safety Element is to "get ready" and have property owners obligated to "internalize private property owner risks and future costs of adaptation" so that the public does not bear costs or obligations. In order to establish this platform over the next twenty years, it is considered reasonable to allow property owners to pursue improvements to homes at least one time (defined as modification/replacement of over 50% of major structural components from the date the new Safety Element is adopted) and to maintain and repair homes and existing shoreline protection structures. In exchange for approvals of coastal development permits that allow "redevelopment/replacement" (>50%) activity, a property owner must accept a package of conditions that include payment of sand mitigation in-lieu fees, recreation in-lieu fees, and otherwise minimizing public impacts and costs. Also, while Coastal Development Permits would not expire, conditions would be written in such a way that there is a check-in every 20 years (or less time as may be warranted in the future), and a new phase of mitigation obligations may be imposed based on conditions/impacts on coastal resources that are occurring at the time of the check-ins.

In this way, once the effects of climate change and sea level rise become even more apparent, property owners have already accepted and are prepared to take the types of actions that may become necessary in response to actual changes that occur (as opposed to projections in 2020 of what may exist in 2060, 2080 or 2100). Most homes tend to be remodeled or replaced every 25 to 40 years, and it is difficult to explain to owners why they can't remodel or add onto homes now, for a scenario that may exist 60 or more years from now.

Key changes/additions in the Section 6.4 Staff Alternate are summarized below:

- Policies added to address projects that involve only existing shoreline protection structures themselves, such as proposals to maintain, rehabilitate or replace such structures in a manner that would reduce existing impacts on coastal resources, or that would act to protect critical public infrastructure.
- Areas that are anticipated to accommodate shoreline protection structures in the mid-to-longer term are considered to be "Shoreline Protection Exception Areas", which would be designated

only within certain portions of the existing urbanized area of unincorporated Santa Cruz County.

- Emphasis added regarding use of reasonable professional projections for the Santa Cruz coastal area (i.e. mid-level risk, not reducing risk to single-digit or near-zero probabilities), are 1.2 feet of sea level rise from current 2020 conditions to 2040, and 5.5 to 6.9 feet from current 2020 conditions to the year 2100. A "medium emissions" scenario for 2100 would mean 6.2 feet assumed for 2100.
- Emphasis added that this Safety Element is intended to address the 2020 to 2040 timeframe, an adaptive approach is reflected that anticipates refinement of policies in the future with subsequent update(s), as well as an implementation of policies and requirements within the 2020-2040 timeframe for conditioning and mitigating impacts of coastal developments.
- Emphasis added regarding key principle to foster *"private internalization of the risks and costs of improving, maintaining and abating development projects/structures on sites that are subject to coastal hazards"*, so that the public (governments, taxpayers, insurance policyholders) are not the parties who ultimately bear the costs of private property owner investment decisions when the time comes that it is environmentally, practically and economically infeasible to continue the existence of portions or all of structures/improvements subject to coastal hazards.
- Emphasis added regarding another key principle to foster coordination between property owners along similarly-situated portions of the coastline, to pursue coordinated shoreline protection projects where such currently predominantly exist (ie. within designated "shoreline protection exception areas", so that privately-financed replacement projects can greatly reduce impacts on coastal resources and improve public access, while also acting to protect critical public accessways and infrastructure so that local government/agencies may prioritize financial resources to other climate change adaptive responses (avoiding forest fires, managing flood risks, relocating pump stations, building bridges, and so forth).
- Projects located on beaches must be restricted to maximum permissible "elevation strategies" to elevate structures above waters and hazards, which generally is established as a "one non-habitable story" amount of elevation (ie. about 10 feet), and height variances to accommodate structural elevations for replacement/redeveloped structures should not exceed about 10 feet in any case, and may be adjusted in certain locations to prevent impacts on coastal resources.
- Policy added to refine "Conditional Accommodation, Acceptance of Risk, and Adaptation" ("AAA") establishing the regulatory approach in certain urbanized areas, in order to differentiate between coastal bluff sites involving the less-erodible Purisima rock formation (e.g. higher existing bluffs along Opal Cliffs Drive that are included within a designated "shoreline protection exception area") and more-erodible sandy coastal bluff areas that are typically shorter and typically adjacent to higher-value coastal shorelines accessed by the public, which are of first priority for preparation of a Shoreline Management Plan to guide future development and permitting).
- The first priority of the County is to obtain grant funds for and work with property owners and other stakeholders on a Shoreline Management Plan for the area between Twin Lakes/Santa Cruz Harbor and Pleasure Point/Soquel Point. It is to be completed within the 2030-2035 timeframe, in order to determine whether any portion of the area can be designated a Shoreline Protection Exception Area under the subject Shoreline Management Plan to be adopted by the County of Santa Cruz and the California Coastal Commission as an implementing regulation of the Local Coastal Program.
- Guiding Principle and policies added to recognize there are different geologic/geographic contexts, even within the pre-Coastal Act urbanized areas within the USL/RSL, for developments/structures that exist on beaches and on/along coastal lagoons, due to greater impacts on valuable environmental and public coastal resources as well as greater

vulnerability to sea level rise and associated risks. For these properties, allow one "redevelopment/replacement" (greater than 50% replacement of Major Structural Components; no limit on maintenance and repair projects) within the 20-year planning period, but if repetitive loss occurs due to coastal processes and storm impacts, then do not allow a second redevelopment/ replacement unless consistent with applicable LCP policies and standards.

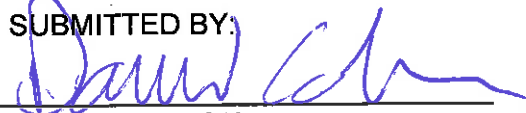
- Recognize that it is the intention that developments on beaches and along coastal lagoons not be protected by new coastal protection structures, as impacts on coastal resources are generally greater from developments in these locations, unless located within a sand deposition area and/or an area that is not considered subject to a migrating high tide line and increased storm impacts within the twenty-year timeframe of this Safety Element. In the timeframe before a Shoreline Management Plan may be developed and adopted by the County and the Coastal Commission as an implementing regulation of the Local Coastal Program, establish a policy of allowing one "redevelopment/replacement" within the 20-year planning period, but if repetitive loss occurs due to coastal processes and storm impacts, then do not allow a second redevelopment/replacement (defined as replacement of over 50% of the major structural components of the structure as a whole).
- Pursue an "adaptation" strategy within urbanized areas that conditionally accommodates improvements to and replacements of structures on coastal bluffs, but that emphasizes the risks due to sea level rise and increased coastal hazards. Implement different approaches designated Shoreline Protection Exception Areas within the urbanized area, as compared to areas that are not designated that will be allowed only one "redevelopment/replacement" after the effective date of this Safety Element unless the property is later included within a Shoreline Management Plan that establishes Shoreline Protection Exception Areas for identified properties included in the Plan area.

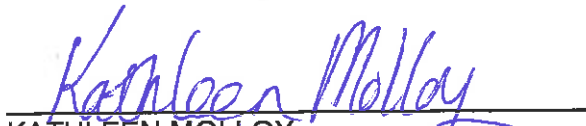
It should be noted that the Board of Supervisors has directed the Planning Commission to review and make recommendations regarding the Staff Alternate that was presented to the Board at its meeting of October 8th, but the Board also directed staff to incorporate further clarifications and refinements, and to ensure internal consistency of the Safety Element, Section 6.4 CB&B and the Title 16 ordinances that implement the Safety Element. It is therefore suggested that the Planning Commission echo this same direction to staff, in recognition that some further refinements to the documents will continue to be made, consistent with Board and Planning Commission discussion and direction, prior to the final versions being presented to and considered by the Board for final adoption on December 10, 2019.

RECOMMENDATION

It is RECOMMENDED that the Planning Commission recommend that the Board of Supervisors adopt the Staff Alternate as well as changes to the Title 16 ordinances implementing the Safety Element and Coastal Bluffs & Beaches section, with each of the documents refined as appropriate to further clarify and ensure internal consistency of proposed intent and policies.

SUBMITTED BY:


DAVID CARLSON
Resource Planner


KATHLEEN MOLLOY
Planning Director

ATTACHMENTS

- A. Staff Alternate for GP/LCP Safety Element Section 6.4 Coastal Bluffs & Beaches (10/3/2019)
- B. Memo regarding revision of Initial Study/Negative Declaration
- C. Revised Initial Study

STAFF ALTERNATE GP/LCP SECTION 6.4 -- COASTAL BLUFFS & BEACHES

Suggested Amendments to Planning Commission Recommendation shown in underline/strikeout

COASTAL BLUFFS AND BEACHES: INFORMATION AND REVIEW OF POLICY INTENT

Coastal communities are particularly vulnerable to impacts from sea level rise and hazards that result from extreme weather, including flooding and inundation, erosion, and wave impacts. State law and current scientific projections regarding climate change and sea level rise require that the County update policies related to development on coastal bluffs and beaches, and relationship of such to shoreline and coastal bluff armoring, in order to acknowledge and incorporate sea level rise into development standards and into conditions of approval that apply to proposed projects proposed on sites subject to coastal hazards. Policies are needed to guide regulatory responses by the County and Coastal Commission to proposed changes on existing developed properties due to involuntary damage (from coastal hazards or other hazards such as fire), as well as to proposed demolition/replacement projects or reconstructions that are pursued voluntarily by property owners. Policies are also needed to address projects that involve only existing shoreline protection structures themselves, such as proposals to maintain, rehabilitate or replace such structures in a manner that would reduce existing impacts on coastal resources, or that would act to protect critical public infrastructure. Areas that are anticipated to accommodate shoreline protection structures in the mid-to-longer term are considered to be "shoreline protection exception areas", which would be designated only within certain portions of the existing urbanized area of unincorporated Santa Cruz County.

Much of the Santa Cruz County coastline, particularly in the urbanized developed areas, has some level of armoring (walls, riprap, etc.). The primary type of coastal armoring in this area is riprap, but concrete, steel, wood, and gabion basket armoring also exist. Such improvements are themselves considered "structures" and some of the protection structures existed (within "existing developed areas") prior to the Coastal Act. Some of these structures are well-maintained and some less so, with varying levels of impacts on coastal resources depending upon condition and location.

East Cliff Drive is located within an urbanized area that was an existing developed area at the time the Coastal Act was adopted, and it is one of the four primary east-west transportation corridors in Santa Cruz County which include Highway One, Soquel Drive/Avenue, the Santa Cruz Branch Rail Line (not presently used for but publicly owned and planned for multi-modal transportation) and East Cliff Drive/Portola Drive/Opal Cliffs Drive. East Cliff Drive, along with its transition as it becomes Opal Cliffs Drive, connects the Santa Cruz Harbor area to the Capitola Village area. A modern seawall has been constructed by the County of Santa Cruz in the Pleasure Point area along East Cliff Drive that should greatly reduce potential damage from coastal erosion to East Cliff Drive as well as the homes on the inland side of the road. This seawall is featured in the Coastal Commission's Sea Level Rise Guidance document as a model and desired approach for protecting public access and scenic and visual qualities when armoring is necessary and allowable. Transition to this type of seawall between Pleasure Point and the City of Capitola city limits, which is considered to be a "shoreline protection exception area" is a desired outcome for this portion of the urbanized coastal area of Santa Cruz County, which will open up more beach and shoreline area through removal of rip rap and the like, avoid future deposition of emergency protection that is typically rip rap, reduce visual impacts, and increase coastal access for the general public.

It is not uncommon for East Cliff Drive, a key arterial road, to be closed or damaged where it crosses Schwann Lake, Corcoran Lagoon and Moran Lake during large winter storms. In flood hazard areas it is not appropriate to construct hard armoring structures that divert or block flood waters or that artificially modify lagoon areas. Future sea level rise may require that bridges be built to cross the lagoon frontages, as it is necessary to maintain the East Cliff Drive transportation corridor in either if the current or a nearby/modified road locations are to be maintained. Such bridges would be designed to maximize lagoon function.

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Expectations about the “design life” of improvements are an important consideration when establishing policies related to coastal bluff and other development on an eroding coastline. County policies in the 1994 General Plan/Local Coastal Program required throughout the unincorporated area a geologic setback from the top of a coastal bluff of 25 feet or a setback sufficient, at the time of application submittal, to provide a stable-building site for an over the-assumed 100-year design life of the structure, whichever is greater. Updated County policies require evaluation of the geologic setback for development projects on coastal bluffs considering not only historical shoreline and bluff retreat data, but also acceleration of shoreline and bluff retreat due to continued and accelerated sea level rise, and other climate impacts according to best available science. The level of uncertainty regarding the rate and amount of future sea level rise and future effects on coastal properties makes it difficult to predict when, where, and how much the coast will change in the future. Current reasonable professional projections for the Santa Cruz coastal area (i.e. mid-level risk, not reducing risk to single-digit or near-zero probabilities), are 1-1/2 feet of sea level rise from current 2020 conditions to 2050, and 3-1/2 to 5-1/2 feet from current 2020 conditions to the year 2100. In that this Safety Element is intended to address the 2020 to 2040 timeframe, an adaptive approach is reflected that anticipates refinement of policies in the future with subsequent update(s), as well as an implementation of policies and requirements within the 2020-2040 timeframe for conditioning and mitigating impacts of coastal developments.

The updated Safety Element includes new policies and requirements for development projects subject to coastal and geologic hazards. A key principle is "private internalization of the risks and costs of improving, maintaining and abating development projects/structures on sites that are subject to coastal hazards", so that the public (governments, taxpayers, insurance policyholders) are not the parties who ultimately bear the costs of private property owner investment decisions when the time comes that it is environmentally, practically and economically infeasible to continue the existence of portions or all of structures/improvements subject to coastal hazards. Property owners will be required to acknowledge and accept the risk of building along the coast within a context of rising sea levels. In this way, it is expected that property owners and future buyers and financiers of property along the coast will be well aware of and prepare for such risks, including potential future costs of adaptation, mitigation of on-going impacts on coastal resources, and eventual privately-funded removal of structures that can no longer feasibly exist due to sea level rise. Another key principle is to foster coordination between property owners along similarly-situated portions of the coastline, to pursue coordinated shoreline protection projects where such currently predominantly exist (ie. within designated "shoreline protection exception areas", so that privately-financed replacement projects can greatly reduce impacts on coastal resources and improve public access, while also acting to protect critical public accessways and infrastructure so that local government/agencies may prioritize financial resources to other climate change adaptive responses (avoiding forest fires, managing flood risks, relocating pump stations, building bridges, and so forth).

Although shoreline armoring may reduce or delay coastal erosion processes as long as it remains functioning, ultimately coastal erosion continues, periodic maintenance and repair is needed, and shoreline armoring devices may eventually fail, especially as storm surge and episodic wave action destroys and/or impacts improvements. At some point in the future, which is not expected to occur within the 20-year term of this Safety Element (2020-2040) coastal erosion processes may overwhelm the capacity of shoreline and coastal bluff armoring, in terms of feasibility from both physical and cost considerations. Existing regulatory tools such as the ~~Abatement of Dangerous Building Code~~ provide legal mechanisms for local government to react to evolving conditions by requiring non-occupancy and/or removal of all or portions of a building or shoreline armoring device. Policies in this Safety Element establish "triggers" for when local officials will require private property owners to hire geologic and engineering professionals to more closely manage the required responses by owners of threatened properties, in order to protect public health and safety (i.e. protection of the structure itself is a lesser or deemed irrelevant priority).

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Suggested Amendments to Planning Commission Recommendation shown in underline/strikeout

While shoreline armoring remains in place, it modifies coastal erosion through the reduction of wave erosion energy, or reflection or refraction of wave energy. For example, focused erosion can occur at the ends of the armoring. More broadly, shoreline armoring has impacts on natural shoreline processes, including ultimately a loss of beach and public recreational opportunities in many areas, and thus the use of armoring as a response to coastal hazards must be carefully examined in this context. While shoreline armoring can be helpful in protecting against coastal erosion, proper setbacks from the brow of bluffs, drainage control, and special construction are all necessary to protect structures, roadways, and utilities from damage for the duration of the expected design life of the improvements.

Different Contexts: Within and Outside of Urbanized Areas, and Rural Areas, Areas of Lower Sandy Bluffs and Beaches, and Areas Subject to Different Geology/Geography ~~Services Lines (Urban / Non-Urban)~~

A fundamental land use policy of Santa Cruz County since adoption of the Measure J growth management framework in 1978 is to encourage new development to locate within existing developed urban areas, and to protect agricultural land and natural resources. Santa Cruz County has a long established Urban and Rural Services Line (USL/RSL) which defines an area of the county characterized by urban densities of development based on a pattern of existing supporting urban infrastructure. In contrast, areas along the coast that are not within the USL/RSL are characterized by low-intensity development, agriculture and open space. However, geologic and geographic contexts are not uniform within either the urban service area, rural service areas, or areas outside of the USL/RSL boundaries, especially for development built on/at beach level or on/along coastal lagoons. Along the coast the USL includes the communities of Live Oak, Soquel and Aptos/Seacliff/Rio del Mar, including the Beach Drive, Pot Belly Beach and Las Olas areas. The RSL includes locations that reflect urban patterns of development within more rural contexts, including La Selva Beach, Place de Mer, Sand Dollar Beach, Canon Del Sol, Sunset Beach, Via Gaviota and Pajaro Dunes. Projects located on beaches must be restricted to maximum permissible "elevation strategies" to elevate structures above waters and hazards, which generally is established as a "one non-habitable story" amount of elevation (ie. from 8 to 10 feet), and height variances to accommodate structural elevations for replacement/redeveloped structures should not exceed 8 to 10 feet in any case, and may be lower in certain locations to prevent impacts on coastal resources. In summary, the policy objectives reflected in this Safety Element are different depending upon history, location, urbanized character, and geologic/geographic context.

The area of the County along the coast within the USL is essentially ~~completely~~ urbanized and dominated by single-family residential development on top of coastal bluffs and on beaches or back beach areas. The USL boundary at the west is the Santa Cruz Harbor coastal resource and City of Santa Cruz city limit. The boundary at the east extends to and includes the community of Seascap. This urbanized area along the coast includes the City of Capitola city limits, and the Capitola shoreline is currently protected with rip rap, and coastal bluff armoring within the key coastal visitor serving resource of Capitola Village. This urbanized area along the coast also contains critical public infrastructure such as roads, sewer, water supply, drainage, parking lots and train tracks. In many areas, such as along Opal Cliffs Drive, only one row of residential lots establishes a buffer between public roads and infrastructure and the coastal bluff and beach. Those existing roads and infrastructure improvements support public access to the coast, and support structures, businesses and economic activity related to visitor accommodations and tourism, a key job and business sector for Santa Cruz County. As the existing homes become threatened by coastal bluff erosion it will be important to consider how the homes can be protected while also preserving infrastructure and increasing public access to the coast.

Shoreline and coastal bluff armoring are common within the USL/RSL, currently protecting about one-half of the existing urbanized area along the coast. These urban areas are part of an historical pattern of development that has been present for decades along the County's coast, and most of this urban development occurred before the Coastal Act became effective in 1977. The currently existing types of

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shoreline and coastal bluff armoring include natural stone rip-rap, concrete or wood retaining walls, gabion baskets, and concrete rip-rap of various shapes and sizes. Some of these existing measures take up areas of the beach that otherwise would be available to the public (at least in the near- to mid-term before sea level rise may consume the shoreline in certain locations), some have more visual impacts than others, and some are better-maintained than others.

Shoreline and coastal bluff armoring are not common outside of the urbanized coastal areas of Santa Cruz County. Armoring is less common, and is not desirable, for development that has been built on or along beaches and coastal lagoons. Given the two distinctly different contexts that exist within the unincorporated area, the proposed coastal bluffs and beaches and armoring policies reflect a "hybrid approach", with "managed natural retreat" ("MNR") establishing the regulatory approach in the rural, beach and lagoon areas, and "conditional accommodation, acceptance of risk, and adaptation" ("AAA") establishing the regulatory approach in the certain urbanized areas. However, the AAA policies themselves differentiate between coastal bluff sites involving the less-erodible Purisima rock formation (e.g. higher existing bluffs along Opal Cliffs Drive that are included within a designated "shoreline protection exception area") and more-erodible sandy coastal bluff areas that are typically shorter and typically adjacent to higher-value coastal shorelines accessed by the public, which are of first priority for preparation of a Shoreline Management Plan to guide future development and permitting).

Objective

The objective of the coastal bluffs and beaches policies is to recognize and reasonably minimize risks to life, property, and public infrastructure in coastal hazard areas; and to minimize and mitigate for adverse impacts on coastal resources from permitted development within coastal hazard areas. Meeting this objective requires a careful balancing of impacts on public vs. private resources and investments, with appropriate mitigation based upon principles of nexus and proportionality consistent with the Coastal Act.

The Coastal Act requires that new development be sited and designed to be safe from hazards and to not have significant adverse effects on coastal resources. Definition of the word "new" has been a matter of contentious interpretation, and the Coastal Commission in recent years has been more aggressively interpreting the term in light of climate change and sea level rise. While all local governments along the California coast acknowledge the inevitability of sea level rise, the variety of historic, economic, geologic, geographic, environmental, coastal resource and political contexts prevent a "one size fits all" and require a more nuanced locally-appropriate adaptive response. Coastal Act Section 30235 allows shoreline protective devices to protect "existing structures" in danger from erosion, as long as and when the protective device is designed to eliminate or mitigate adverse impacts on local shoreline sand supply. As with the term "new", the term "existing structure" has become a matter of contentious debate along the California coast. Coastal Act Section 30253 prohibits "new" development that would in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. And yet, the afore-cited Coastal Act Section 30235 allows protection of existing structures, which many believe to mean that once a decision has been made that a structure may be developed, it may be protected. Others are willing to acknowledge practical realities to such protection, but desire a strong rationale for any decision to deny improvements to existing structures if a property owner is willing to accept the risk to the investment and to mitigate impacts on public coastal resources. On one hand in the development of LCP policies, the Coastal Commission's Sea Level Rise Guidance Document recommends local governments develop locally-appropriate policies based upon use adaptation measures that best implement the statewide resource protection and hazard policies of the Coastal Act considering the diverse geography and conditions of different parts of the state. But on the other hand, the Coastal Commission has become more aggressive about denying improvements to existing structures even if a property owner is willing to accept the risk and mitigate impacts. This Safety Element promotes an approach that establishes adaptive "check-ins" and appropriate "chapters" of mitigations for coastal development projects, based upon actual conditions that will reveal themselves as sea level rises.

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Of course, policies must be consistent with the Coastal Act. The Coastal Act has actually anticipated the difficulty of creating policy along the diverse coastline of California. It recognizes that Aat times, Coastal Act policies may conflict, and it is difficult to balance achievement of competing interests. Notably, Section 30007.5 of the Coastal Act ("Legislative findings and declarations; resolution of policy conflicts") provides guidance for such balancing:

"The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources. In this context, the Legislature declares that broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies." **[bold text emphasis added]**

Other key provisions of the Coastal Act which provide guidance for policy development include sections 30001(c) and (d) (regarding "Legislative findings and declarations; ecological balance"), which finds and declares:

(c) *"That to promote the public safety, health and welfare, and to protect public and private property, wildlife, marine fisheries, and other ocean resources, and the natural environment, it is necessary to protect the ecological balance of the coastal zone and prevent its deterioration and destruction."*

(d) *"That existing developed areas, and future developments that are carefully planned and developed consistent with the policies of this division, are essential for the economic and social well-being of the people of this state and especially to working persons employed within the coastal zone".* **[emphasis added]**

Section 30001.5 of the Coastal Act ("Legislative findings and declarations; goals") includes the following goals for the coastal zone, and **includes both natural and man-made ("artificial" or developed) resources:** **[Bold text emphasizes point that development was anticipated with "balance of developed & natural" policy basis; bolding not intended to minimize importance of natural coastal resources.]**

- a. *Protect, maintain, and where feasible, enhance and restore the overall quality of ... its natural and artificial resources.*
- b. *Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.*
- c. *Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.*
- d. *Assure priority for coastal-dependent and coastal-related development over other development on the coast.*

County of Santa Cruz Coastal Bluffs and Beaches Guiding Principles

Key information and guiding principles related to coastal bluffs and beaches, and shoreline and coastal bluff armoring, which have guided formation of policies, include the following considerations supporting a "hybrid approach". The approach reflects a strategy of "managed natural retreat" ("MNR") for rural, agricultural and open space areas; and of "conditional accommodation, acceptance of risk, and adaptation" ("AAA") for existing developed areas within the Urban and Rural Services Lines. However, the AAA Guiding Principles differentiate between coastal bluff sites involving the less-erodible Purisima rock

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formation (e.g. higher existing bluffs along Opal Cliffs Drive) and more-erodible sandy coastal bluff areas that are typically shorter and typically adjacent to higher-value coastal shorelines accessed by the public).

GUIDING PRINCIPLES: REGULATION OF PROJECTS ON COASTAL BLUFFS & BEACHES

- At the time the Coastal Act was effective in 1977, the urbanized areas of Santa Cruz County were largely developed in a similar form as today, and as of 2019~~7~~ approximately one-half of the properties within the urbanized area (within the Urban and Rural Services Lines) are protected by some form of shoreline and coastal bluff armoring. Recognize that existing approved shoreline and coastal bluff armoring is subject to requirements for monitoring, maintenance and repair – which also confers an expectation of and a reasonable right to such monitoring, maintenance and repair activity.
- For ~~certain these urbanized properties~~ areas between Pleasure Point Drive and Portola/Cliff Drives, which are located on less-erodible taller coastal bluffs (predominately Purisima Formation rock/geology) and, which were predominately urbanized prior to approval of the Coastal Act, it is not considered reasonable or feasible to expect that existing legally permitted shoreline and coastal bluff armoring will be removed or cease to exist within the immediate or near future, even in the face of climate change and sea level rise. Nearly all of these properties with existing shoreline protection structures would have adverse impacts on adjacent properties/structures if existing shoreline protection is removed within the twenty-year timeframe of this Safety Element. Therefore, the goal for this geographic area is to maintain, rehabilitate and/or replace existing shoreline protection structures in a coordinated manner, largely at private expense, so that impacts on public coastal resources are reduced. Removal of existing rip rap, avoidance of emergency placement of rip rap, and mitigation of visual, beach, recreation and access impacts is a broad goal for this area. However, ~~Such any permitted armoring should however~~ must be regularly monitored, properly maintained, and repaired when needed. This area would be designated as a Shoreline Protection Exception Area.
- Recognize that the Coastal Act explicitly allows shoreline and coastal bluff armoring to be installed to protect existing structures and public beaches in danger from erosion, ~~and~~ when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing structures include roadways used to access coastal resources, critical public facilities such as water and sewer lines, and visitor-serving assets such as vacation rentals and commercial areas, in addition to private homes and other private improvements.
- Recognize that there is a different geologic/geographic context, even within the pre-Coastal Act urbanized areas within the USL/RSL, for developments/structures that exist on beaches and on/along coastal lagoons, due to greater impacts on valuable environmental and public coastal resources as well as greater vulnerability to sea level rise and associated risks. For these properties, allow one "redevelopment/replacement" within the 20-year planning period, but if repetitive loss occurs due to coastal processes and storm impacts, then do not allow a second redevelopment/replacement (defined as replacement of over 50% of the major structural components of the structure as a whole). It is a first priority to develop a Shoreline Management Plan for this geographic area, to be completed within the 2030-2035 timeframe, in order to determine whether any portion of the area can be designated a Shoreline Protection Exception Area under the subject Shoreline Management Plan to be adopted by the County of Santa Cruz and the California Coastal Commission as an implementing regulation of the Local Coastal Program, existing approved shoreline and coastal bluff armoring is subject to requirements for monitoring,

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~~maintenance and repair. Recognize too that such armoring was approved to protect then existing structures, and when the existing structure is redeveloped or replaced, that structure is subject to current policies and standards, including mitigating the ongoing impacts of the existing armoring~~

- Recognize that the Coastal Act also recognizes that new development would occur after adoption of the Act in 1977, and that approved developments can be considered essential for economic and social well-being. New development within identified urbanized portions of the USL/RSL may be allowed to conditionally rely upon existing armoring, as determined appropriate through the coastal development permit process, however will be limited to one cycle of "replacement/redevelopment" after the effective date of this 2020 Safety Element.
- Recognize that the Coastal Act and other land use laws require consideration of private property rights and ensure that policy and permitting decisions do not unduly expose the County of Santa Cruz to litigation.
- For projects located on coastal bluffs, beaches and lagoons, establish a the threshold for requiring geologic review, as well as requirements for deed restriction, evaluation of existing armoring, and mitigation of the impact of existing armoring; is established to be projects that meet or exceed the definition of "development/development activities" as codified by found in Santa Cruz County Code Chapter 16.10 Geologic Hazards. This definition establishes the threshold for application of certain coastal bluffs and beaches policies (ie. some projects may be considered "development" by Chapter 13.20 Coastal Regulations and may require a coastal development permit, but may meet the Chapter 16.10 definition of "development/development activities" with its 50% threshold that triggers assessment of consistency with these GP/LCP Coastal Bluffs and Beaches policies and implementing regulations). Those policies use the identifier, SCCC 16.10, after the term development to indicate the policy applies to development as defined in SCCC 16.10. This is to avoid confusion with the definition of development for purposes of the Coastal Zone Regulations (SCCC 13.20) and the need for a Coastal Development Permit (The California Code of Regulations provides that "maintenance" means less than 50% of a structure is worked on or improved; except that certain areas such as beaches, coastal lagoons and coastal bluffs are subject to more stringent permit requirements). Additionally, establish policies to provide that development projects located on beaches must be restricted to maximum permissible "elevation strategies" for elevation of structures above waters and hazards, which generally is established as a "one non-habitable story" amount of elevation (ie. from 8 to 10 feet), and height variances to accommodate structural elevations for replacement/redeveloped structures should not exceed 8 to 10 feet in any case, and may be lower in certain locations to prevent impacts on coastal resources.
- Recognize that ~~f~~For projects located on beaches and dunes in flood hazard areas, the threshold for requiring geologic review, as well as requirements for deed restriction, evaluation and mitigation of the impact of existing armoring, and elevation of the structure above the flood hazard level, is established to be projects that meet or exceed the definition of substantial improvement found in Santa Cruz County Code Chapter 16.13 Floodplain Regulations.
- Recognize that it is the intention that developments on and along beaches and coastal lagoons not be protected by new coastal protection structures, and that impacts on coastal resources are generally greater from developments in these locations, unless located within a sand deposition area and/or an area that is not considered subject to a migrating high tide line and increased storm impacts within the twenty-year timeframe of this Safety Element. In the timeframe before a Shoreline Management Plan may be developed and adopted by the County and the Coastal Commission as an implementing regulation of the Local Coastal Program, establish a policy of allowing one "redevelopment/replacement" within the 20-year planning period, but if repetitive loss occurs due to coastal processes and storm impacts, then do not allow a second

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redevelopment/replacement (defined as replacement of over 50% of the major structural components of the structure as a whole).

- Recognize that existing legally permitted structures and armoring will continue to exist pursuant to existing valid coastal development permits and other historic and valid such permits. New requirements shall only be imposed as a result of a triggering event pursuant to these policies including but not limited to an application for a new coastal development permit that exceeds a defined scope of work, a violation of County Code, or the structure or armoring becomes unsafe.
- Strive to avoid placement of new rip rap that is typically associated with “emergency permits”, in favor of early planning for construction of modern more-vertical armoring approaches in identified urbanized "shoreline protection exception areas" that would replace rip rap, in a manner that would lead to improved public access and improved visual resources during the planning horizon for the expected life of structures, when armoring is determined to be appropriate. Establish triggers for when property owners would be required to address imminent danger from coastal hazards.
- Recognize that roadways crossing the mid-County lagoons (Schwann, Corcoran, and Moran) are not candidates for seawall protection, and that future road designs for crossing the lagoons may will likely require bridges if the roads are to continue in their current locations which should be a priority adaptation project for the County and adjacent cities in light of regional significance.
- Recognize that the dredging practices of the Santa Cruz Port District, especially dredging spoils disposal location, have impacts to the amount of sand transported downcoast during winter months and to the amount of downcoast erosion. Work with the Santa Cruz Port District to implement dredging disposal policies which minimize downcoast impact.
- Pursue a “managed natural retreat” strategy within rural, agricultural and open space areas, which reflects accommodation of natural processes and policies which do not favor shoreline and coastal bluff armoring, with new development placed beyond a 75 or 100-year geologic setback line.
- Pursue an “adaptation” strategy within urbanized areas that conditionally accommodates improvements to and replacements of structures on coastal bluffs, but that emphasizes the risks due to sea level rise and increased coastal hazards. Implement different approaches designated Shoreline Protection Exception Areas within the urbanized area, as compared to areas that are not designated that will be allowed only one "redevelopment/replacement" after the effective date of this Safety Element unless the property is later included within a Shoreline Management Plan that establishes Shoreline Protection Exception Areas for identified properties included in the Plan area.
- Realize that adaptation will take place over decades, in light of past and existing conditions, private property rights, and uncertainty about future conditions; but prepare for the time that sea level rise and climate change will mean that development along the shoreline will need to be removed, and ensure that private property owners internalize the risks and ultimately bear the costs of adaptation and removal, if necessary based on conditions on the ground.
- Within identified urbanized areas, a primary goal is to establish a regulatory approach that will allow for replacement of existing armoring with modern measures that are considered near- to mid-term improvements. Strive to ensure that these measures are unified in appearance, remove rip rap as feasible to increase sandy beach areas, incorporate public access features as feasible, are colored and treated to better match natural materials, participate in programmatic mitigation approaches that fund priority investments in sand replenishment, public recreation and beach access, and provide funds for eventual removal of measures in the longer-term when repair and replacements are no longer feasible or appropriate.
- Recognize that the County will periodically update the Safety Element and applicable regulations in order to reflect evolving conditions and best available science. The planning horizon and

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timeframe of this current Safety Element is to the year 2040 when it is expected these policies will be updated. Applications submitted after the update is adopted would be subject to updated policies.

- Recognize that shoreline development may have impacts on surfing resources in the County.
- Recognize that in the near- to mid-term, expenditures by private owners of certain coastal bluff properties (e.g. Opal Cliffs Drive) for shoreline and coastal bluff armoring will allow time for the County of Santa Cruz to identify funding for and carry out priority adaptation projects related to relocation of critical public infrastructure (which may also include roads and bridges) that must be undertaken in the future.
- Recognize that Shoreline Management Plans may be needed to plan for and implement sea level rise adaptation strategies in certain hazardous areas of the County, especially for the area between the Harbor /7th Avenue and Pleasure Point Drive where shorter sandy bluffs rather than taller Purisima Formation coastal bluffs exist. The first priority for development of a Shoreline Management Plan is for the Harbor/7th Avenue to Pleasure Point Drive area, and grant applications will be submitted as soon as feasible in 2020 and thereafter for available sources. That Plan is to be developed by 2030 and adopted by 2035 as a Local Coastal Program implementation regulation by 2035. Shoreline Management Plans will need to s-for areas within the USL/RSL could address potential effects of development, and shoreline armoring, and at-grade and elevated buildings, especially on beach and at lagoon areas, and could identify potential opportunities to improve public access to the coast, protection of coastal resources, and adaptation of public roads and infrastructure.
- Development projects located on beaches (including within certain Rural Service Areas such as for Beach Drive, Las Olas and Pot Belly Beach properties), must be restricted to maximum permissible "elevation strategies" to elevate structures above waters and hazards as sea level rises in the future, which generally is established as a "one non-habitable story" amount of elevation (ie. from 8 to 10 feet), and height variances to accommodate structural elevations for replacement/redeveloped structures should not exceed 8 to 10 feet in any case, and may be lower in certain locations to prevent impacts on coastal resources.
- In conjunction with approval of coastal development permits for a new home or major project involving an existing home located on a coastal bluff or on the shoreline, impose conditions of approval consistent with principles of nexus and proportionality, including:
 - Acceptance of risk associated with geologic and coastal hazards by owners.
 - Waiver of any claim of damage or liability against and indemnification of the County for any damages or injury in connection with the permitted development.
 - Ensure monitoring, maintenance and repair programs are implemented for existing shoreline and coastal bluff armoring.
 - Ensure property owners are aware of their responsibilities to respond to coastal hazards should the site or structure become unsafe.
 - Require property owners within certain areas of the USL/RSL to recognize that should a future Shoreline Management Plan become effective, future activity that exceeds "maintenance and repair" of existing shoreline and coastal bluff armoring may only be considered if determined to be consistent with the Shoreline Management Plan.
 - Require property owners to recognize that local jurisdictions have the power to require that unsafe/dangerous structures be vacated and/or abated/removed, under the California

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- Building Code (such as or similar to the ~~and~~ Code for Abatement of Dangerous Buildings), when site conditions are such that hazards to life and public safety are no longer acceptable.
- When otherwise allowable, require new or repaired or modification of existing shoreline armoring to be the least environmentally damaging alternative and ensure that all impacts are mitigated.
 - Require property owners to recognize that as sea level rises, the public trust boundary will in most cases migrate inland, resulting in currently private lands becoming public land that is held in the public trust for public trust purposes, including public access and recreation and other coastal-dependent uses.

Objective 6.4 Coastal Bluffs and Beaches

(LCP) To reduce, ~~and minimize~~ to an acceptable level, and internalize costs of private property ~~investments, the risks~~ to life, property, and public infrastructure from coastal hazards, including projected hazards due to sea level rise, wave run-up and coastal erosion, and to minimize impacts on coastal resources from ~~developments granted coastal development permits and granted extensions to Monitoring & Maintenance Programs~~ for shoreline protection structures.

General Shoreline Policies

6.4.1 Shoreline Policy Framework and Time Horizon

(LCP) Recognize the diverse nature of the coastline and coastal development in the County and implement a policy hierarchy with general policies that apply to all projects, policies that apply to shoreline type, policies that apply to project type, and policies that address ongoing adaptation to sea level rise along the County's coastline and in specific shoreline areas.

Recognizing that shoreline and blufftop areas are inherently dynamic and hazardous places to build, particularly with respect to climate change and sea level rise in the coming decades, while at the same time understanding that property owners and project applicants seek a level of assurance regarding County land use policies that apply to proposed projects, the shoreline and coastal bluff policies of this Safety Element shall be considered to be in effect until the year 2040, by which time the expectation is that shoreline management plans and an updated set of policies within a Safety Element Amendment will have been adopted. Projects proposed after adoption of any updated policies and regulations would be subject to the updated policies and regulations.

6.4.2 Site Development to Minimize Coastal Hazards and Protect Coastal Resources

(LCP) Require all development/development activities (SCCC 16.10) to be sited and designed to avoid, and where unavoidable to minimize, coastal hazards affecting the proposed development, and to not contribute to increased coastal hazards on adjacent properties, as determined by the geologic hazards assessment or through geologic and engineering investigations and reports, and within acceptable risk levels for the nature of the proposed development. Consider the effects of projected sea level rise in designing proposed improvements. Protect coastal resources (e.g. public access, beaches, and coastal habitats) from significant impacts through project design. Where impacts are unavoidable either deny the project or impose mitigation measures to reduce risks to acceptable levels and reduce impacts on coastal resources to less than significant levels.

6.4.3 Coastal Hazard Technical Reports to Use Best Available Science for Sea Level Rise Projections and Calculations of Geologic/Coastal Hazards Setbacks

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- (LCP) Recognize the scientific uncertainty by using within technical reports and project designs reasonably foreseeable projections of sea level rise (SLR) within the acceptable range established by the best available science and statewide guidance. The projection to be used in technical reports shall be based upon current best professional practices and best available science for "mid-range" rather than "single-digit" probability levels, which as of 2020 is considered to be 1-1/2 feet of SLR between 2020 and 2050, and 3-1/2 to 5-1/2 between 2020 and 2100 which shall be assumed to be 5 feet between 2020 and 2100. This policy may mean that certain developments are proposed, conditioned and mitigated based upon a shorter expected life as defined by a site-specific geologic study and application filed with the County.

6.4.4 Identifying Planning Horizons

- (LCP) The time horizon to use to evaluate the impacts of projected future sea level rise on a proposed development is thean expected "standard" design life; applications for a less-than-standard design life may be considered as a geologic setback exception included in the project-of development entitlements requested. Under the Santa Cruz County regulatory approach, aA residential or commercial structure has an expected standard design life of 75 years. A critical structure or facility has an expected standard design life of 100 years. The hazards analysis prepared in association with a coastal development permit application shall evaluate the site over the applicable 75 or 100 year standard, and shall include analysis supporting any requested exception to the design life/geologic setback. Using that evaluation, tThe proposed structure would be set back or designed to avoid hazards over the proposed "expected life" planning horizon, if possible. However, iIn areas subject to future hazards, the expected design life of any particular development may be limited by site conditions. The expected life of development in the coastal zone is not an entitlement to maintain development in hazardous areas for the stated design life, but rather shall be used for sea level rise planning, and structure siting, and permitting purposes. The actual life of the development shall be as dictated by actual conditions on the ground at any time in the future, and subject to conditions of approval which include triggers/requirements for monitoring, maintenance, repair and abatement as appropriate over time.

6.4.5 Geologic Hazards Assessment and Technical Reports in Coastal Hazard Areas

- (LCP) Require a geologic hazards assessment or full geologic, geotechnical, hydrologic, and/or other engineering report(s) for all development/~~development~~ activities (SCCC 16.10), and foundation replacement or upgrade, within coastal hazards areas. Other technical reports may be required if significant potential hazards are identified by the hazards assessment. Reports must be prepared based on current best professional practices and best available science, consistent with this Safety Element and implementing provisions of the Santa Cruz County Code. Setback calculations shall consider historical shoreline and bluff retreat factors but must also consider projected acceleration of retreat due to sea level rise, wave run-up and other climate impacts according to best available science, which may include requirements for alternatives analysis under a range of future possible scenarios. Reports must be accepted by the County in order to use report findings as the basis for design of proposed structures or improvements.

6.4.6 Prohibit New Lots or Parcels in Coastal Hazard Areas

- (LCP) Do not allow the creation of new lots or parcels in areas subject to coastal hazards, or within geologic setback areas necessary to ensure a building site for an expected 75 or 100-year lifetime, or where development would require the construction of public facilities or utility transmission lines within coastal hazard areas.

6.4.7 New Development in Hazardous Areas

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(LCP) Allow new construction or placement of any habitable structure, including a manufactured home and including a non-residential structure occupied by property owners, employees and /or the public in areas subject to storm wave inundation or beach or bluff erosion on existing undeveloped lots of record, only under the following circumstances:

(a) A technical report(s), including a geologic hazards assessment, geologic, geotechnical, hydrologic, or other engineering report, demonstrates that the potential hazard can be adequately mitigated by providing a minimum 75 or 100-year geologic/coastal hazards setback calculated at the time of submittal of the development application without consideration of shoreline armoring.

(b) As an alternative to the 75 or 100-year hazard setback, the property owner may apply for a Geologic/Coastal Hazards Setback Exception to request that the geologic setback applicable to the site reflect a shorter expected lifespan for the development on condition that the property owner fully accepts the risk of same and agrees to removal of all development on the site (including any shoreline armoring) as may be required by triggers or other conditions identified in the conditions of development approval and to be incorporated within the Notice that is required and recorded pursuant to Policy 6.4.9.

(c) Mitigation of the potential hazard is not dependent on shoreline or coastal bluff armoring, except when within identified areas within the USL/RSL consistent with these Section 6.4 policies and provided such armoring is existing, legally established, and is required to be monitored, maintained, and repaired, and to mitigate its coastal resource impacts; and

(d) The owner records a Notice of Geologic/Coastal Hazards, Acceptance of Risk, and Liability Release on the property deed pursuant to Policy 6.4.9.

6.4.8 Density Calculations

(LCP) Exclude areas subject to coastal inundation, as defined by geologic hazard assessment or full geologic report, as well as bluff faces, sandy beach areas, and areas subject to the public trust from use for density calculations.

6.4.9 Required Recordation on Deed of Notice of Geologic/Coastal Hazard, Acceptance of Risk, Liability Release, and Indemnification as a Condition of Coastal Development Permit Approval

(LCP) As a condition of approval of Coastal Development Permits for development/development activities (SCCC 16.10) on sites subject to coastal hazards, require the applicant to record on title/deed to the property, prior to issuance of a building permit or grading permit, a Notice of Geologic/Coastal Hazard, Acceptance of Risk, Liability Release, and Indemnification. The Notice shall be in a form approved by the County of Santa Cruz, and shall include, but not be limited to, the following acknowledgements and agreements, on behalf of the applicant and all successors and assigns, as applicable to the specific project:

Coastal Hazards. That the site is subject to coastal hazards including but not limited to episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, storm surges, tsunamis, tidal scour, coastal flooding, liquefaction and the interaction of same;

Assume and Accept Risks. To assume and accept the risks to the Applicant and the properties that are the subject of a Coastal Development Permit of injury and damage from such coastal and geologic hazards in connection with the permitted development;

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Waive Liability. To unconditionally waive any claim of damage or liability against the County of Santa Cruz its officers, agents, and employees, for injury or damage in connection with the permitted development and geologic/coastal hazards;

Indemnification. To indemnify and hold harmless the County its officers, agents, and employees, with respect to the County's approval of the development against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage in connection with the permitted development and geologic/coastal hazards (along with other standard indemnification provisions applied to all development permits by the County);

Property Owner Responsible. That any adverse effects to property caused by the permitted development, as related to geologic/coastal hazards potential or actual effects, shall be fully the responsibility of the property owner. That cost of monitoring, maintenance, repair, abatement and/or future removal of structures shall be fully the responsibility of the property owner;

Flood Insurance. If the structure is built so that it does not comply with an effective BFE data as may be shown on future final Flood Insurance Rate Maps (FIRM), acknowledging that the structure may be subject to a higher flood insurance rating, likely resulting in higher-risk annual flood insurance premium if the property owner purchases flood insurance (voluntarily, or as required by mortgage lenders). If a program is created in the future that removes the subject location from being eligible for FEMA flood insurance, agree to abide with the terms of such a program.

Formation of GHAD or CSA. The property owner and / or any future heirs or assigns, by accepting a Coastal Development Permit, acknowledge that a Geologic Hazard Abatement District (GHAD) or County Service Area (CSA) may be formed in the future by the County (or other public agency) or a private entity to address geologic and coastal hazards along the shoreline and coastal bluff (or related unit thereof) and coastal resources that exist in the project area, and assessments may be proposed and/or imposed for costs of projects and/or activities related to the protection against and/or abatement of geologic and coastal hazards.

Public Funds. That public funds may not be available in the future to repair or continue to provide services to the site (e.g., maintenance of roadways or utilities);

Occupancy. That the occupancy of structures where sewage disposal or water systems are rendered inoperable may be prohibited;

Public Trust Lands. That the structure may eventually be located on public trust lands, which removes private ownership rights from such areas; and

Removal or Relocation. In accordance with County regulations and Orders of the Chief Building Official, County Geologist, and/or Civil Engineer, that all development on the site, including shoreline and coastal bluff armoring, will be required to be removed or relocated and the site restored at the owner's expense if it becomes unsafe, it is no longer located on private property, or if essential services to the site can no longer feasibly be maintained consistent with Policies 6.4.32 through 6.4.35 below.

6.4.10 Exceptions Takings Analysis

(LCP)

Where full adherence to all LCP policies, including for setbacks and other hazard avoidance measures, would preclude a reasonable economic use of the property as a whole in such a way as to result in an unconstitutional taking of private property without just compensation, the County of Santa Cruz or Coastal Commission if having primary jurisdiction or on appeal, may allow some form of development that provides for the minimum economic use necessary to avoid an unconstitutional taking of private property without just compensation. There is no taking that needs to be avoided if the proposed development constitutes a nuisance or is otherwise prohibited pursuant to other background principles of property law (e.g., public trust doctrine). In no case shall the coastal bluff setback be less than 25 feet except as specifically allowed by Policies 6.4.13 and 6.4.28. Continued use of an existing structure, including with

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any permissible repair and maintenance (which may be exempt from permitting requirements), may provide a reasonable economic use. If development is allowed pursuant to this policy, it must be consistent with all LCP policies to the maximum extent feasible. Approval of a lesser level of hazard reduction based upon accepting a lower than normal expected lifespan for the proposed improvements, may be based on conditions of approval to include requirements to remove improvements as life safety hazards become more imminent and upon notice of the County Building Official and County Geologist, and possible other limitations on future reconstruction or redevelopment of improvements.

Shoreline Policies by Shoreline Type**6.4.11 Geologic/Coastal Hazards Setbacks from Coastal Bluffs for New Development, Redevelopment and Reconstruction On Coastal Bluffs Located Within the Urban and Rural Services Lines**

(LCP) All development (SCCC 16.10) on a coastal bluff site, and all nonhabitable structures for which a building permit is required, shall be set back a minimum of 25 feet from the top edge of the bluff on sites located within the Urban and Rural Services Lines (USL/RSL). A setback greater than 25 feet may be required based on conditions on and adjoining the site, based upon recommendations of required geologic, soil engineering and/or other technical reports, in order to provide a stable building site for the reasonably foreseeable future. Within the USL/RSL, the geologic/coastal hazards setback shall be sufficient to provide a stable building site for a 75 or 100-year assumed expected life of the improvements, calculated at the time of application for permits when the technical reports are submitted.

Within the Urban and Rural Services Lines, the calculation of the 75 or 100-year geologic/coastal setback, or alternate timeframe setback requested under an exception procedure, may take into consideration the effect of existing legally established shoreline or coastal bluff armoring. If the geologic setback relies on existing armoring, the applicants shall be required to re-evaluate such armoring consistent with Policy 6.4.25 regarding shoreline armoring, including that and such armoring is required to be monitored, maintained and repaired and to mitigate its coastal resource impacts. However, armoring installed under an emergency coastal permit shall not be factored into the setback calculation unless a regular Coastal Development Permit is issued, and all conditions of the permit are met. In addition, technical reports prepared for sites within the Urban and Rural Services Lines shall also include analysis based upon an alternative calculation of the 75 or 100-year setback that neglects any effect of existing armoring, in order to provide a measure of the effects of the existing armoring on the site conditions and provide information for decision making.

Furthermore, in areas within the USL/RSL that are NOT within designated Shoreline Protection Exception Areas (the area from Pleasure Point Drive to Portola/Cliff Drives is within a Shoreline Protection Exception Area; other areas may be established in conjunction with adoption of future Shoreline Management Plans), allow one "redevelopment/replacement" within the 20-year planning period, but if repetitive loss occurs due to coastal processes and storm impacts, then do not allow a second redevelopment/replacement (defined as replacement of over 50% of the major structural components of the structure as a whole) unless found consistent with a later-adopted Shoreline Management Plan.

6.4.12 Geologic/Coastal Hazards Setbacks from Coastal Bluffs for New Development, Redevelopment and Reconstruction Outside of the Urban and Rural Services Lines

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- (LCP) All development (SCCC 16.10) on a coastal bluff site, and all nonhabitable structures for which a building permit is required, shall be set back a minimum of 25 feet from the top edge of the bluff on sites located outside of the Urban and Rural Services Lines (USL/RSL). A setback greater than 25 feet may be required based on conditions on and adjoining the site, based upon recommendations of required geologic, soil engineering and/or other technical reports, in order to provide a stable building site for the reasonably foreseeable future. Outside the USL/RSL, the geologic/coastal hazards setback shall be sufficient to provide a stable building site for a 75 or 100-year setback, calculated at the time of application for permits when the technical reports are submitted.

Outside the Urban and Rural Services Lines, for properties located on coastal bluffs, the calculation of the 75 or 100-year geologic/coastal hazards setback shall be based on existing site conditions and shall not take into consideration the effect of any existing or proposed shoreline or coastal bluff armoring.

6.4.13 Modification, Reconstruction, or Replacement of Damaged Structures on Coastal Bluffs

- (LCP) If structures located on or at the top of a coastal bluff are damaged as a result of coastal hazards, including slope instability and seismically induced landslides, and where the loss involves 50 percent or more of Major Structural Components, allow repair- if all applicable LCP policies and regulations can be met, including the minimum 25-foot and the applicable 75 or 100-year geologic/coastal setbacks, or alternate setback authorized by an approved setback exception that establishes a shorter-term expected design life for the structure

For structures involuntarily damaged by other than coastal hazards (fire, for example), where the loss involves 50 percent or more of the Major Structural Components, allow repair "in kind" but encourage relocation to increase the setback if feasible. Allow other than "in-kind" reconstruction, redevelopment or replacement of involuntarily damaged structures in accordance with all applicable LCP policies and regulations.

Exemption: Public beach facilities and replacements consistent with Coastal Act Policy 30610(g).

6.4.14 Bluff Face Development

- (LCP) Structures, grading, and landform alteration on bluff faces are prohibited, except for the following: public access structures where no feasible alternative means of public access exists or shoreline or coastal bluff armoring if otherwise allowed by the LCP. Such structures shall be designed and constructed to be visually compatible with the surrounding area to the maximum extent feasible and to minimize effects on erosion of the bluff face.

6.4.15 Flood Hazard Policies

- (LCP) As further addressed in Section 6.6 Flood Hazards, all structures shall be located outside of the flood hazard area, wherever possible, and to incorporate floodproofing measures as required by FEMA and local flood regulations in areas subject to flood hazards, provided such floodproofing measures are consistent with the shoreline armoring policies for development along coastal bluffs and the shoreline.

6.4.16 Flood Hazard Mitigation

- (LCP) If it is infeasible for development to avoid flooding hazards, it shall be designed to minimize risks from flooding, including as influenced by sea level rise, over the anticipated life of the development to the maximum extent feasible and otherwise constructed using design

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techniques that will limit damage caused by floods. (See Policies in Section 6.6 and the Floodplain Regulations)

- 6.4.17 Reconstruction or Replacement of Damaged Structures due to Storm Wave Inundation**
(LCP) If structures located in areas subject to storm wave inundation are damaged as a result of any cause and the loss involves 50 percent or more of the value of the structure before the damage occurred (substantial damage), allow such repair (substantial improvement) only if all applicable regulations and LCP policies can be met. Also see policies in Section 6.6 Flood Hazards.

Exceptions: Public beach facilities and replacements subject to Coastal Act Section 30610(g).

- 6.4.18 Pajaro Dunes**
(LCP) Siting and design of new development and other development activities in the Pajaro Dunes Community shall take into account the extent of erosion of the primary frontal dune during the 100-year flood (or 1% annual chance flood). Development shall be elevated a sufficient amount to prevent impacts to coastal resources, assure structural stability of the development, and avoid coastal hazards over the expected lifespan of the development in accordance with the Flood Hazard policies in Section 6.6 and the Floodplain Regulations.

- 6.4.19 Rocky Shoreline Development**
(LCP) Development atop rocky shoreline areas with no beach or limited beach shall not impact existing public access to the shoreline and shall incorporate conditions of approval as appropriate to increase public access to the shoreline.

- 6.4.20 Development Along Creeks and Rivers in the Coastal Zone**
(LCP) Where creeks and rivers discharge to the coastal zone recognize the combined effects of riverine flooding and coastal storm flooding causing elevated flood levels relative to existing FEMA flood mapping. Require hydrologic analysis to determine risk and appropriate development restrictions and flood resistant designs in these areas.

- 6.4.21 Habitat Buffers**
(LCP) Provide buffers from the edge of wetlands or other environmentally sensitive habitat areas including riparian habitat, in accordance with habitat protection policies. Development shall ensure that as sea level rises buffer areas shall also expand appropriately to allow for migration of wetlands and other shoreline habitats. Uses and development within buffer areas shall be limited to uses allowed under the County's policies and ordinances involving sensitive habitat and riparian corridor protection. All development, such as grading, buildings and other improvements, adjacent to or draining directly to a habitat area must be sited and designed so it does not disturb habitat values, impair functional capacity, or otherwise degrade the habitat area.

Shoreline Policies by Project Type

- 6.4.22 Publicly Owned Facilities**
(LCP) Existing publicly-owned and quasi-public facilities that are coastal-dependent or visitor serving uses such as public access improvements and lifeguard facilities, that are located within 25 feet or within a calculated 75 or 100-year setback from the edge of the bluff, may be maintained, repaired, and/or replaced. Any repair or replacement shall be designed and sited to avoid the need for shoreline protection to the extent feasible.

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6.4.23 Public Works Facilities

(LCP) Public works projects as defined in the Coastal Act shall be consistent with the Local Coastal Program.

6.4.24 Public Services in Coastal Hazard Areas

(LCP) Prohibit utility facilities and service transmission systems, including internet/broadband service, in coastal hazard areas, unless they are necessary to serve existing development or public facilities.

6.4.25 Structural Shoreline and Coastal Bluff Armoring

(LCP) (a) Limit shoreline and coastal bluff armoring to serve coastal dependent uses or to protect existing structures or public beaches from significant threats, unless located within and proposed in accordance with adopted policies and/or plans under a Shoreline Protection Exception Area or Shoreline Management Plan, in which cases the projects must be determined to be in substantial conformance with such policies and Plan(s). ~~The a~~Armoring shall be designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Armoring may also be considered for vacant lots where both adjacent parcels are already similarly protected, or vacant lots which through lack of protection threaten adjacent or nearby developed lots; or those which protect public roads and infrastructure, and coastal recreation areas.

(b) Through the coastal development permit review process for projects involving development (SCCC 16.10), require evaluation of existing shoreline and coastal bluff armoring in accordance with all applicable sub-sections of this policy 6.4.25.

Project Review

(c) Require any application for shoreline and coastal bluff armoring to include a thorough analysis of all reasonable alternatives including, but not limited to, the following:

- (1) Relocation or partial removal of the threatened structure
- (2) Protection of the upper bluff and blufftop (including through planting appropriate native or non-invasive vegetation and removing invasive plant species, and better drainage controls) or the area immediately adjacent to the threatened structure
- (3) Natural or “green” infrastructure (like vegetated beaches, dune systems, and wetlands)
- (4) Engineered shoreline or coastal bluff armoring (such as beach nourishment, revetments, or vertical walls)
- (5) Other engineered systems to buffer coastal areas
- (6) Combinations or hybrids of the above
- (7) Consistency with an approved shoreline management plan, if applicable

(d) Shoreline or coastal bluff armoring shall be designed as close as possible to the coastal bluff or structure requiring protection and must be designed to minimize adverse impacts. Design considerations include but are not limited to the following:

- (1) Minimize the footprint of the armoring on the beach
- (2) Provide for public recreational access
- (3) Provide for future access for maintenance of the armoring
- (4) Strive for a continuous lateral pedestrian access as physically feasible

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- (5) Minimize visual intrusion by using materials that blend with the color or natural materials in the area, contouring to match nearby landforms as much as possible, and using vegetation for screening
 - (6) Meet approved engineering standards and applicable County Code provisions for the site as determined through the coastal development, building, and grading permit process
 - (7) The design must be based on detailed technical studies to accurately define geologic, hydrologic and oceanographic conditions affecting the site
 - (8) Eliminate or mitigate adverse impacts on local shoreline sand supply
 - (9) All armoring structures shall incorporate permanent survey monuments for future use in establishing a survey monument network along the coast for use in monitoring seaward encroachment or slumping of armoring and erosion trends
- (e) For development activities (SCCC 16.10) protected by existing shoreline and coastal bluff armoring, the coastal permit application shall include
- (1) Re-assessment of the need for the armoring (see paragraph (l) below)
 - (2) A report on the need for any repair or maintenance of the device (see paragraph (k) below)
 - (3) Evaluation of the stability and condition of the armoring and recommendations for maintenance, repair, or modification, and potential for removal based on changed conditions
 - (4) A report on changed geologic and hydrologic site conditions including but not limited to changes relative to sea level rise
 - (5) If the existing armoring is addressed in an approved Geologic Hazard Abatement District Plan of Control or other joint maintenance agreement, consider the status of implementation of the Plan of Control or maintenance agreement requirements.
 - (6) Assessment of impacts to sand supply and public recreation.
 - (7) Recommendation to avoid or mitigate impacts to sand supply and public recreational resources.
 - (8) If approved, such development associated with existing shoreline or coastal bluff armoring shall meet all other applicable requirements of this policy, including with respect to the impact mitigation requirements
- (f) For sites protected by existing rip rap, require that the applicant submit a report at the time of filing an application for a coastal development permit for development (SCCC 16.10), including an evaluation of the stability and condition of the armoring and recommendations for maintenance, repair, or modification, and potential for removal based on changed conditions. The report shall include a Recovery Plan for the maintenance and repair, or potential removal of all or a portion of the existing rip rap revetment, to recover migrated rip rap and to provide for least disturbance of the beach and shoreline while also functioning as necessary to protect the structures on and adjacent to the parcel. The Recovery Plan must incorporate Best Management Practices for maintenance and repair to address potential impacts to sensitive species and environmental resources, as well as Best Management Practices for construction during maintenance and repair activities.

ATTACHMENT TO SAFETY ELEMENT PUBLIC HEARING ITEM
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Conditions of Approval

- (g) Shoreline or coastal bluff armoring should be the least environmentally damaging feasible alternative to serve coastal-dependent uses or to protect a structure or a public beach in danger from erosion
 - (1) Hard armoring (such as seawalls and revetments, etc.) shall only be allowed if soft alternatives (such as managed retreat/relocation, beach nourishment, vegetative planting, and drainage control, etc.) are not feasible, or are not the least environmentally damaging feasible alternative
 - (2) Permit shoreline or coastal bluff armoring only if non-structural measures are infeasible from an engineering standpoint or not economically viable
 - (3) Hard armoring is limited as much as possible to avoid coastal resource impacts
 - (4) Alternatively, an approved Shoreline Management Plan or projects within a designated Shoreline Protection Exception Area may authorize hard armoring for identified sections of the coast.
- (h) No shoreline or coastal bluff armoring shall be allowed for the sole purpose of protecting an accessory structure.
- (i) All shoreline and coastal bluff armoring shall be sited and designed to eliminate or mitigate adverse impacts on coastal resource impacts to the maximum feasible extent. All unavoidable coastal resource impacts shall be appropriately mitigated. Any approved new, replacement, reconstructed or redeveloped shoreline protection structure must not result in unmitigated impacts to coastal resources including.
 - (1) Reduced or restricted public beach access
 - (2) Adverse effects on shoreline processes and sand supply
 - (3) Increased erosion or flooding on adjacent properties,
 - (4) Adverse effects on coastal visual or recreational resources, or harmful impacts on wildlife and fish habitats or archaeological or paleontological resources
- (j) Mitigation Programs. Require mitigation of unavoidable adverse impacts on coastal resources, including payment of in lieu fees where in-kind options are not possible. The shoreline or coastal bluff armoring project shall include proportional mitigation for all unavoidable coastal resource impacts, including impacts on shoreline sand supply, sandy beaches, public recreational access, public views, natural landforms, and water quality. At a minimum, the effects of the armoring with respect to retention of sand generating materials, the loss of beach/sand due to its footprint, and passive erosion shall be evaluated. Proportional in-lieu fees may be used as a proxy for impact mitigation if in-kind options (such as developing new public access facilities) are not possible, and if such in-lieu fees are deposited in an interest-bearing account managed by the County and used only for mitigations offsetting unavoidable adverse impacts of the project. Required mitigation shall be determined based on reasonable calculation of unavoidable adverse impacts of a specific project on coastal resources, and may include the following:
 - (1) Sand Mitigation - to mitigate for loss of beach quality sand which would otherwise have been deposited on the beach the County may collect a fee proportional to the impact of the project on the deposit of beach quality sand which would have otherwise

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occurred to implement projects which mitigate for loss of beach quality sand due to shoreline or coastal bluff armoring. The methodology used to determine the appropriate mitigation fee will be as approved by the California Coastal Commission and which may be administratively amended from time to time by the Commission. The mitigation fee shall be deposited in an interest-bearing account designated by the Planning Director or County Parks Director.

- (2) Public Recreation Mitigation - to mitigate for public recreational impacts associated with actual loss of public recreational opportunities, including access, caused by the armoring, the County shall identify mitigation that allows for objective quantification of the value of beach and shoreline area that is related in both nature and extent to the impact of the project. Project applicants have the option of proposing an in-kind public recreation/access project or payment of fees to the County in lieu of in-kind mitigation of impacts. The in-kind public recreational/access project may be an on-site easement or other on-site public use or access amenity. At the County's discretion, these projects may be accepted if it can be demonstrated that they would provide a directly-related recreation and/or access benefit to the general public. Fees paid to the County to mitigate public recreational impacts shall be calculated based on the cost to provide alternative public recreational opportunity, proportional to the loss of public recreational opportunity caused by the project. Fees paid to the County for use of County-owned property, such as rights-of-way, for the project may be credited at the County's discretion towards mitigation of public recreational impacts associated with a project if committed to use for projects that provide alternative public recreational opportunity; however, fees paid for use of County-owned property are not limited to the amount of public recreational impacts. Fees for use of County-owned property may be established and amended by the County from time to time.
- (k) No approval shall be given for any development activity involving shoreline or coastal bluff armoring that does not include a requirement for submittal and County acceptance of a Monitoring, Maintenance and Repair Program prior to finalization of the building/grading permit for the structure. The Program shall include, but is not limited to the following elements;
 - (1) Monitoring by a professional engineer or geologist familiar and experienced with coastal structures and processes.
 - (2) Report to the County upon completion of construction of the armoring and every five years or less thereafter, as determined by either the County Geologist or a qualified professional, for as long as the armoring remains authorized
 - (3) The report shall detail the condition of the structure and list any recommended maintenance and repair work
 - (4) The monitoring plan and periodic report shall address impacts to shoreline processes and beach width, public access, and availability of public trust lands for public use
 - (5) The monitoring, maintenance and repair program shall be recorded on the title/deed of the property
 - (6) The program shall allow for County removal or repair of shoreline or coastal bluff armoring, at the owner's expense, if its condition creates a public nuisance or if necessary, to protect the public health and safety

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- (7) The program shall include any other monitoring, maintenance, and repair activities the County determines necessary to avoid or mitigate impacts to coastal resources
- (8) The term of the program shall be 20-years. Extension beyond 20 years will require an application to amend the condition of approval of the Coastal Development Permit to extend the Monitoring, Maintenance, and Repair Program at which time the program shall be updated if necessary, as shoreline conditions change over time, including the potential for additional and/or renewed requirements to mitigate then-existing impacts of the project on coastal resources.
- (l) Armoring Duration. The shoreline or coastal bluff armoring shall only be authorized until the time when the existing structure that is protected by such a device 1) is no longer present; or 2) no longer requires armoring. Permittees shall be required to submit a coastal permit application to remove the authorized shoreline or coastal bluff armoring within six months of a determination that the armoring is no longer authorized to protect the structure it was designed to protect because the structure is no longer present or no longer requires armoring.
- (m) Maintenance and Repair Authorized. Approved shoreline or coastal bluff armoring may be maintained and repaired (with building or grading permits as needed) in accordance with conditions of approval of Coastal Development Permits authorizing the armoring; but exceeding authorized maintenance and repair will require updated technical reports and approval of an amendment of the coastal development permit.

Emergency Authorization

- (n) In cases of emergency, an emergency shoreline protective device may be approved on a temporary basis only, and only under the condition that the device is required to be removed unless a regular coastal development permit is approved for retention of the structure. In such cases, a complete coastal development permit application shall be required to be submitted within 60 days following construction of the temporary emergency shoreline protective device, unless an alternate deadline is authorized by the Planning Director for good cause and good faith efforts continue toward submittal of the application. Any such temporary emergency shoreline protective device shall be sited and designed to be the minimum necessary to abate the identified emergency, and to be as consistent as possible with all LCP shoreline protective device standards, including in terms of avoiding coastal resource impacts to the maximum feasible extent. Mitigation for impacts will be required through the regular coastal development permit process, although mitigation commensurate with the duration of impacts caused by the emergency temporary device may also be required as determined by the County to be warranted. The County shall notify the Coastal Commission upon receipt of a request for an emergency shoreline protective device within the County's coastal permit jurisdiction.

6.4.26 Drainage and Landscape Plans**(LCP)**

Require drainage and landscape plans to consider potential hazards on and off site, to require removal of invasive plants and replacement with native bluff and/or other county-approved acceptable species in the area within 10 feet of the blufftop edge and below and be approved by the County Geologist prior to the approval of development in coastal hazard areas. Require that approved drainage and landscape development not contribute to offsite impacts and that the defined storm drain system or Best Management Practices be utilized where feasible. The applicant shall be responsible for the costs of repairing and/or restoring any off-site impacts caused by drainage and landscape work on the site.

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- 6.4.27 (LCP) Drainage and Improvements within 25 feet or applicable setback from coastal bluff.**
 Drainage systems shall be designed to ensure that no drainage will flow over the coastal bluff. The drainage system (including water from landscaping and irrigation) shall not contribute to coastal bluff erosion. Furthermore, all drainage system components shall be maintained in good working order. All deck, stairs etc. within the 25-foot or applicable geologic/coastal setback are required to be structurally detached from other structures and not require a building permit.
- 6.4.28 (LCP) Foundation Replacement and/or Upgrade**
 Foundation replacement and/or foundation upgrades that meet the definition of development activity in Chapter 13.20 Coastal Regulations of the Santa Cruz County Code, shall meet the 25-foot minimum and the applicable 75 or 100-year geologic/coastal hazard setback requirements. An exception to those requirements is allowed for foundation replacement and/or upgrade for existing structures that are located partly or wholly within the setback if the Planning Director determines that:
- (1) the structure will be relocated to maximize the setback from the coastal bluff or shoreline, and the property owner has agreed to record a Notice of Geologic/Coastal Hazards, Acceptance of Risk, Liability Release and Indemnification prior to issuance of the building and/or grading permit; OR
 - (2) the structure cannot be relocated to meet the setback due to inadequate parcel size, and the property owner has agreed to record a Notice of Geologic/Coastal Hazards, Acceptance of Risk, Liability Release and Indemnification prior to issuance of the building and/or grading permit.
- 6.4.29 (LCP) Additions to Existing Structures Located on Coastal Bluff and Beaches**
 Additions of any size to existing structures located on coastal bluff sites, including second story and cantilevered additions that extend the existing structure in a seaward direction, shall comply with the applicable geologic/coastal hazards setback requirements of Policies 6.2.11 and 6.2.12. Prohibit additions of any size to existing structures located on beaches or in the wave run-up zone, including second story and cantilevered additions, that extend the existing structure in a seaward direction.
- 6.4.30 (LCP) Swimming Pools and Spas**
 All new swimming pools, spas and similar in-ground and above-ground water recreation or fishpond types of features shall be located landward of the applicable geologic/coastal hazard setback. Any new water-containing features of this nature shall have double-wall construction with leak detection systems and drains to facilities and locations approved by the County.
- 6.4.31 (LCP) Accessory Structures**
 Coastal Development Permits are required for accessory structures in coastal hazard areas (including on bluffs and in the shoreline area), whether habitable or nonhabitable, and whether or not a building permit is required under Chapter 12.10 Building Regulations. CDPs authorizing accessory structures must include a condition of approval that requires the property owner and all successors in interest to remove the structure if the County Geologist, the Building Official or a licensed geotechnical engineer determines that the accessory structure is at risk of failure due to erosion, landslide or other form of bluff collapse or geologic/coastal hazard. In the event that portions of the development fall to the bluffs or ocean before they are removed/relocated, the landowner shall be required to remove all recoverable debris associated

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with the development from the bluffs and ocean and lawfully dispose of the material in an approved disposal site.

Ongoing Adaptation**6.4.32 Removal Conditions/Development Duration****(LCP)**

Coastal development permits for projects involving development (SCCC 16.10) on private property located in areas subject to coastal hazards shall be conditioned to require that it be removed, and the affected area restored if:

- (a) any government agency has ordered that the structures are not to be occupied due to coastal hazards, or if any public agency requires the structures to be removed;
- (b) essential services to the site can no longer feasibly be maintained (e.g., utilities, roads);
- (c) the development is no longer located on private property due to the migration of the public trust boundary; or
- (d) removal is required pursuant to an adopted Shoreline Management Plan.

Such condition shall be recorded on a deed restriction against the subject property. See Policy 6.4.9.

6.4.33 Abatement of Unsafe Site or Structure**(LCP)**

If coastal hazards result in an unsafe site or unsafe structure, dangerous conditions shall be abated in accordance with County regulations and Orders of the Chief Building Official. If all or any portion of improvements are deemed uninhabitable, the improvements shall be removed, and the affected area restored, unless an alternative response is approved by the County of Santa Cruz, and by the California Coastal Commission if the project is within the Coastal Commission's original jurisdiction. Alternative responses to coastal hazards may include (1) pursuit of a Coastal Development Permit consistent with County Code regulations in Chapter 13.20 (Coastal Zone Regulations) and Chapter 16.10 (Geologic Hazards); and/or (2) pursuit of an alternative consistent with an adopted shoreline management plan.

6.4.34 Bluff or Beach Erosion Trigger for Technical Report**(LCP)**

If the mean high tide line or the blufftop edge migrates to within ~~40~~15 feet of a principal structure or to any other point where the site or structure is deemed unsafe by County regulations and/or the County Geologist, Civil Engineer, or Chief Building Official, the property owner shall retain a licensed geologist or civil engineer with experience in coastal processes and hazard response to prepare a geotechnical investigation and Coastal Hazards Report that addresses whether all or any portions of the residence and related development are threatened by coastal hazards, and that identifies actions that should be taken to ensure safe use and occupancy, which may include removal or relocation of all or portions of the threatened development and improvements, or other alternate responses. The property owner shall undertake activities to pursue an appropriate response in accordance with adopted and applicable County of Santa Cruz and California Coastal Commission regulations. The geotechnical investigation and Coastal Hazards Report shall be submitted to the Executive Director of the California Coastal Commission, and to the Planning Director, Chief Building Official and County Geologist of Santa Cruz County. If the residence or any portion of the residence is proposed to be removed, the Applicant shall submit a Removal and Restoration Plan.

6.4.35 Removal and Restoration**(LCP)**

If an appropriate government agency so orders, or as a result of the above-referenced geotechnical investigation and Coastal Hazards Report, it is determined that any portion of the approved development must be removed due to coastal hazards, or if removal is required

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pursuant to Policies 6.4.9 or 6.4.32 or 6.4.33, a Removal and Restoration Plan shall be submitted to the County for review and approval. No removal activities shall commence until the Removal and Restoration Plan and all other required plans and permits are approved. The plan shall specify that in the event that portions of the development fall to the bluffs or ocean before they are removed/relocated, the landowner will remove all recoverable debris associated with the development from the bluffs and ocean and lawfully dispose of the material in an approved disposal site. If it is determined that separate grading and coastal development permits are required in order to authorize the activities, the application shall be submitted as soon as immediately feasible, including all necessary supporting information to ensure it is complete. The Removal and Restoration Plan shall clearly describe the manner in which such development is to be removed and the affected area restored so as to best protect coastal resources, and shall be implemented immediately upon County approval, or County approval of required permit applications, as may be required.

6.4.36 Repetitive Loss Properties**(LCP)**

Repetitive loss properties shall be subject to the requirements of Policy 6.4.13 and 6.4.17 regarding damage due to coastal bluff erosion and storm wave impacts and inundation. Repetitive Loss property is any habitable building for which two or more coastal hazard events within in any ~~ten~~twenty-year rolling period caused damage, the repair of which meets or exceeds either 1) the definition of development activities or 2) in the case of structures in the coastal flood hazard zone (Zone V) the definition of substantial damage. Multiple losses at the same location within 10 days of each other are counted as 1 loss. The loss history includes all ownership of the property within the 20~~10~~-year rolling period.

6.4.37 Shoreline Management Plan(s)**(LCP)**

Seek funding to assist with more specific planning that would assess alternatives and identify preferred strategies for how various segments of the urbanized area shoreline/coastal bluffs could transition if more comprehensive modern approaches to shoreline protection were implemented by the County and/or private property owners through Geologic Hazard Abatement District(s) or County Service Area(s); rather than property-by-property measures. Consistent with Policy 6.4.1, the shoreline and coastal bluff policies of this Safety Element shall be considered to be in effect until the year 2040, by which time the expectation is that shoreline management plan(s) and/or an updated set of policies within a Safety Element Amendment will have been adopted, with the first priority for preparation of a Plan being the area between the Harbor/7th Avenue and Pleasure Point Drive. Should a future Shoreline Management Plan(s) become effective, all future proposed development shall be found to be substantially consistent with the provisions of the approved management plan. Shoreline management plan(s) would identify appropriate adaptation options to implement if and when shoreline and coastal bluff armoring is no longer a feasible solution; identify triggers for when other adaptation options should be implemented; and identify priority areas for future adaptation responses.

Programs**(LCP)**

a. Relocate if feasible, essential public facilities such as sewer lines and sanitation pump stations to locations outside of coastal hazard areas when they are due for expansion or replacement or major upgrade. (Responsibility: Public Works)

(LCP)

b. Develop and implement a program to correct existing erosion problems along coastal bluffs caused by public drainage facilities and monitor and enforce compliance of private drainage facilities with approved designs and applicable standards. (Responsibility: Public Works)

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- (LCP) c. Review existing public coastal protection structures to evaluate the presence of adverse impacts such as pollution problems, loss of recreational beach area, and fish kills and implement feasible corrective actions. (Responsibility: Public Works, Environmental Health, Planning Department)
- (LCP) d. Support, encourage, and seek funding from FEMA and other appropriate agencies for the initiation of a review of all shoreline protective structures to evaluate their effectiveness and potential for becoming public hazards. Shoreline armoring can become public hazards, for example, if they are in such a state of disrepair that portions have fallen or are in imminent danger of falling onto beaches. Where it is determined that such structures are public hazards or where they provide ineffective protection due to inadequate maintenance, notify the property owner and require the property owner to either maintain the structure to a reasonable level or remove and replace the structure. Consider County action to maintain or remove and replace the structure and recover costs by a lien against the property if the property owner does not act within one year of such notice. (Responsibility: Planning Department, Board of Supervisors)
- (LCP) e. Notify private property owners in areas subject to coastal hazards they are responsible for costs of responding to property damage due to coastal erosion, coastal flooding, and wave run-up hazards, including but not limited to repair, replacement, relocation and/or removal of a portion or all of damaged structures. Encourage property owners to create a contingency fund to cover future costs to modify, relocate and/or remove development that may become threatened in the future by sea level rise and/or when removal triggers are met. Costs for removal and restoration may be based on estimates provided by a licensed building moving/demolition contractor for the amount of contingency funds necessary to remove the structure, including any seawall and restore the site. The amount of contingency funds should be reviewed every ten years and adjusted to account for changed site conditions, inflation and other conditions that effect the amount of future contingency funds needed. (Responsibility: Planning Department)
- (LCP) f. Support, encourage, seek funding, and cooperate with the Coastal Conservancy, Coastal Commission, State Lands Commission, and the Army Corps of Engineers for the establishment and maintenance of a permanent survey monument monitoring network along the coast. Utilize existing monuments set by Caltrans, other public agencies, geologic consultants, and others to the greatest degree possible. Incorporate the use of these monuments into all future planning for shoreline protective structures. Provide geo-reference (latitude and longitude) for each monument and structure. (Responsibility: Planning Department, Public Works)
- (LCP) g. Explore, with regional, state and federal agencies as appropriate, whether it is desirable or feasible to create a program that would exclude certain areas of the coast and/or certain types of projects, from being eligible for FEMA insurance or other programs that involve shifting costs of private property repair, replacement or abatement to public agencies or to insurance ratepayers in general.
- (LCP) h. Consider the best available and most recent scientific information with respect to the effects of coastal hazards and long-range sea level rise when establishing sea level rise maps, scenarios, and assumptions for use in geologic, geotechnical, hydrologic and engineering investigations, including coastal hazards analyses. Support scientific studies that increase and refine the body of knowledge regarding potential sea level rise in the County, and possible responses to it.

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- (LCP) i. Research and identify a range of financing mechanisms to support the implementation of adaptation strategies, including through grant programs (e.g. State Coastal Conservancy Climate Ready grants, NOAA Coastal Resilience grants, FEMA/Cal OES Hazard Mitigation funding) and utilization of in-lieu fees collected as mitigation for shoreline armoring.
- (LCP) j. Work with entities that plan or operate infrastructure, such as Public Works, Santa Cruz County Sanitation District, Water Districts, the Regional Transportation Commission, Caltrans and PG&E, to plan for potential realignment of public infrastructure impacted by sea level rise, with emphasis on critical accessways.
- (LCP) k. Support efforts to develop and implement innovative design alternatives that reduce or eliminate flood damage, especially those which would qualify through FEMA as acceptable alternatives to elevation under the National Flood Insurance Program (NFIP). Encourage homeowners to implement voluntary floodproofing measures in conjunction with development that is not required to be elevated.
- o (LCP) l. **Shoreline Management Plan(s)** Pursue grant funding to enable creation of ~~multiple~~ Shoreline Management Plan(s) for the shoreline areas within the Urban and Rural Services Lines, where such Plans would be structured around sections of the shoreline with similar existing conditions and potential hazards. The County's first priority is to obtain grant and/or property owner funding for development of a Plan for the area between the Harbor/7th Avenue. The first priority for development of a Shoreline Management Plan is for the Harbor/7th Avenue to Pleasure Point Drive area, and grant applications will be submitted as soon as feasible in 2020 and thereafter for available sources. That Plan is to be developed by 2030 and adopted by 2035 as a Local Coastal Program implementation regulation by 2035. Shoreline Management Plans will need to address potential effects of development, shoreline armoring, at-grade and elevated buildings, especially on beach and at lagoon areas, and could identify potential opportunities to improve public access to the coast, protection of coastal resources, and adaptation of public roads and infrastructure. Avenue and Pleasure Point Drive. Shoreline Management Plans will need to address potential effects of development, shoreline armoring, at-grade and elevated buildings, especially on beach and at lagoon areas, and could identify potential opportunities to improve public access to the coast, protection of coastal resources, and adaptation of public roads and infrastructure. Shoreline management plans would include the short- and long-term goals for the specified area, the management actions and policies necessary for reaching hazard reduction, environmental and public access goals, and necessary monitoring and maintenance to ensure effectiveness. The Shoreline Management Plan(s) would examine priorities for shoreline management, timelines, options, specific projects to be implemented, phasing and action triggers. As components of the management plans, assess seasonal and long-term shoreline changes and the potential for flooding or damage from erosion, sea level rise, waves, and storm surge. Plans would provide requirements for adapting existing development, public improvements, coastal access, recreational areas, and other coastal resources. Plans would assess the impact of existing and future development, and evaluate the feasibility of hazard avoidance, managed retreat, restoration of the sand supply and beach nourishment in appropriate areas. Plans would incorporate strategies necessary to manage and adapt to changes in wave, flooding, and erosion hazards due to sea level rise.
- (LCP) m. The County ~~will~~ould work with coastal property owners to seek funding for preparation of Shoreline Management Plan(s), which would identify specific objectives for defined (sub)area(s) of the County's coastline. Any ~~s~~Subareas would be defined geographically where multiple adjacent properties would be managed toward the same objective, with policies that apply in the areas.

MEMORANDUM

Date: November 5, 2019

To: File

From: David Carlson, Resource Planner

Re: Changes to Initial Study for Public Safety and Hazard Management General Plan, Local Coastal Program and County Code Amendments

The initial study was revised to eliminate portions of the project addressing the Noise Element and airport land use compatibility. These issues were separated from the project and separate General Plan and Local Coastal Plan amendments were recently processed for those amendments. Text in the Initial Study addressing those issues was deleted.

The initial study was revised to reflect the staff alternative presented to the Board of Supervisors on October 8, 2019. The staff alternative is just Section 6.4 of the Safety Element and includes updates to the introduction to the section on coastal bluffs and beaches providing additional information regarding policy intent.

Policy language is amended to better reflect the policy intent with several changes made to clarify the intent of key policies addressing development and armoring.

- Within the Urban and Rural Services Line establish a Shoreline Protection Exception Area between Pleasure Point (Soquel Point) and the Capitola City limit along East Cliff Drive and Opal Cliffs Drive. (Policy 6.4.11)
- For areas within the Urban and Rural Services Line but outside the Shoreline Protection Exception Area allow one 50% modification unless a future Shoreline Management Plan allows additional development. (Policy 6.4.11)
- In the Shoreline Protection Exception Area along East Cliff Drive and Opal Cliffs Drive armoring would be allowed following the pattern in terms of engineering design, aesthetics, and public access established by the County projects to armor East Cliff Drive at Pleasure Point and the Hook. A future shoreline management plan (SMP) in other areas within the Urban and Rural Services Lines may also allow armoring under certain circumstances established in the SMP. (Policy 6.4.25)
- Ensure that monitoring, maintenance, and repair plans (MMRPs) are in place and updated as appropriate for shoreline and coastal bluff armoring. The term of a MMRP for an armoring structure would be 20-years and that extension beyond 20 years may require additional mitigating actions to be taken. (Policy 6.4.25)
- A policy that encourages a more comprehensive modern approach to coastal protection, rather than property-by-property measures. The policy would encourage the County to seek grant funds to develop one or more shoreline management plans

Exhibit B

(SMPs) to guide these efforts. As a first priority for development of a SMP designate the area between the harbor (Santa Cruz City limit) and Pleasure Point (Soquel Point). (Policy 6.4.37)

The changes either clarify or reinforce policy language that is already part of the proposed amendments. The designation of a Shoreline Protection Exception Area recognizes an urbanized area of the coast that is threatened by erosion and would otherwise qualify for armoring and establishes the type of armoring in terms of engineering design, aesthetics and public access amenities that is preferable in the exception area. The changes prioritize a separate urbanized area that would be the first priority for development of a shoreline management plan to guide future development of that section of the coast. The changes further restrict development in other urbanized areas outside of the Shoreline Protection exception areas unless a shoreline management plan is developed for those areas. In addition, the changes clarify that renewal of a MMRP may require additional mitigating actions to be taken.

These changes do not affect the environmental analysis because they do not represent a change to the original intent of the amendments that would lead to any different or new environment impacts. The policy intent remains to treat urbanized areas of the coast differently compared to rural areas. Within the urbanized areas existing armoring would be accommodated and new armoring would continue to be allowed to protect existing structure threatened by erosion. The changes designate certain urbanized areas where a preferred pattern of armoring has been established by recent County projects and will become increasingly necessary in the future (Shoreline Protection Exception Area), and an area where development of a shoreline management plan is most needed based on the existing pattern of development and extensive armoring that takes up large areas of usable beach. The changes are consistent with the original policy intent but clarify and specify certain priorities in carrying out the policies. There is no change to the overall policy intent, therefore, the original conclusions of the Initial Study regarding coastal bluffs and beaches policies are unchanged and a Negative Declaration remains the appropriate environmental determination.

The changes are intended to respond to public comments and direction provided by the Planning Commission and the Board of Supervisors during the public hearing process. The new information added to the Initial Study is intended to merely clarify and refine policy language. The changes to the Initial Study are not substantial revisions because no new avoidable significant effects would occur as a result of the changes.



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD/TTY – CALL 711

KATHLEEN MOLLOY, PLANNING DIRECTOR

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CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) INITIAL STUDY/ENVIRONMENTAL CHECKLIST

Date:	June 11, 2018 <u>(Amended November 2019)</u>	Application Number:	N/A
Project Name:	<p>PUBLIC SAFETY AND HAZARD MANAGEMENT GENERAL PLAN, LOCAL COASTAL PROGRAM AND COUNTY CODE UPDATES AND AMENDMENTS:</p> <p>A. Update and amendment of General Plan/LCP Public Safety Element and implementing Santa Cruz County Code Title 16 Environmental Resource Protection regulations regarding environmental review, geologic hazards, floodplain management, erosion, and grading fire hazards, and update and amendment of General Plan/LCP Conservation and Open Space Element to move Air Quality section to Public Safety Element; and</p> <p>B. New General Plan/LCP Noise Element relocated from Public Safety Element and new SCCG Chapter 13.15 Noise Planning; and</p> <p>C. Amendment of General Plan/LCP Land Use and Circulation Elements to establish Airport Land Use Compatibility policies consistent with state handbook, including an updated SCCG Chapter 13.12 to establish the Airport Combining Zone District, and rezoning of affected properties within two miles of Watsonville Municipal Airport.</p>	Staff Planner:	David Carlson

I. OVERVIEW AND ENVIRONMENTAL DETERMINATION

APPLICANT:	County of Santa Cruz	APN(s):	Countywide
OWNER:	N/A	SUPERVISORAL DISTRICT:	County-wide

PROJECT LOCATION: Throughout the unincorporated area of the County of Santa Cruz.

SUMMARY PROJECT DESCRIPTION:

A. Update and amendment of Safety Element and Implementing SCCC Title 16 Environmental Resource Protection Regulations

Update and amendment of the Safety Element to meet current requirements of state law, including but not limited to addressing environmental factors such as climate change, sea level rise, coastal bluffs and beaches, shoreline protection measures, floodplain management consistent with FEMA requirements and best practices, and environmental justice for disadvantaged communities. Incorporation (of information and by reference) of the Climate Action Strategy (CAS) and Local Hazard Mitigation Plan (LHMP), to meet certain state requirements for Safety Elements. Fire hazard amendments for consistency with state law, including wildland urban interface standards, access and development standards, and for defensible space for 30- and 100-feet around existing development. Erosion hazard amendments addressing land clearing and grading. Amendment of Conservation and Open Space Element to shift the Air Quality section into the Safety Element, to reflect importance of air quality related to climate change and public health and safety.

Amending the Santa Cruz County Code (SCCC) regulations that implement the Safety Element, including Chapter 16.10 Geologic Hazards, shifting flood regulations from geohazard regulations to create new Chapter 16.13 Floodplain Management Regulations, Chapter 16.20 Grading Regulations, and Chapter 16.22 Erosion Control, in order to clarify permit procedures, to incorporate standards related to sea level rise especially for coastal bluffs and beaches and for flood hazard areas, to reduce the amount of land that can be cleared without a land clearing permit, and to implement policies of the updated Safety Element for other hazards such as landslides, earthquakes and liquefaction. The grading regulations are amended to incorporate the site access standards consistent with the proposed amendments to the Fire Hazard section of the GP/LCP Safety Element.

~~Amending the Santa Cruz County Code Chapter 16.01 “Regulations for Preserving and Enhancing the Environment” and 1991 County Environmental Review Guidelines, to rename to Procedures for Compliance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines, to update procedures for environmental review to ensure compliance with the latest California Environmental Quality Act (CEQA) and State CEQA Guidelines.~~

B. New Noise Element and Amendment of SCCC Chapter 8.3 Noise

~~Update and amendment of the Noise Element policies to clarify and ensure consistency with State General Plan Guidelines, including shifting noise section from Safety Element and creating stand-alone Noise Element as a new Chapter 9 of the General Plan/Local Coastal Program.~~

~~New Santa Cruz County Code chapter 13.15 Noise Planning to implement the policies of the Noise Element in the land use permitting process. Addresses land use planning, development permitting,~~

airport noise, and enforcement. Existing provisions addressing offensive noise are maintained in SCCG Chapter 8.3 Noise. The proposed amendments would implement policies of the General Plan Noise Element and provide clear regulatory and enforcement standards.

C. ~~Update and amendment of Airport Land Use Compatibility Policies Consistent with State Handbook~~

~~Amendments to the Land Use Element to establish Airport Land Use Compatibility policies and relocate and update existing policies on airport area safety and private air strips from the Circulation Element to the Land Use Element, to ensure consistency with the California Airport Land Use Planning Handbook and other applicable state and federal regulations. The existing Air Transportation section is amended and shifted from Noise section of Safety Element to the Land Use Element.~~

~~Amendment of Santa Cruz County Code Chapter 13.12 to replace the current Airport Approach Zones regulations with a new Airport Combining Zone District, and Amendments to Zoning Map to rezone properties near Watsonville Municipal Airport to the Airport Combining Zone District, to implement Airport Land Use Compatibility policies.~~

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: *All of the following potential environmental impacts are evaluated in this Initial Study. Categories that are marked have been analyzed in greater detail based on project specific information.*

<input checked="" type="checkbox"/> Aesthetics and Visual Resources	<input checked="" type="checkbox"/> Land Use and Planning
<input type="checkbox"/> Agriculture and Forestry Resources	<input checked="" type="checkbox"/> Mineral Resources
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Noise
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Population and Housing
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Public Services
<input checked="" type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Transportation/Traffic
<input checked="" type="checkbox"/> Hazards and Hazardous Materials	<input checked="" type="checkbox"/> Utilities and Service Systems
<input checked="" type="checkbox"/> Hydrology/Water Supply/Water Quality	<input type="checkbox"/> Mandatory Findings of Significance

DISCRETIONARY APPROVAL(S) BEING CONSIDERED:

<input checked="" type="checkbox"/> General Plan Amendment/ Local Coastal Program Amendment	<input type="checkbox"/> Coastal Development Permit
<input type="checkbox"/> Land Division	<input type="checkbox"/> Grading Permit
<input type="checkbox"/> Rezoning	<input type="checkbox"/> Riparian Exception
<input checked="" type="checkbox"/> Development Permit	<input type="checkbox"/> LAFCO Annexation
<input type="checkbox"/> Sewer Connection Permit	<input checked="" type="checkbox"/> Other: County Code Amendments

OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED (e.g., permits, financing approval, or participation agreement):

<u>Permit Type/Action</u>	<u>Agency</u>
Certification	California Coastal Commission

DETERMINATION:

On the basis of this initial evaluation:

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

KATHY MOLLOY, Planning Director
County of Santa Cruz Planning Department

Date

Attachments: *(Note Attachments not included in this version to reduce paperwork. Attachment 3 is included in Planning Commission staff report of November 13, 2019 and other attachments included in Board of Supervisors staff report of October 8, 2019)*

- ~~1. General Plan/Local Coastal Program Chapter 2 Land Use Element Amendments~~
- ~~2. General Plan/Local Coastal Program Chapter 3 Circulation Element Amendments~~
- ~~31. General Plan/Local Coastal Program Chapter 5 Conservation and Open Space Element Amendments (Strikeout-Underline)~~
- ~~42. General Plan/Local Coastal Program Chapter 6 Public Safety Element Amendments (Strikeout-Underline)~~
- ~~3. Public Safety Element Section 6.4 Staff Alternative (Strikeout-Underline)~~
- ~~5. General Plan/Local Coastal Program Chapter 9 Noise Element~~
- ~~6. Santa Cruz County Code Chapter 13.12 Airport Combining Zone District Amendments~~
- ~~7. Santa Cruz County Code Chapter 13.15 Noise Planning~~
- ~~8. Santa Cruz County Code Chapter 16.01 Procedures for Compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines Amendments~~
- ~~94. Santa Cruz County Code Chapter 16.10 Geologic Hazards Amendments (Strikeout-Underline)~~
- ~~105. Santa Cruz County Code Chapter 16.13 Floodplain Regulations~~
- ~~116. Santa Cruz County Code Chapter 16.20 Grading Regulations Amendments (Strikeout-Underline)~~
- ~~127. Santa Cruz County Code Chapter 16.22 Erosion Control Amendments (Strikeout-Underline)~~



II. BACKGROUND INFORMATION

EXISTING SITE CONDITIONS:

Parcel Size (acres): N/A
 Existing Land Use: N/A
 Vegetation: N/A
 Slope in area affected by project: ☐ 0 - 30% ☐ 31 – 100% ☒ N/A
 Nearby Watercourse: Countywide
 Distance To: N/A

ENVIRONMENTAL RESOURCES AND CONSTRAINTS:

Water Supply Watershed:	Countywide	Fault Zone:	Countywide
Groundwater Recharge:	Countywide	Scenic Corridor:	Countywide
Timber or Mineral:	Countywide	Historic:	Countywide
Agricultural Resource:	Countywide	Archaeology:	Countywide
Biologically Sensitive Habitat:	Countywide	Noise Constraint:	Countywide
Fire Hazard:	Countywide	Electric Power Lines:	Countywide
Floodplain:	Countywide	Solar Access:	Countywide
Erosion:	Countywide	Solar Orientation:	Countywide
Landslide:	Countywide	Hazardous Materials:	Countywide
Liquefaction:	Countywide	Other:	Countywide

SERVICES:

Fire Protection:	Countywide	Drainage District:	Countywide
School District:	Countywide	Project Access:	Countywide
Sewage Disposal:	Countywide	Water Supply:	Countywide

PLANNING POLICIES:

Zone District:	Countywide	Special Designation:	Countywide
General Plan:	Countywide		
Urban Services Line:	<input checked="" type="checkbox"/> Inside	<input checked="" type="checkbox"/> Outside	
Coastal Zone:	<input checked="" type="checkbox"/> Inside	<input checked="" type="checkbox"/> Outside	

ENVIRONMENTAL SETTING AND SURROUNDING LAND USES:

Santa Cruz County is situated along the northern end of Monterey Bay approximately 55 miles south of the City of San Francisco along the Central Coast. The Pacific Ocean and Monterey Bay are located to the west and south, respectively. The inland boundary of the County follows the crest of the Santa Cruz Mountains from the northwest to the southeast. Coastal areas of the County containing broad terraces are dominated by urbanization in the central area of the coast and the prime agricultural lands along both the northern and southern coasts of the county. The natural landscape provides the basic features that set Santa Cruz apart from the surrounding counties and require specific accommodations to ensure building is done in a safe, responsible and environmentally respectful manner. Steep

hillsides require extensive review and engineering to ensure that slopes remain stable, buildings are safe, and water quality is not impacted by increased erosion.

The California Coastal Zone affects nearly one third of the land in the urbanized area of the unincorporated County with special restrictions, regulations, and processing procedures required for development within that area.

PROJECT BACKGROUND:

This project to amend portions of the General Plan/Local Coastal Program (GP/LCP) and the County Code that address public safety, ~~circulation and land use~~ was initiated to increase the resilience of the community relative to the expected impacts of climate change in Santa Cruz County, and to implement several Priority Actions in the County's Local Hazard Mitigation Plan (LHMP) and Climate Action Strategy (CAS).

Regarding climate change, in February 2013, the County adopted the CAS to address the two pillars of community response to climate change: reduction of greenhouse gas emissions and adaptation to the environmental changes that are expected to occur. Coastal communities are particularly vulnerable to impacts from sea level rise and hazards that result from increased extreme weather. These include coastal bluff erosion, increased coastal and riverine flooding, and increased fire hazard, as well as loss of biodiversity and environmental resources. Many of the General Plan policies and code amendments in this package are being proposed to implement the adaptation portion of the Climate Action Strategy, minimize impacts from climate change, and increase resilience in unincorporated Santa Cruz County, such as:

- New policies in the General Plan incorporate using the best available science on expected impacts from climate change to evaluate proposed development projects, and recognize that scientific information will improve over time and that the information used to evaluate development projects will be updated periodically;
- New policies and regulations incorporate the concept of required "freeboard" in flood elevations, meaning that an extra amount of elevation is added to that required to meet FEMA regulations to accommodate sea level rise and other impacts of climate change, and to further reduce the potential for damage;
- Revised coastal bluff and beach policies that reflect a multi-pronged approach to adapting to sea level rise and increased coastal risks. An inventory of vulnerable public infrastructure showed that critical transportation and utility infrastructure is located near coastal bluffs and beaches. A common condition in the urbanized coastal areas of the county is one row of homes along the top of the coastal bluff or on the beach, with a public or private street on the inland side of the homes. In these cases, any coastal protection structures associated with the homes, and in some cases the homes themselves, are protecting the street and the utilities under the street from damage from sea level rise and coastal erosion. In many cases it is therefore in the public interest to acknowledge these homes will continue to exist, and they will be protected from coastal hazards for

the near- to mid-term (i.e. during the timeframe of the proposed 2020-2040 Safety Element) as sea level rises. An inventory of coastal development shows that along the top of the coastal bluff from Twin Lakes to Seascape is a nearly unbroken series of homes, about half of which have existing coastal protection structures associated with them. This is not the case in the rural areas, however, and the proposed amended and new policies and regulations reflect this difference by treating rural areas, where natural coastal retreat is an appropriate option, differently from certain identified portions within areas in the urban and rural services lines that would be protected in the near- to mid-term (which would also be reflected in the notices recorded on title as a condition of Coastal Development Permit).

- Regulations that require property owners in hazard prone areas to acknowledge and accept the risks and potential future losses, waive any claim of liability against the County, indemnify and hold harmless the County, and other acknowledgements and agreements applicable to the hazard affecting the development.
- A set of policies that address the possibility that structures may have to be removed or relocated in the future due to beach or bluff erosion, or due to repetitive damage.

~~Regarding hazard mitigation, the Planning Department applied for and received funds for planning activities from the Department of Housing and Community Development Community Development Block Grant (CDBG) 2008 Disaster Recovery Initiative (DRI) Program. The grant was for implementation of Priority Actions in the County's Local Hazard Mitigation Plan: Amend Section 6.2 Coastal Bluffs and Beaches, Section 6.3 Erosion Control, Section 6.4 Flood Hazards, and Section 6.5 Fire Hazards of the General Plan and Local Coastal Program Public Safety and Noise Element and; amend the flood hazard provisions and other sections of the County Geologic Hazards Ordinance, and create a new ordinance, Floodplain Management Regulations, containing the flood hazard provisions, and amend the Erosion Control and Grading Ordinances.~~

~~Existing provisions of the General Plan and County Code addressing land use in the unincorporated areas surrounding the Watsonville Municipal Airport need to be updated and brought into compliance with the California Airport Land Use Planning Handbook. This requires changes to several sections of the General Plan addressing land use, public safety, and circulation, and the County Code section containing land use regulations that apply in the airport vicinity.~~

DETAILED PROJECT DESCRIPTION:

See the Attachments 1 for the proposed changes to GP/LCP policies and County Code regulations in underline/strikeout format.

- A. Update and amendment of Safety Element and Implementing SCCC Title 16 Environmental Resource Protection Regulations

The proposed project would amend the ~~General Plan and Local Coastal Program (GP/LCP)~~ Public Safety ~~and Noise~~ Element to include new and amended policies and goals to address climate change mitigation and adaptation strategies, sea level rise and tsunamis. New and amended policies would also address flooding, erosion, and fire, ~~and airport area land use~~. The following sections are proposed to be significantly amended: 6.1 Seismic Hazards, 6.2 Coastal Bluffs and Beaches Slope Stability, 6.3 Erosion, 6.4 Flood Hazards, and 6.5 Fire Hazards, ~~6.11 Air Transportation, and 3.18 and 3.19 Air Travel. A new Section 2.25 Airport Land Use Compatibility would be added to the Land Use Element. Noise policies have been moved from the Public Safety Element to a separate stand-alone Noise Element through a separate GP/LCP amendment.~~ Related amendments to various County Code Chapters are necessary to implement the policy amendments. The following chapters are proposed to be amended or added: 16.10 Geologic Hazards, 16.22 Erosion Control, 16.13 Floodplain Regulations (new, separated from 16.10 Geologic Hazards), and 16.20 Grading Regulations, ~~and 13.12 Airport Approach Zones.~~

Proposed Amendments to GP/LCP Chapter 6 Public Safety Element

The Public Safety Element would be renamed Public Safety and Hazard Management and revised to provide information about requirements of state planning law in the introduction regarding flooding, fires, and climate change. These updates to the Public Safety Element are proposed for consistency with state law, including incorporating by reference the LHMP and the CAS, and adding a new section addressing environmental justice.

Proposed Amendments to GP/LCP Section 6.1 Seismic Hazards

This section would be revised to add clarifying language to the policies and additional information on seismic hazards including earthquakes, tsunami, and liquefaction. The policy addressing recording a notice of hazard on the property deed would be renamed and includes additional requirements to accept the risk, release the County from liability, and an agreement to waive related claims against the County.

Proposed Amendments to GP/LCP Climate Change

A new Section 6.2 would be added that addresses climate change and incorporates by reference the LHMP and the CAS and future updates of these plans.

Proposed Amendments to GP/LCP Section 6.2 Slope Stability

The existing Section 6.2 addressing slope stability would be ~~renamed~~renumbered Section 6.3. The proposed revisions would add clarifying language regarding technical reports and rename the policy addressing recording a notice of hazard on the property deed and include additional requirements to accept the risk, release the County from liability, and an agreement to waive claims against the County.

Proposed Amendments to GP/LCP Section 6.2 Coastal Bluffs and Beaches

A new Section 6.4 would be added that addresses specific hazards on coastal bluffs and beaches. The existing policies addressing coastal bluffs and beaches are located at the end of Section 6.2. The proposed policies ~~incorporate all the existing policies and~~ significantly expand the scope of ~~the existing coastal bluff and beaches~~ policies to address the hazard of climate change and sea level rise. The section would be re-structured to provide a framework for addressing the diverse nature of the coastline and coastal development in the County. The hierarchy would include general policies that apply to all projects, policies that apply to shoreline type, policies that apply to project type, and policies that address ongoing adaptation to sea level rise along the County's coastline and in specific shoreline areas.

The proposed section includes an introduction providing background information about the hazard and a set of guiding principles for the policies. The overall objective would be to reduce and minimize risks to life, property, and public infrastructure from coastal hazards, including projected hazards due to sea level rise, wave run-up and coastal erosion, and to minimize impacts on coastal resources from development.

The County's General Plan (~~GP~~) and LCPLocal Coastal Program are combined in one document, the GP/LCP. The proposed amendments in Section 6.4 represent a timely update to the County's ~~Local Coastal Program (LCP)~~ in response to the best available science on the hazard of climate change and sea level rise. Because of ~~their~~its role in reviewing proposed LCP amendments, and to help local communities prepare these updates, the California Coastal Commission (CCC) published sea level rise policy guidance in 2015. In 2017 the CCC published additional draft guidance specifically addressing residential adaptation policies. The CCC guidance is not regulatory or a legal standard of review and does not change the applicable requirements of the Coastal Act. The County's existing GP/LCP is consistent with the Coastal Act and is approved by the CCC. The County's proposed policies represent a significant improvement of existing policies to address development on coastal bluffs and beaches in response to best available science on the hazard of climate change and sea level rise. This significant improvement is due to the County's reliance on the CCC guidance to develop the proposed policies in substantial conformance with the CCC guidance.

The proposed policy amendments address development on coastal bluffs and beaches, including coastal protection structures and the structures they protect. To respond to future sea level rise, proposed policy amendments would require additional elevation of structures on the beach, modify the policies related to coastal bluff setbacks, require additional review of coastal protection structures, and require payment of mitigation fees to offset the sand supply and recreation impacts of coastal protection structures. Under existing policies coastal bluff setback requirements apply uniformly throughout the County. The proposed policy amendments incorporate a strategy for adaptation to future sea level rise that treats the urbanized coastal and rural coastal areas of the County differently and requires re-evaluation of coastal protection structures when the building being protected is significantly remodeled or rebuilt. There are several relevant new policies that ~~follow~~implement the proposed

guiding principles and achieve the objective of this section. The primary proposed new policy is indicated in parenthesis:

- Use best available science to determine the level of future sea level rise to use in hazard analysis for planning purposes and incorporate sea level rise in the analysis of potential hazards to development on coastal bluffs and beaches. (6.4.3)
- Revise the time horizon to use d to for evaluation of sea level rise and the expected design life of development, after which such development is expected to be reevaluated, removed, replaced or redeveloped. The time horizon for residential or commercial structures would be 75 years and for critical structures or facilities the time horizon would be 100 years. (6.4.4)
- Significantly expand the language in the notice of geologic/coastal hazards required to be recorded on the property deed, including but not limited to acceptance of risk, waiver of any liability claim against the County, indemnification of the County, future occupancy of the structure may be prohibited, and the structure may be required to be removed or relocated in the future. (6.4.9)
- Acknowledge that applicants may apply for an exception to the requirements of this section and that such exceptions would be subject to a takings analysis. (6.4.10)
- Within identified areas within the urban and rural services line where coastal protection structures are common, allow the effect of an existing coastal protection structure to be considered when calculating coastal erosion rates consistent with existing practice county wide. However, in the rural areas of the coast, where coastal protection structures are rare, do not allow the effect of such a structure in the analysis of the coastal erosion rate. (6.4.11)
- Within the Urban and Rural Services Line require evaluation of an existing coastal protection structure that protects structures that are proposed for redevelopment, and require improvements to the coastal protection structure utilizing the principle of nexus and proportionality. (6.4.11)
- Within the Urban and Rural Services Line establish a Shoreline Protection Exception Area between Pleasure Point (Soquel Point) and the Capitola City limit along East Cliff Drive and Opal Cliffs Drive. (Policy 6.4.11)
- For areas within the Urban and Rural Services Line but outside the Shoreline Protection Exception Area allow one 50% or greater modification unless a future Shoreline Management Plan allows additional development. (Policy 6.4.11)
- Current policy allows in-kind reconstruction of structures severely damaged by coastal hazards if the hazard can be mitigated to provide 100-year site stability for the proposed development at the time the application is submitted. This policy would be modified to require such reconstruction (defined as 50% or greater modification of major structural

- components) to meet all applicable LCP requirements subject to the takings analysis when evaluating any request for an exception. (6.4.13)
- For reconstruction of a structure in a coastal hazard area that is severely damaged by other than coastal hazards (fire) the proposed policy would encourage relocation of the structure compared to the existing policy that allows in kind reconstruction regardless of the location of the existing structure. (6.4.13)
 - New policies addressing development in areas of dunes and rocky shorelines. (6.4.18 and 6.4.19)
 - Add exceptions for publicly owned facilities on the coastal bluff such as stairways and public access facilities, and lifeguard facilities. (6.4.22)
 - Encourage replacement of existing coastal protection structures with modern structures that reduce impacts on coastal resources such as public access and recreation, visual and ecological resources. (6.4.25)
 - In the Shoreline Protection Exception Area along East Cliff Drive and Opal Cliffs Drive armoring would be allowed following the pattern in terms of engineering design, aesthetics, and public access established by the County projects that armored East Cliff Drive at Pleasure Point and the Hook. A future shoreline management plan (SMP) in other areas within the Urban and Rural Services Lines may also allow armoring under certain circumstances established in the SMP. (Policy 6.4.25)
 - Require the payment of mitigation fees to be used by the County Parks Department to make public access and recreation improvements to compensate for the impacts to public access and recreation caused by coastal protection structures. (6.4.25)
 - Ensure that monitoring, maintenance, and repair plans (MMRPs) are in place and updated as appropriate for shoreline and coastal bluff armoring. The term of a MMRP for an armoring structure would be 20-years and extension beyond 20 years may require additional mitigating actions to be taken depending upon conditions and impacts at that time in the future. (Policy 6.4.25)
 - Add policies addressing swimming pools and accessory structures. Pools must meet the geologic setback and be double lined with leak detection. Accessory structures do not qualify for a coastal protection structure. (6.4.30 and 6.4.31)
 - A series of new policies addressing conditions under which a structure would have to be removed or relocated due to coastal hazards. (6.4.32 – 6.4.36)
 - A policy that encourages a more comprehensive modern approach to coastal protection, rather than property-by-property measures. The policy would encourage the County to seek grant funds to develop one or more shoreline management plans (SMPs) to guide these efforts. As a first priority for development of a SMP designate the area between the harbor (Santa Cruz City limit) and Pleasure Point (Soquel Point). (6.4.37)

Current projections of sea level rise are bracketed by a low and a high range which reflects uncertainty about what will happen in the future. The General Plan amendment addressing this specifies that a reasonably foreseeable amount of sea level rise that is within the accepted range be used in project analysis (Policy 6.4.3). The amount of sea level rise to use in project analysis would be based on best available science, as periodically updated by the Planning Department. ~~The amount of sea level rise that is currently proposed to be used is three feet. The source for this projection is the National Research Council 2012 report, "Sea Level Rise for the Coastal of California, Oregon, and Washington: Past, Present, and Future". The projection is the mean amount of sea level rise within a projected range of about 17 inches to 5.5 feet by the year 2100.~~ The current best available science is considered to be the Ocean Protection Council report, "State of California Sea Level Rise Guidance, 2018 Update" which projects approximately 1.2 feet of sea level rise by 2040 and 5.5 to 6.9 feet of sea level rise by 2100 (medium-high risk aversion scenario) for Monterey Bay. Because of reasonable certainty that sea level will rise to some extent in the future, policy 6.4.3 would allow for adjustment of the amount of sea level rise to use in project analysis based on future best available science. A future adjustment would be accomplished by a GP/LCP amendment. ~~It should be noted that the highest projected range of sea level rise by mid-century is still less than three feet, and after mid-century the difference between the low and high ranges begins to widen dramatically, indicating increasing uncertainty about future conditions.~~

Adding future sea level rise to the calculation of the bluff setback would in some cases result in increased setbacks for structures on coastal bluffs and adding sea level rise to the wave run up elevation would result in increased elevation of buildings on the beach. A cap in the extent of such elevation from beach level is proposed, to be set at on non-habitable story or approximately 10 feet maximum.

Existing policy establishes for all projects a time horizon of 100 years to evaluate coastal bluff erosion rates for purposes of determining the required coastal bluff setback. A proposed policy would change this to 100 years for critical structures and facilities and 75 years for commercial and residential structures (6.4.4). The reason for the change is to reduce the life expectancy of structures without significantly reducing the resulting coastal bluff setback. The CCC in their guidance document suggests that 75 or 100 years is an appropriate time horizon to use and many coastal jurisdictions use the 75-year time horizon. The proposed new time horizon remains within the range recommended by the CCC, and new policy language makes clear that structures in existence beyond their expected life ~~would be expected to be removed, or redeveloped~~ are at greater probability of needing to be removed in the future due to coastal hazards.

Recognizing that future sea level rise raises the level of risk to development on coastal bluffs and beaches, new policy 6.4.9 would modify the Declaration of Geologic Hazards that is currently required to be recorded on property deeds to include additional language. Property owners would continue to be required to acknowledge the hazard and accept the risk_s of

developing in a hazardous area. New language would require the owners to waive any claims of liability against the County, indemnify the County against claims, and take responsibility for future costs of abatement or future removal of buildings. Additional language could may be added on a case by case basis to the acknowledgement depending on the situation, including but not limited to acknowledging the following: future flood insurance program changes, the potential for a future assessment district to abate geologic hazards, the potential cut off of public services to the site due to coastal hazards, prohibitions on future occupancy of the structure, future migration of the boundary of public trust lands (mean high tide), and the potential future requirement to remove or relocate the structure.

New policy 6.4.10 acknowledges there are situations where allowing a reduction to the required setback or other exception to allow some minimum economic use of the parcel is appropriate and provided for in takings law. The new policy does not change existing takings law that currently applies to any property in the County but makes clear the general requirements of the law and establishes that no reduction of the minimum 25-foot setback is allowed. An application for an exception would trigger reevaluation of the existing protection structure and create the opportunity to mitigate any identified impacts on coastal resources caused by the protection structure and maintain the benefits of continuing to protect public access, roads, and infrastructure. Development on any lot would continue to be constrained by existing site development standards such as setbacks from property lines, height, and neighborhood compatibility standards, but the policy would trigger consideration of reductions of front and side yard setbacks, for example, in such cases.

Development on coastal bluffs in the urban areas of the County currently occurs in a variety of configurations, with varying bluff setbacks and coastal bluff protection structures. These urbanized areas contain public roads and infrastructure that serve existing development and provide access to the coast. In these areas of the County, within the Urban and Rural Services Line, adaptation to sea level rise must consider the impact of coastal development and coastal protection structures on coastal resources, and, in some cases, the ongoing benefits of continuing to protect existing development, public access, roads, and infrastructure. Future sea level rise will put additional stress on existing coastal and bluff protection structures and increase rates of coastal bluff and beach erosion. Proposed policy amendments address this issue by establishing a connection between the protection structure and the development it is protecting (Policy 6.4.11). Development activities, as defined in the General Plan and Geologic Hazards Ordinance, would trigger re-evaluation of the protection structure. This is intended to provide clear policy direction linking the protection structure to the structure it is protecting. The evaluation would consider the impacts of the protection structure on coastal resources, such as restricted access or visual degradation, and the benefits provided by the protection structure, such as protection of public access and recreation, and protection of the public roads and infrastructure immediately inland. The proposed policy amendment would facilitate mitigation of existing impacts on coastal resources and would help mitigate

conditions of deteriorating walls and other structures from becoming eyesores and hazards on the beach over time if they are not able to be maintained and upgraded.

If a structure on a coastal bluff is severely damaged because of coastal hazards, current policy allows it to be reconstructed in-kind, even if the coastal bluff setback is less than 25 feet, if 100-year stability can be provided, possibly with a coastal bluff protection structure. This policy would be modified to require that reconstruction of such structures shall meet all applicable LCP policies and regulations unless an exception to acknowledge a shorter expected life of structure(s) is approved, subject to the takings analysis in policy 6.4.10, is approved (6.4.13). Specifically, the repaired or reconstructed structure would have to meet the 25-foot minimum setback; however, the project may qualify for a reduction of the 75 or 100-year setback. Such a project would also include a reevaluation of any existing coastal protection structure. This proposed policy would likely result in decreased levels of development and increased coastal bluff setbacks on lots that sustain damage from coastal hazards. Structures that are damaged by non-coastal related hazards, such as fire, could be rebuilt but policy 6.4.13 encourages relocation of such structures.

Existing policy requires mitigation of impacts of coastal protection structures but does not specify how. The impacts of coastal protection structures, especially in the form of riprap, are difficult to mitigate because they are highly visible and take up beach and shoreline area that otherwise would be available to beach and shoreline visitors. The CCC has developed a methodology to calculate the impact on sand supply and a new policy is proposed to require this calculation and collection of the resultant mitigation fee on development projects. The fees would be used by the County Parks Department to make public access and recreation improvements to compensate for the impacts to public access and recreation caused by coastal protection structures. (6.4.25).

In addition, new policies address situations where a structure or site becomes unsafe, is threatened by erosion, or becomes a repetitive loss property (Policies 6.2.32 through 6.4.36)

Lastly, a new policy would provide the basis for seeking grant funding to develop ~~a~~ future shoreline management plan(s) (6.4.37). Several proposed new programs describe the shoreline management plan(s) concept to study the alternative approach of comprehensive management of sections of the coast containing multiple properties rather than the current practice of evaluating individual properties as part of coastal development permit applications.

Proposed Amendments to GP/LCP Section 6.3 Erosion

The existing Section 6.3 Erosion would be renamed Section 6.5 Grading and Erosion Hazards. The proposed amendment would reduce the threshold for when a land clearing permit is required from one acre to one quarter acre. Land clearing in the County creates potential for erosion and sediment movement, which can create safety issues on roads, clog drainage infrastructure, and degrade natural water courses. There has been an increase in land

clearing activities in the rural areas of the County. The purpose of this amendment is to help reduce erosion by providing for greater oversight of land clearing projects by the County. The section is also revised to clarify that requests for exceptions are called Exception Permits and Winter Grading Permits. In addition, the changes clarify the thresholds for ministerial and discretionary grading permits, agricultural grading permits, and specialized agricultural grading which would qualify for a regular grading permit.

Proposed Amendments to GP/LCP Section 6.4 Flood Hazards

The existing Section 6.4 Flood Hazard would be renamed Section 6.6. The proposed policy amendments acknowledge and incorporate sea level rise in flood hazard policies, and make other clarifications to flood hazard policies:

- Modify terminology to use the term “flood hazard area” consistently when referring to riverine or coastal flood hazard areas
- Require additional elevation, or freeboard, above the minimum required flood elevation in coastal hazard areas and other flood hazard areas
- Amend policy on fill placement in the flood hazard area to require no net increase in fill, and no cumulative adverse impact from the fill on or off site

~~Adding sea level rise to the wave run-up elevation would result in increased elevation of structures in flood hazard areas on the beach. This not only addresses sea level rise but provides a factor of safety for purposes of floodplain management.~~

“Freeboard” is required to compensate for the many unknown factors that could contribute to flood elevations greater than the elevation calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, climate change, sea level rise, and the hydrological effect of urbanization of the watershed. ~~Projections of future sea level rise are bracketed by a low and a high range which represents uncertainty about what will happen in the future. A reasonably foreseeable amount of sea level rise within the accepted range would be used in project analysis. The proposed amount is three feet of sea level rise by 2100 based on the best available science.~~

Additional elevation of structures in flood hazard areas on beaches and along creeks and rivers is proposed to provide anthis increased factor of safety ~~for the same reasons~~. The current amount of freeboard to use in ~~riverine~~all flood hazard areas is 1 foot, as specified in SCCC Chapter 16.10 Geologic Hazards. The proposed amount is 2 feet in riverine flood hazard areas and 3 feet on beaches, which would increase levels of flood protection.

Proposed Amendments to GP/LCP Section 6.5, Fire Hazards

The existing Section 6.5 Fire Hazards would be ~~renamed~~renumbered Section 6.7.

- Background information is added to the introduction. Historical fire information and jurisdictional, regulatory, and planning information related to fire hazards is included.

- Terminology is modified to use the term “fire code official”
- New policies are added regarding defensible space to reflect state laws and guidelines.
- The policies on Access Standards 6.57.4 and Conditions for Project Approval 6.57.6 are amended to ~~be consistent with~~reference current standards in the State and local fire codes.
- Text is added to the policy on land divisions 6.5.7 to require new building sites to be located outside areas mapped as Very High FHSZs and outside areas mapped on General Plan Resources and Constraints maps as Critical Fire Hazard Areas. The policy is also revised to clarify that Land Clearing Approval may be required pursuant to the Erosion Control Ordinance (SCCC ~~Chapter~~ 16.22).

Fire Hazard policies would be amended for consistency with State law, the County Fire Code (~~County Code Section~~SCCC 7.92), and local fire district ordinances. ~~Although this represents a higher level of detail than is typical for a GP/LCP the benefit is it provides a comprehensive list of fire hazard requirements more accessible to the public. More information about specific standards is included in the County Fire Code and local fire district ordinances, but the GP/LCP would provide the basic information needed on a local level to begin planning a project. Applicants are encouraged to contact the local fire district for consultation regarding specific requirements for their project. Policies that previously included specific standards found in the Fire Code would be amended to remove specific standards and instead reference the Fire Code.~~ The County Fire Department and local fire districts periodically update the County Fire Code and local fire district ordinances to incorporate changes in legislation. This occurs on a regular triennial cycles and any changes would be incorporated in the Fire Code without triggering a future amendment of the General Plan. ~~may also trigger a future amendment of the General Plan. For the same reason~~ The proposed amendments incorporate reference the County Fire Code and local fire district ordinances for the state standard for defensible space ~~of 100 feet around existing development.~~ Defensible space refers to the area around a house where the vegetation has been modified to reduce the wildfire threat and to provide space within which firefighters can effectively defend a home. It also serves to reduce the threat of a structure fire spreading to the wildland. ~~The existing standard in the General Plan is 30 feet. The primary focus of the first 30 feet is more intense fuel reduction, with less intense fuel reduction in the zone between 30 and 100 feet.~~ These areas are described in the publication Living With Fire in Santa Cruz County produced through a joint effort between the Resource Conservation District of Santa Cruz County and California Department of Forestry and Fire Protection Santa Mateo-Santa Cruz Unit.

Proposed General Plan amendments include policies intended to address local concerns regarding establishment and maintenance of defensible space and protection of the environment (Policies 6.5.2 and 6.5.3) State law requires persons in control of property in forested or brush covered areas to create and maintain defensible space. However, fuel reduction activities that remove or dispose of vegetation are required to comply with all

federal, state and local environmental protection laws, including, but not limited to, laws protecting threatened and endangered species, sensitive habitats, water quality, air quality, and cultural/archeological resources, and to obtain all required permits.

Amendments to GP/LCP Section 6.8

Relocate the Air Quality section from Chapter 5 Open Space and Conservation Element Section 5.18 to the Public Safety Element Section 6.8. Rename existing Sections 6.6 Hazardous and Toxic Materials, 6.7 Hazardous Waste Management, and 6.8 Electric and Magnetic Field Exposure Hazards to 6.9, 6.10, and 6.11, respectively. Location of the Air Quality section within the Public Safety Element reflects importance of air quality and greenhouse gas emissions as related to climate change, as well as public health and safety impacts on the population caused by air pollution.

~~Proposed Amendments to SCCC Chapter 16.01 Procedures for Compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines~~

~~The amendment is proposed to replace the County Environmental Review Guidelines, published in 1990, with the current version of the State CEQA Guidelines that are periodically updated by the State in response to changes in State law. The County Environmental Review Guidelines were consistent with the State CEQA Guidelines when they were adopted in 1990 by duplicating relevant sections of the State Guidelines and including a brief section with local procedures not addressed by the State Guidelines. The State Guidelines have been updated several times since 1990, but the County Guidelines have not and are now inconsistent with the State Guidelines. The proposed amendment would resolve the issue for the future by adopting the most current version of the State CEQA Guidelines and converting the section on local procedures to Administrative Practice Guidelines issued by the Planning Director.~~

Proposed Amendments to SCCC Chapter 16.10 Geologic Hazards

Proposed amendments are necessary to incorporate the proposed GP/LCP Coastal Bluffs and Beaches policy amendments into the ordinance, to separate the floodplain regulations from the ordinance and create a new ordinance containing the floodplain regulations, and to update other sections to incorporate guidelines that address hazards such as landslides, earthquakes and liquefaction. The last amendment of the Geologic Hazards Ordinance occurred in 1999.

Proposed SCCC Chapter 16.13 Floodplain Regulations

Current County flood hazard regulations within the County Geologic Hazards Ordinance (Section 16.10) were adopted in 1982. Since that time there have been numerous changes to flood requirements in the California Building Code and Residential Code and through Federal Emergency Management Agency (FEMA) technical bulletins and updates. The County proposes to create a separate Flood Hazard Ordinance that will update, clarify and

consolidate flood requirements into one stand-alone ordinance. The proposed ordinance is based on the model ordinance recommended by the Department of Water Resources and FEMA with language added to make it applicable in Santa Cruz County.

Proposed Amendments to SCCC Chapter 16.20 Grading Regulations

The Grading Regulations would be amended to ~~include an updated version of~~ remove specific standards and instead reference the access standards ~~consistent within~~ State law, the County Fire Code, and local fire district ordinances. The County Fire Department and local fire districts periodically update the County Fire Code (County Code Chapter 7.92) and local fire district ordinances to incorporate changes in legislation. This occurs on a regular triennial cycles and would include any necessary updates to the Fire Code and local fire district ordinances without triggering a GP/LCP amendment. ~~Grading Regulations or GP/LCP Section 6.7 Fire Hazards. Including the fire hazard requirements regarding access standards and other conditions of approval in the GP/LCP and the Grading Regulations the requirements become more accessible to the public for planning purpose.~~

Proposed Amendments to SCCC Chapter 16.22 Erosion Control

In the current Erosion Control Ordinance, the thresholds for when a land clearing permit is required are: any amount of clearing in sensitive habitat, one-quarter acre in the Coastal Zone, and one acre or more of land clearing in all other areas of the County. The proposed amendment would reduce the threshold for when a land clearing permit is required from one acre to one-quarter acre in all areas of County. The threshold in sensitive habitat would not change. In addition, proposed amendments would remove and replace the term *approvals* to *permits*. The term *variance* would be changed to *exception* because existing findings language in the ordinance would be better described as an exception. Variance is a legal term that triggers a different set of findings.

~~B. — New Noise Element and Amendment of SCCC Chapter 8.3 Noise~~

~~The existing Noise Element in GP/LCP Section 6.9 would be relocated to a New GP/LCP Chapter 9 Noise. The new Noise Element would include relevant information about noise in the introduction and describe the County's approach to noise control. The updates and amendments of the Noise Element policies would ensure consistency with State General Plan Guidelines. Existing GP/LCP Section 6.9 includes standards in Figures 6-1 and 6-2 and the amendments would retain both Figures as new Table 9-2 and Table 9-3. The new Noise Element would also include new noise contour maps to facilitate compliance with building code sound insulation standards for new development.~~

~~The new Santa Cruz County Code 13.15 Noise Planning regulations comprehensively address land use planning, development permitting, airport noise, and enforcement. Existing county Code provisions addressing offensive noise are maintained in Chapter 8.3 Noise. The proposed amendments would implement policies of the General Plan Noise Element and provide clear regulatory and enforcement standards.~~

C. ~~Update and Amendment of Airport Land Use Compatibility Policies Consistent with State Handbook~~

~~Add a new GP/LCP Section 2.25 Airport Land Use Compatibility and relocate related policies to the new section. Policies addressing air travel would be relocated from the Circulation Element Sections 3.18 and 3.19 to the new section. Update and amendment of policies to ensure consistency with the California Airport Land Use Planning Handbook published by the State of California Department of Transportation, Division of Aeronautics, and other applicable state and federal regulations. Proposed policies addressing airport noise in the new Section 2.25 overlap with policies in the proposed Noise Element and are included in both sections. The updates and amendments represent a significant expansion of airport land use compatibility policies compared to existing requirements and address the areas of safety, noise, overflight, and airspace obstruction consistent with the Handbook. Santa Cruz County is required to include all applicable federal regulations and the Handbook's height, land use, noise, safety, and density criteria as part of its General Plan.~~

~~Santa Cruz County Code Chapter 13.12 would be amended to replace the current Airport Approach Zones regulations with a new Airport Combining Zone District, including an amended Zoning Map to rezone properties near Watsonville Municipal Airport to the Airport Combining Zone District, and related regulations to implement Airport Land Use Compatibility policies. The ordinance would include detailed requirements for each safety zone, standards for airspace protection from obstructions or other hazards to flight, and a requirement that property owners within two miles of the airport acknowledge and accept the impacts that may occur due to overflights.~~

~~Along with relocating the air travel policies from the Circulation Element to the Land Use Element, another minor amendment to the Circulation Element is included at this time and is described in this section. Circulation Element Section 3.7 Rail Facilities would be amended as requested by the State Public Utilities Commission during review of the Housing Element Update in 2015 to add a policy addressing rail corridor safety. Other updates to the section would include specific reference to freight, the names of the rail lines in the County, and support for multi-purpose use of the rail corridor.~~

III. ENVIRONMENTAL REVIEW CHECKLIST

A. AESTHETICS AND VISUAL RESOURCES

Would the project:

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| 1. Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

The project is a package of General Plan/LCP policy amendments and ordinance amendments, and as such does not directly authorize any physical construction. Many of the amendments codify regulations that are state law or are already within the County of Santa Cruz fire code. The potential for each area of policy or ordinance amendment to affect visual resources is discussed below.

Coastal Bluffs and Beaches: Development that occurs on coastal bluffs, including coastal protection structures, has the potential to degrade visual resources along the coast. In addition, future sea level rise increases the threat to structures along the coast creating the potential for degradation of visual resources from damaged structures. One of the overall goals of the amendments is to evaluate sites using future sea level rise projections and establish a set of policies that anticipates an increased amount damage to structures along the coast from more frequent and more intense storms with greater wave heights.

Within the Urban and Rural Service Lines the proposed amendments would not change the County's existing practice of evaluating projects on coastal bluffs based on existing site conditions and therefore would not increase the potential for any currently unbuildable property to become buildable because of the amendments. In the rural areas of the County's coastline the proposed policy amendment would change this existing practice by requiring the evaluation of projects on coastal bluffs or beaches to ignore the effect of any existing coastal protection structure. This will have the effect of increasing the setback of a structure on a coastal bluff and therefore reduce impacts on visual resources.

The proposed amendment would reduce the time horizon for calculation of the setback for a residential or commercial structure from 100 years to 75 years which remains consistent with guidance from the California Coastal Commission therefore the impact of this change is determined to be less than significant.

One of the overall goals of the proposed amendments to the Public Safety Element coastal bluffs and beaches policies is to improve visual quality on coastal bluffs and beaches through encouraging, and in some cases requiring, replacement of existing coastal protection structures with modern structures that reduce impacts on coastal resources. For example, if older, existing retaining walls must be repaired they can also be treated using new, more aesthetic techniques that allow walls to be colored and textured to blend with the visual

environment. Screening vegetation can also be required.

The proposed policy amendments would encourage, and in some cases require, greater setbacks for structures that are voluntarily remodeled or repaired due to damage from coastal hazards or other event such as a fire.

The proposed amendments also include a new requirement for payment of a mitigation fee that would be used by the County Parks Department to improve coastal access and recreation facilities along the coast and improve the ability of the public to experience the visual resources along the coast.

The proposed policy amendments would accommodate development on coastal bluffs and beaches but would not result in any structures getting significantly closer to the coastal bluff, and in some cases, result in greater setbacks between structures and coastal bluffs than existing policies. This minimizes visibility of buildings from the beach.

Beaches and flood elevation: The proposed policy and code amendments require additional elevation of structures on the beach to accommodate future sea level rise. Existing site standards, including height limits, for individual lots would not change. Individual projects must comply with the site standards or apply for an exception or variance to those standards if the project would exceed the height limit because of required flood elevation. Such projects would be subject to discretionary review and a coastal permit, which would require conformance with all regulations protecting scenic resources. This existing process will not change because of these amendments.

The proposed amendments include a series of policies intended to prepare for a future of increased threats and actual damage to existing structures on the coast. The existing requirements for a deed recordation acknowledging coastal hazards would be expanded with additional language addressing responsibility, liability, indemnification, and potential future relocation or removal of the structure. The proposed amendments include requirements for a coastal hazard investigation of a threatened or damaged structure and preparation of relocation or removal plans. The proposed amendments also include a policy encouraging the County to help develop one or more shoreline management plans to address certain areas of the coast in a more comprehensive manner. This might mean, for example, a long term plan for replacement of rip rap coastal protection structures that span multiple properties with vertical walls that would remove rip rap from the beach, expand the beach area, and provide an improved visual environment.

Fire Hazard Policy: Defensible space standards involve strategic vegetation modification around structures to reduce the spread of fire and provide firefighter access around structures. Defensible space does not mean clearance of all vegetation or clearance down to bare soil. The proposed amendments to the Public Safety Element fire hazard policies would

reflect existing State law that is already codified in the SCCC 7.92 Fire Code. The proposed amendments do not change any existing policies or standards that protect public views. Projects to create defensible space would occur near existing structures, therefore, a less than significant impact on scenic resources is anticipated.

Erosion Hazard: The proposed amendments to the Public Safety Element erosion hazard policies and the proposed amendments to SCCC Chapter 16.22 Erosion would reduce the amount of land clearing that triggers a requirement for a land clearing permit providing greater County oversight of these projects and increasing protection of scenic resources through the permit process and conditions of approval that can mitigate any impacts. Lastly, the proposed amendments to the GP/LCP implement regulations that are already in place in State law and the County of Santa Cruz Fire Code.

~~**Airport Land Use:** The amendments to the Land Use Element regarding airport land use compatibility policy and the amendments to SCCG Chapter 13.12 Airport Combining Zone District would codify existing State law and would therefore have no effect on scenic vistas scenic resources, visual character of the County, or create a new source of light or glare compared to baseline conditions. The amendment reflect existing regulations addressing height of structures and vegetation near the airport and would therefore have no effect on these visual resources.~~

~~**Environmental Review:** The proposed amendments to SCCG Chapter 16.01 would continue to align the County's environment review procedures with the State CEQA Guidelines and would not change local administrative practices to implement CEQA in the County's land use permit process. There would be no effect on a scenic vista, scenic resources, visual character of the County, or create a new source of light or glare.~~

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| 2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The project applies countywide which includes County designated scenic roads, public viewshed areas, scenic corridors, designated scenic resource area, and state scenic highway. However, as discussed in response A1, a less than significant impact is anticipated.

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| 3. Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The project applies countywide which includes County designated scenic roads, public viewshed areas, scenic corridors, designated scenic resource area, and state

scenic highway. However, as discussed in response A1, a less than significant impact is anticipated.

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| 4. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The project consists of GP/LCP policy and ordinance amendments, none of which would create a new source of substantial light or glare. Any light and glare issues associated with a project would be considered during the normal permit process for that project.

B. AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

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| 1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project is a package of General Plan/LCP policy amendments and ordinance amendments, and as such does not directly authorize any physical construction. They will not impact Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, or Farmland of Local Importance. No land will be converted from one use to another because of the project; therefore, no impact on farmland would occur from project implementation.

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| 2. Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project consists of countywide GP/LCP policy and ordinance

amendments. There is no anticipated impact on agricultural zones or uses, or any land under a Williamson Act Contract. Therefore, the project does not conflict with existing zoning for agricultural use, or a Williamson Act Contract.

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| 3. <i>Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project would not affect Timber Resources or access to harvest the resource in the future. Timber resources may only be harvested in accordance with California Department of Forestry timber harvest rules and regulations. Therefore, no impact is anticipated.

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| 4. <i>Result in the loss of forest land or conversion of forest land to non-forest use?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project would not result in the loss of forest land or conversion of forest land to non-forest land. Creation of defensible space around structures is consistent with State law, administered by CAL FIRE, and is not considered the loss of forest land. No impact is anticipated.

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| 5. <i>Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project consists of countywide GP/LCP policy and ordinance amendments. The project would not impact any lands designated as Prime Farmland, Unique Farmland, Farmland of Statewide Importance or Farmland of Local Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. Therefore, no Prime Farmland, Unique Farmland, Farmland of Statewide, or Farmland of Local Importance would be converted to a non-agricultural use. In addition, the project would not result in loss of forest land. Therefore, no impacts are anticipated.

C. AIR QUALITY

The significance criteria established by the Monterey Bay Unified Air Pollution Control District (MBUAPCD) has been relied upon to make the following determinations. Would the project:

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| 1. Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project is a package of General Plan/LCP policy amendments and ordinance amendments, and as such does not directly authorize any physical construction and would not create any new sources of air emissions. The project would not conflict with or obstruct any long-range air quality plans of the Monterey Bay Unified Air Pollution Control District (MBUAPCD). The proposed amendments would relocate the air quality policies from the Conservation and Open Space Element to the Public Safety in recognition of the potential health hazards of poor air quality. The Public Safety Element is a more appropriate location for air quality policies. Minor text amendments are made to the policies for consistency with air quality threshold established by the MBUAPCD without changing any existing standard. Therefore, no impact is anticipated.

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| 2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project is a package of General Plan/LCP policy amendments and ordinance amendments, and as such does not directly authorize any physical construction and would not create any new sources of air emissions. The project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. As discussed in response C1 no impact is anticipated.

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| 3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project consists of countywide GP/LCP policy and ordinance amendments that would not create any new sources of air emissions. The project would not result in a cumulatively considerable net increase of any criteria pollutant. As discussed in response C1 no impact is anticipated.

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| 4. Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposed project does not involve construction, and would not generate pollutants. There would be no impact to sensitive receptors.

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| 5. Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project would not create any objectionable odors. There would be no odor impacts because of the project.

D. BIOLOGICAL RESOURCES

Would the project:

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| 1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife, or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The project consists of countywide GP/LCP policy and ordinance amendments. The Fire Hazard policies would be amended for consistency with state law. This involves some changes to the standards for access and development. The amended policies would incorporate the state standard for defensible space around existing development. ~~The existing standard in the General Plan is 30 feet, and would be extended to 100 feet, with the primary focus on the first 30 feet of more intense fuel reduction, and less intense fuel reduction between 30 and 100 feet.~~ Defensible space is not synonymous with clearing. Defensible space refers to that area between a house and an oncoming wildfire where the vegetation has been modified to reduce the wildfire threat and to provide an opportunity for firefighters to effectively defend a home. It also serves to reduce the threat of a structure fire spreading to the wildland. State law requires that persons in control of property in forested or brush covered areas create and maintain defensible space. The goal is to reduce opportunities for fire to spread through continuous canopy or ladder fuels to structures, or from structures to the forest.

State law requiring defensible space (PRC 4291) states that the amount of fuel modification necessary shall consider the flammability of the structure. In other words, less fuel modification is necessary around buildings that are more fire resistant. The County has adopted the latest version of the California Building Code, including Chapter 7a, Wildland Urban Interface Code, which contains updated standards to increase fire resistive construction requirements for buildings. This will reduce the amount of fuel modification

required.

The proposed amendments would not themselves result in physical impacts to the environment. All future projects involving fuel reduction activities that remove or dispose of vegetation are required to comply with all federal, state and local environmental protection laws, including, but not limited to, laws protecting threatened and endangered species, sensitive habitats, significant trees, water quality, air quality, and cultural/archeological resources, and obtain all required permits. Therefore, the proposed amendments to the fire hazard policies in the GP/LCP would have a less than significant impact on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife, or U.S. Fish and Wildlife Service.

The proposed amendments to the Public Safety Element erosion hazard policies and the proposed amendments to SCCC Chapter 16.22 Erosion would reduce the amount of land clearing that triggers a requirement for a land clearing permit providing greater County oversight of these projects and increasing protection of biological resources through the permit process and conditions of approval that can mitigate any impacts.

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| 2. <i>Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations (e.g., wetland, native grassland, special forests, intertidal zone, etc.) or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: See the discussion in response D1. Impacts to sensitive habitats would be less than significant.

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| 3. <i>Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: See discussion in response D1. There would be no impacts to wetlands.

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| 4. <i>Interfere substantially with the movement of any native resident or migratory fish or wildlife species or migratory wildlife</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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corridors, or impede the use of native wildlife nursery sites?

Discussion: See discussion in response D1. The proposed project does not involve any activities that would interfere with the movements or migrations of fish or wildlife, or impede use of a known wildlife nursery site. No impact is anticipated.

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| 5. <i>Conflict with any local policies or ordinances protecting biological resources (such as the Sensitive Habitat Ordinance, Riparian and Wetland Protection Ordinance, and the Significant Tree Protection Ordinance)?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project would not conflict with any local policies or ordinances and would implement the County Fire Code. See discussions under D-1 above.

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| 6. <i>Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposed project would not conflict with the provisions of any adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. In locations that are subject to the Interim Sand Hills HCP, clearing is included in the 15,000 square feet of take authorized by the HCP and mitigated for by participation in the conservation bank for this habitat.

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| 7. <i>Produce nighttime lighting that would substantially illuminate wildlife habitats?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project consists of countywide GP/LCP policy and ordinance amendments. None of the proposed policy amendments would directly create a new source of substantial light or glare, and all light and glare issues would be considered during the normal permit process for an individual project. No impact is anticipated.

E. CULTURAL RESOURCES

Would the project:

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| 1. <i>Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project is a package of General Plan/LCP policy amendments and ordinance amendments, and as such does not directly authorize any demolition or physical

construction. ~~Many of the amendments codify regulations that are state law or are already within the County of Santa Cruz Fire Code.~~ The County contains a number of historic resources; however, no impacts to historical resources would occur from the proposed project.

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| 2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project consists of countywide GP/LCP policy and ordinance amendments. The County contains a number of archaeological resources. However, no impacts to archaeological resources would occur from the proposed project.

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| 3. Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project is a package of General Plan/LCP policy amendments and ordinance amendments, and as such would not result in disturbance of human remains. However, pursuant to Section 16.40.040 of the Santa Cruz County Code, for individual projects subject to these amended policies and ordinances, if at any time during site preparation, excavation, or other ground disturbance associated with the project, human remains are discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the sheriff-coroner and the Planning Director. If the coroner determines that the remains are not of recent origin, a full archeological report shall be prepared and representatives of the local Native California Indian group shall be contacted. Disturbance shall not resume until the significance of the archeological resource is determined and appropriate mitigations to preserve the resource on the site are established.

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| 4. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project is a package of General Plan/LCP policy amendments and ordinance amendments, and as such does not directly authorize any physical construction. The County contains a number of paleontological resources, particularly along the coast. However, no impacts to paleontological resources would occur from the proposed project.

F. GEOLOGY AND SOILS

Would the project:

- Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

A. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (A through D):

In addition to incorporating the GP/LCP Public Safety Element Coastal Bluffs and Beaches policy amendments into the SCCC Chapter 16.10 Geologic Hazards ordinance, and creation of a separate ordinance for floodplain regulation, a general review and amendment of other sections of the Geologic Hazards Ordinance, where necessary, is included as part of this project. The last amendment of the Geologic Hazards Ordinance occurred in 1999, and since that time, the State has updated its guidelines with respect to hazards such as landslides, earthquakes and liquefaction. Staff has reviewed State guidelines and amended the Geologic Hazards Ordinance as appropriate.

Amending the ordinance in this way lessens the exposure of people and structures to potential substantial adverse effects, including the risk of loss, injury, or death involving fault rupture, ground shaking, ground failure, or landsliding. None of the proposed GP/LCP policies or County Code amendments would allow development where it would otherwise not be allowed under existing policies and regulations. Therefore, no impact would occur.

- Be located on a geologic unit or soil that is ☐ ☐ ☐ ☒

unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Discussion: The proposed amendments that focus on coastal bluffs and beaches do address environments in which erosion and slope instability are factors. However, the proposed amendments increase elevation above storm flood levels for structures located on the beach and require more conservative technical analysis of potential for erosion and slope instability for structures located on coastal bluffs by incorporating sea level rise in the analysis. The proposed amendment would also facilitate repair, maintenance, and in some cases encourage replacement of existing coastal protection structures as required to maintain stability of existing building sites. No impact would occur.

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| 3. <i>Develop land with a slope exceeding 30%?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project is a package of General Plan/LCP policy amendments and ordinance amendments, and as such do not directly authorize any physical construction. The project would not encourage or result in development on slopes exceeding 30%. Specifically, the project would not change existing policy regarding development on slopes that exceed 30%. No impact would occur.

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| 4. <i>Result in substantial soil erosion or the loss of topsoil?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposed project would not result in substantial soil erosion or the loss of topsoil. No impact would occur.

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| 5. <i>Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposed project would not result in any increase in development on expansive soils. No impact would occur.

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| 6. <i>Have soils incapable of adequately supporting the use of septic tanks, leach fields, or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project would have no direct or indirect impact involving soils incapable of adequately supporting the use of septic tanks, leach fields, or alternative waste water disposal systems where sewers are not available for the disposal of waste water. No impact would occur.

7. *Result in coastal cliff erosion?*

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Discussion:

The project is a package of General Plan/LCP policy amendments and ordinance amendments, and as such do not directly authorize any physical construction. Development that occurs on coastal bluffs, including coastal protection structures, has the potential to result in coastal cliff erosion, however, the existing and proposed amendments to policies and ordinances are intended to provide stable building sites for development along the coast and protect coastal resources. Future sea level rise increases the threat to structures along the coast creating the potential for increased coastal bluff erosion. One of the overall goals of the amendments is to evaluate sites using future sea level rise projections and establish a set of policies that anticipates an increased amount damage to structures along the coast from more frequent and more intense storms with greater wave heights.

Within the Urban and Rural Service Lines the proposed amendments would not change the County's existing practice of evaluating projects on coastal bluffs based on existing site conditions and therefore would not increase the potential for any currently unbuildable property to become buildable because of the amendments. In the rural areas of the County's coastline the proposed policy amendment would change this existing practice by requiring the evaluation of projects on coastal bluffs or beaches to ignore the effect of any existing coastal protection structure. This will have the effect of increasing the setback of a structure on a coastal bluff and therefore reducing the potential for coastal bluff erosion caused by development of the site.

The proposed amendment would reduce the time horizon for calculation of the setback for a residential or commercial structure from 100 years to 75 years which remains consistent with guidance from the California Coastal Commission. Along with the changing the standard from 100 years to 75 years is a proposed set of new policies intended to prepare for a future of increased threats and actual damage to existing structures on the coast. In other words the policy intent is to prepare for a future that is anticipated to include an increase in coastal bluff erosion.

One of the overall goals of the proposed amendments to the Public Safety Element coastal bluffs and beaches policies is to improve the condition of existing degraded coastal protection structures through encouraging, and in some cases requiring repair and

maintenance, or replacement of existing coastal protection structures with modern structures that reduce impacts on coastal resources and maintain the functional capacity of the coastal protection structure to prevent coastal bluff erosion. This would be the near- to mid-term goal while anticipating removal of the protection structure in the long term as it becomes practically and economically infeasible to effectively and safely maintain or repair the structures. In addition, if older, existing retaining walls must be repaired they can also be treated using new, more aesthetic techniques that allow walls to be colored and textured to blend with the visual environment. Screening vegetation can also be required.

The proposed policy amendments would encourage, and in some cases require, greater setbacks for structures that are voluntarily remodeled or repaired due to damage from coastal hazards or other event such as a fire.

The proposed policy amendments would accommodate development on coastal bluffs and beaches but would not result in any structures getting significantly closer to the coastal bluff, and in some cases, result in greater setbacks between structures and coastal bluffs than existing policies. This would not create a situation that would result in coastal cliff erosion.

The proposed amendments include a series of policies intended to adaptively over time prepare for a future of increased threats and actual damage to existing structures on the coast. The existing requirements for a deed recordation acknowledging coastal hazards would be expanded with additional language addressing responsibility, liability, indemnification, and potential future relocation or removal of the structure. The proposed amendments include requirements for a coastal hazard investigation of a threatened or damaged structure and preparation of relocation or removal plans. The proposed amendments also include a policy encouraging the County to help develop one or more shoreline management plans to address certain areas of the coast in a more comprehensive manner. This might mean, for example, a long term plan for replacement of rip rap coastal protection structures that span multiple properties with vertical walls that would remove rip rap from the beach, expand the beach area, and provide an improved visual environment.

Overall, the proposed policy and ordinance amendments would not result in coastal bluff erosion but are intended to protect development along the coast from the hazard of coastal bluff erosion and prepare for a future of increased coastal bluff erosion caused by sea level rise. Therefore, the projects impact on coastal bluff erosion is considered less than significant.

G. GREENHOUSE GAS EMISSIONS

Would the project:

1. Generate greenhouse gas emissions, ☐ ☐ ☐ ☒

either directly or indirectly, that may have a significant impact on the environment?

Discussion: The proposed project would not directly or indirectly generate greenhouse gas emissions. No impact would occur.

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| 2. <i>Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. No impact would occur.

H. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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| 1. <i>Create a significant hazard to the public or the environment as a result of the routine transport, use or disposal of hazardous materials?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposed project would not create a significant hazard to the public or the environment. No impacts would occur.

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| 2. <i>Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions. No impact would occur.

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| 3. <i>Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposed project would not result in hazardous emissions or the handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No impacts would occur.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
4. <i>Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The proposed project is not site specific; therefore, no impact would occur.

5. <i>For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: ~~The proposed package of~~ In a separate action the County General Plan/LCP was recently amended to policy amendments and ordinance amendments would bring the County's policies and codes into compliance with applicable State law regarding land use in the vicinity of the Watsonville Municipal airport. ~~This will promote compatibility between the airport and the future land uses in the unincorporated area of the County that surround it by including height, land use, noise, safety, and density criteria. Because these criteria are requirements of existing State law no actual change in the safety hazard would occur as a result of the amendments. The proposed amendment that are part of this project would not result in a safety hazard for people residing or working the vicinity of the airport.~~ No impact is anticipated.

6. <i>For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The proposed project is not located in the vicinity of a private airstrip. No impact is anticipated.

7. <i>Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The project is a package of General Plan/LCP policy amendments and ordinance amendments, and as such does not directly authorize any physical construction. The proposed project incorporates by reference and implements the County of Santa Cruz Local Hazard Mitigation Plan 2015-2020 (County of Santa Cruz, 2015) and does not conflict

with that plan. Therefore, no adverse impacts to an adopted emergency response plan or evacuation plan would occur from project implementation.

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| 8. <i>Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposed policy amendments addressing fire hazards would be consistent with state law and would implement the County Fire Code. This involves ~~incorporating~~ referencing current state standards for access and development. The amended policies would ~~incorporate~~ reference the state standard for defensible space around existing development. ~~The existing standard in the General Plan is 30 feet, and this is now extended out to 100 feet, with the primary focus on the first 30 feet of more intense fuel reduction, and less intense fuel reduction between 30 and 100 feet.~~ Defensible space refers to that area between a house and an oncoming wildfire where the vegetation has been modified to reduce the wildfire threat and to provide an opportunity for firefighters to effectively defend a home. It also serves to reduce the threat of a structure fire spreading to the wildland. State law requires that persons in control of property in forested or brush covered areas create and maintain defensible space. The amended policies would provide for reduced risk from wildland fire. No impact would occur.

I. HYDROLOGY, WATER SUPPLY, AND WATER QUALITY

Would the project:

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| 1. <i>Violate any water quality standards or waste discharge requirements?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project would have no affect on water quality standards or waste discharge requirements. No impacts are anticipated.

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| 2. <i>Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project would have no affect on groundwater supplies or groundwater

recharge. No impacts are anticipated.

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| 3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project would not affect existing drainage patterns. No impacts are anticipated.

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| 4. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding, on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project would not affect existing drainage patterns. No impacts are anticipated.

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| 5. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems, or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project would not affect runoff water. No impacts are anticipated.

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| 6. Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project would not affect water quality standards or waste discharge requirements, groundwater supplies or groundwater recharge, existing drainage patterns, or runoff water. No impacts are anticipated.

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 7. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: ~~Adding sea level rise to the wave run-up elevation would result in increased elevation of structures in flood hazard areas on the beach. This not only addresses sea level~~

~~rise, but provides a factor of safety for purposes of floodplain management.~~ “Freeboard” is required to compensate for the many unknown factors that could contribute to flood heights or elevations greater than the height or elevation calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, climate change, sea level rise, and the hydrological effect of urbanization of the watershed. ~~Projections of future sea level rise are bracketed by a low and a high range which represents uncertainty about what will actually happen in the future. The proposed policy amendment provides that a reasonable foreseeable amount of sea level rise within the accepted range would be used in project analysis. The amount of sea level rise to use in project analysis would be reflected in the Geologic Hazard Ordinance. The proposed amount is three feet, which is the projected amount of sea level rise by 2100 based on the best available science.~~ Additional elevation of structure in flood hazard areas on beaches and along creeks and rivers is proposed to provide an this increased factor of safety ~~for all the same reasons~~. The amount of freeboard to use in riverine flood hazard areas is also specified in the Floodplain Regulations. The proposed amount is 2 feet, which represents an additional foot above the current freeboard standard. The amount of freeboard required for structures on beaches is 3 feet. The proposed policy and ordinance amendments would increase levels of flood protection. Therefore, no impacts would occur.

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|------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 8. <i>Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See the discussion under I-7. The proposed project would provide for increased avoidance of flood hazards. No impact would occur.

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 9. <i>Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project would not increase the risk of flooding and would not lead to the failure of a levee or dam. No impact would occur.

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|-------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 10. <i>Inundation by seiche, tsunami, or mudflow?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There are two primary types of tsunami vulnerability in Santa Cruz County. The first is a teletsunami or distant source tsunami from elsewhere in the Pacific Ocean. This type of tsunami is capable of causing significant destruction in Santa Cruz County. However, this type of tsunami would usually allow time for the Tsunami Warning System for the Pacific Ocean to warn threatened coastal areas in time for evacuation (County of

Santa Cruz 2010).

The greater risk to the County of Santa Cruz is a tsunami generated as the result of an earthquake along one of the many earthquake faults in the region. Even a moderate earthquake could cause a local source tsunami from submarine landsliding in Monterey Bay. A local source tsunami generated by an earthquake on any of the faults affecting Santa Cruz County would arrive just minutes after the initial shock. The lack of warning time from such a nearby event would result in higher casualties than if it were a distant tsunami (County of Santa Cruz 2010).

The project would provide for increased protection from flood hazards in portions of the areas that may be subject to seiche or tsunami hazards, and would have no affect in areas outside mapped FEMA flood hazard areas. Therefore, no impact would occur.

J. LAND USE AND PLANNING

Would the project:

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|------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project does not include any element that would physically divide an established community. No impact would occur.

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project does not conflict with any regulations or policies adopted for the purpose of avoiding or mitigating an environmental effect. No impacts are anticipated.

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|---------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project would not conflict with any applicable habitat conservation plan or natural community conservation plan. See also D-1. No impact would occur.

K. MINERAL RESOURCES

Would the project:

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|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Therefore, no impact is anticipated from project implementation.

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project would not result in the loss of availability of a locally important mineral resource recovery (extraction) site delineated on a local general plan, specific plan or other land use plan would occur as a result of this project.

L. NOISE

Would the project result in:

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: ~~The project consists of General Plan/LCP policy and ordinance amendments and as such does not directly authorize any physical construction. No impact is anticipated. No impact would occur. The proposed policy and ordinance amendments would incorporate the requirements of State law as detailed in the California Airport Land Use Planning Handbook published by the State of California Department of Transportation, Division of Aeronautics. The proposed policy amendments do not change any existing standards for noise generation or noise exposure, therefore no impact is anticipated.~~

~~The proposed policy and ordinance amendments would establish a new General Plan Chapter 9 Noise Element and relocate noise policies from the Public Safety Element to the new Noise Element and amend the policies to provide for better regulation of noise generating land uses and exposure of existing land uses to noise impacts. A new SCCC Chapter 13.15 Noise Planning would implement the new Noise Element (existing SCCC Chapter 8.3 addresses offensive noise). Existing standards for noise generation and noise exposure would not change. Provisions would be added that would provide for better sound insulation of structures and acknowledgement by property owners near the airport and rail~~

~~line of potential noise and vibration impacts near these existing facilities. The proposed amendments provide for better planning and regulation of noise, therefore, no impact is anticipated.~~

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|---------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project consists of General Plan/LCP policy and ordinance amendments and as such does not directly authorize any physical construction. ~~See also discussion under L-1.~~ No impact is anticipated.

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|--------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project consists of General Plan/LCP policy and ordinance amendments and as such does not directly authorize any physical construction. ~~See also discussion under L-1.~~ No impact is anticipated.

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|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project consists of General Plan/LCP policy amendments and as such does not directly authorize any physical construction. ~~See also discussion under L-1.~~ No impact is anticipated.

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| 5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: ~~The project consists of General Plan/LCP policy amendments and as such does not directly authorize any physical construction. No impact is anticipated. The proposed package of General Plan/LCP policy amendments and ordinance amendments would bring the County's policies and codes into compliance with applicable State law regarding land use in the vicinity of the Watsonville Municipal airport. This will promote compatibility between the airport and the future land uses in the unincorporated area of the County that surround it by including height, land use, noise, safety, and density criteria. Because these criteria are requirements of existing State law no actual change in the safety~~

~~hazard would occur as a result of the amendments. No impact is anticipated.~~

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: ~~See discussion under L-5.~~ No impact is anticipated.

M. POPULATION AND HOUSING

Would the project:

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project would not induce substantial population growth in an area because the project does not propose any physical or regulatory change that would remove a restriction to or encourage population growth in the area. No impact would occur.

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|-----------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-----------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project would not displace any existing housing. No impact would occur.

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|-------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project would not displace any people. No impact would occur.

N. PUBLIC SERVICES

Would the project:

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
| 1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|

response times, or other performance objectives for any of the public services:

- | | | | | |
|-----------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Other public facilities; including the maintenance of roads? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion (a through e): The project is a package of General Plan/LCP policy amendments and ordinance amendments, and as such do not directly authorize any physical construction. The project would not result in the need for any new or physically altered governmental facilities. No impacts would occur.

O. RECREATION

Would the project:

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project is a package of General Plan/LCP policy amendments and ordinance amendments, and as such do not directly authorize any physical construction. The proposed project would not increase the use of existing neighborhood and regional parks or other recreational facilities. No impacts would occur.

The proposed amendments addressing coastal bluffs and beaches also include a new requirement for payment of a mitigation fee that would be used by the County Parks Department to improve coastal access and recreation facilities along the coast and improve the ability of the public to experience the recreational resources along the coast.

- | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project does not propose the expansion or construction of additional recreational facilities. No impact would occur.

P. TRANSPORTATION/TRAFFIC

Would the project:

- | | | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project is a package of General Plan/LCP policy amendments and ordinance amendments, and as such do not directly authorize any physical construction. There would be no impact because no additional traffic would be generated.

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| 2. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project is a package of General Plan/LCP policy amendments and ordinance amendments, and as such do not directly authorize any physical construction. The proposed project would not conflict with either the goals and/or policies of the RTP or with monitoring the delivery of state and federally-funded projects outlined in the RTIP. No impact would occur.

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: No change in air traffic patterns would result from project implementation. Therefore, no impact is anticipated.

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| 4. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project does not affect road design or transportation. No increase in hazards would occur from project design or from incompatible uses. No impact would occur from project implementation.

5. *Result in inadequate emergency access?* ☐ ☐ ☐ ☒

Discussion: The proposed policy amendments would be consistent with existing State law and the County Fire Code and therefore would not result in inadequate emergency access.

6. *Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?* ☐ ☐ ☐ ☒

Discussion: The proposed project would no conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities No impact would occur.

Q. UTILITIES AND SERVICE SYSTEMS

Would the project:

1. *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?* ☐ ☐ ☐ ☒

Discussion: The project is a package of General Plan/LCP policy amendments and ordinance amendments, and as such do not directly authorize any physical construction. The proposed project would not generate wastewater. Therefore, wastewater treatment requirements would not be exceeded. No impacts would occur.

2. *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* ☐ ☐ ☐ ☒

Discussion: The proposed project would not require water or wastewater treatment. No impacts are expected to occur.

3. *Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* ☐ ☐ ☐ ☒

Discussion: The proposed project would not generate increased runoff; therefore, it would not result in the need for new or expanded drainage facilities. No impact would occur.

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|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposed project would have no impact on water supplies.

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| 5. Result in determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposed project would have no impact on wastewater treatment capacity.

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|------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project would have no impact on landfill capacity.

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|-------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 7. Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project would have no impact related to solid waste.

R. MANDATORY FINDINGS OF SIGNIFICANCE

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory were considered in the response to each question in Section III (A through Q) of this Initial Study. As a result of this evaluation, there is no evidence that significant effects associated with this project would result. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

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| 2. Does the project have impacts that are individually limited, but cumulatively considerable? ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: In addition to project specific impacts, this evaluation considered the projects potential for incremental effects that are cumulatively considerable. As a result of this evaluation, there is no evidence that there are cumulative effects associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

3. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

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Discussion: In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to specific questions in Section III (A through Q). As a result of this evaluation, there is no evidence that there are adverse effects to human beings associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

IV. REFERENCES USED IN THE COMPLETION OF THIS INITIAL STUDY

California Coastal Commission, 2015

Sea-Level Rise Policy Guidance, August 12, 2015

California Coastal Commission, 2015

Residential Adaptation Policy Guidance, Public Review Draft, March 2018

California Department of Conservation. 1980

Farmland Mapping and Monitoring Program Soil Candidate Listing for Prime Farmland and Farmland of Statewide Importance Santa Cruz County U.S. Department of Agriculture, Natural Resources Conservation Service, soil surveys for Santa Cruz County, California, August 1980.

California Ocean Protection Council, 2018

State of California Sea-Level Rise Guidance 2018 Update

County of Santa Cruz, 2013

County of Santa Cruz Climate Action Strategy. Approved by the Board of Supervisors on February 26, 2013.

County of Santa Cruz, 2010

County of Santa Cruz Local Hazard Mitigation Plan 2010-2015. Prepared by the County of Santa Cruz Office of Emergency Services.

County of Santa Cruz, 1994

1994 General Plan and Local Coastal Program for the County of Santa Cruz, California. Adopted by the Board of Supervisors on May 24, 1994, and certified by the California Coastal Commission on December 15, 1994.

MBUAPCD, 2008

Monterey Bay Unified Air Pollution Control District (MBUAPCD), CEQA Air Quality Guidelines. Prepared by the MBUAPCD, Adopted October 1995, Revised: February 1997, August 1998, December 1999, September 2000, September 2002, June 2004 and February 2008.

MBUAPCD, 2013a

Monterey Bay Unified Air Pollution Control District, NCCAB (NCCAB) Area Designations and Attainment Status – January 2013. Available online at

http://www.mbuapcd.org/mbuapcd/pdf/Planning/Attainment_Status_January_2013_2.pdf

MBUAPCD, 2013b

Triennial Plan Revision 2009-2011. Monterey Bay Air Pollution Control District. Adopted April 17, 2013.

National Research Council of the National Academies, 2012

Sea-Level Rise for the Coasts of California, Oregon, and Washington: Past, Present, and Future. National Academies Press, Washington, D.C. pp.250. ISBN 978-309-24494-3.

United States Department of Transportation, 2006

United States Geological Survey, 2012

Flint, L.E., and Flint, A.L., 2012, Simulation of climate change in San Francisco Bay Basins, California: Case studies in the Russian River Valley and Santa Cruz Mountains: U.S. Geological Survey Scientific Investigations Report 2012-5132, 55 p.

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